

**AN ORDINANCE AMENDING THE RATES AND CHARGES
FOR THE SEWAGE WORKS UTILITY BY THE ESTABLISHMENT OF A MONTHLY
STORM WATER USER FEE**

WHEREAS, the LaFontaine Sewer Works ("Sewer Works"), in LaFontaine, Indiana ("Town") operates a sewage works utility for the benefit of the ratepayers within the Town and in the surrounding area;

WHEREAS, various ordinances have been adopted from time to time regarding policies and procedures for the sewer works and the establishment of sewer rates, fees and charges;

WHEREAS, the costs of collecting and managing storm water are not presently being recovered from the properties generating that storm water runoff and/or the properties served by that system; and

WHEREAS, the Town has caused a report to be completed by Therber, Brock & Associates, Inc. ("Report"), and based on that Report, the Town finds that a storm water user fee should be enacted to pay for the costs of collecting and managing its storm water, including compliance with State and County laws, rules and procedures; and

WHEREAS, the Town has elected to establish two classes of storm water fees; residential and non-residential; and

WHEREAS, the Town intends to enact a storm water user fee for the costs of collecting and managing its storm water pursuant to IC 36-9-23-25, which authorizes the Town Council to enact such a fee; and

WHEREAS, the Town Council finds that based on the Report that a storm water user fee should be enacted to pay for the costs of collecting and managing storm water pursuant to the provisions of IC 36-9-23, which storm water user fee should be charged, collected and administered pursuant to Town guidelines; and

WHEREAS, the Town Council finds that due notice and the appropriate public hearing have been given and conducted in accordance with IC 36-9-23;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of LaFontaine, Indiana, as follows:

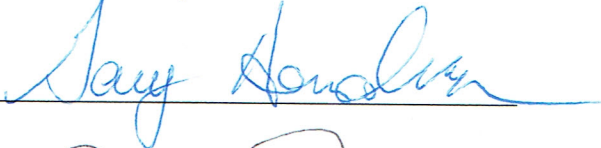
1. There is hereby established a monthly storm water utility fee to be charged to all owners of real estate within the Town of LaFontaine for the use of and services provided by the storm water utility of the Town.
2. For residential real estate, the storm water fee shall be a flat residential customer charge of \$2.00 per month per residence.
3. For non-residential real estate, the storm water fee shall be a flat non-residential customer charge of \$4.00 per month per non-residential parcel.

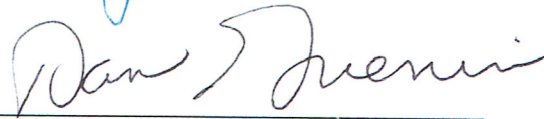
4. If the monthly storm water utility fee is not paid by the due date stated on the bill, a late charge of 10% will be assessed, together with any and all costs of collection, if any, including reasonable attorney's fees and costs of collection. Delinquent charges for storm water services, as well as applied penalties, recording fees and service charges, constitute a lien upon the property and may be collected in accordance with the provisions of IC 36-9-25-11.
5. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance, which can be given effect without such invalid part or parts.
6. The monthly storm water user fee as herein set forth shall become effective on and payable for the billing month of January 2014.
7. This ordinance shall be in full force and effect from and after its passage and any publication as required by law.

All other provisions of the Town's sewer system and its sewer ordinances not amended by this ordinance shall remain in full force and effect.

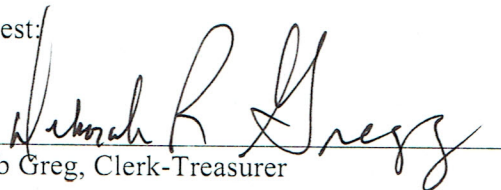
Passed and adopted by the Town Council of the Town of LaFontaine, Indiana, on the 11 day of NOVEMBER 2013.

TOWN COUNCIL OF THE TOWN OF
LAFONTAINE, INDIANA





Attest:


Deb Greg, Clerk-Treasurer

APPENDIX A

LaFontaine Waterworks

Water Rates and Charges:

I. Recurring Rates and Charges

A Metered Rates Per Month
Per 1000 Gallons

First	2,667	\$11.24
Next	2,333	8.98
Next	3,333	6.72
Next	16,667	3.37
Over	25,000	2.10

B Minimum Charge Per Month
Size of Meter

5/8	inch meter	\$22.51
3/4	inch meter	40.41
1	inch meter	70.96
1 - 1/2	inch meter	101.14
2	inch meter	<u>161.57</u>
3	inch meter	303.47
4	inch meter	509.34
6	inch meter	807.88

C Fire Protection - Municipal Hydrant
Per Annum

Municipal Hydrant - Per Hydrant	\$562.03
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D Fire Protection - Private Hydrants
Per Annum

Private Hydrant - Per Hydrant	\$562.03
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E Bulk Water Rate Per 1000 Gallons

\$6.72