

ORDINANCE NO. #1642-5-22

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF AVILLA, INDIANA,
REGARDING IMPLEMENTATION OF A NEW SCHEDULE OF RATES AND
CHARGES FOR WATER UTILITY SERVICES**

WHEREAS, the Town of Avilla, Indiana (the "Town"), owns and operates a municipal waterworks utility (the "Waterworks") and collects rates and charges for the water utility services rendered by the Waterworks; and

WHEREAS, on March 16, 2022, Indiana Governor Eric Holcomb signed House Enrolled Act No. 1002 ("HEA 1002") into law, which among other things, repeals the Indiana Utility Receipts Tax ("IURT"), currently codified in Ind. Code 6-2.3, with an effective date of July 1, 2022; and

WHEREAS, House Enrolled Act No. 1002 requires that each rate or charge that includes recovery of the IURT be calculated to remove the amount designed to recover for the IURT; and

WHEREAS, it is necessary to decrease certain existing rates and charges in order to comply with such financial requirements of HEA 1002.

WHEREAS, pursuant to IC 8-1.5-3-9.1, the Town Council removed the Waterworks from jurisdiction of the Utility Regulatory Commission on October 7, 1994 for purposes of approval of rates and charges and the issuance of bonds, notes or other evidences of indebtedness;

WHEREAS, this Board, pursuant to IC 8-1.5-3-8 and IC 8-1.5-3-8.1, acting as the municipal legislative body, has the power, authority and responsibility to approve new rates and charges;

WHEREAS, a public hearing on the proposed schedule of rates and charges is not required by IC 8-1.5-3-8.1(b) and IC 5-3-1 for rate decreases or compliance with state law.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF AVILLA, INDIANA, THAT:

Section 1. The following schedule of rates and charges for the water utility services listed below and rendered by the Waterworks of the Town of Avilla, Indiana, shall replace the existing rates and charges for the services listed below:

(a) Metered Rates Per Month: Rate Per 1,000 Gallons

First 2,000 gallons	\$6.85
Next 6,000 gallons	5.45
Next 12,000 gallons	4.55
Next 30,000 gallons	3.65
Next 50,000 gallons	2.75
Over 100,000 gallons	1.85

(b) Monthly Minimum Charges:

<u>Size of Meter</u>	<u>Gallons Allowed</u>	<u>Monthly Charge</u>
5/8" – 3/4"	2,000	\$13.70
1"	2,800	18.05
1 1/4"	6,200	36.60
1 1/2"	11,750	63.45
2"	17,750	90.75

3"	29,700	136.40
4"	56,000	227.00
6"	107,750	362.35

(c) Fire Hydrants (per annum):

Municipal - per hydrant	\$222.30
Private - per hydrant	222.30

(d) Private Fire Protection (per annum):

1" line	\$17.20
2-1/2" line	26.25
3" line	38.40
4" line	66.70
6" line	151.60
8" line	268.75
10" line	420.25

(e) All Ordinances and portions of Ordinances in conflict herewith are repealed.

A copy of this resolution and ordinance shall be placed on file and available for public inspection in the offices of the Waterworks and the Clerk-Treasurer for the Town of Avilla.

Adopted and passed by the Town Council of the Town of Avilla, Indiana on the _____ day of _____, 2022 to be effective after July 1, 2022.

AVILLA TOWN COUNCIL

Phillip Puckett, Jr, President
Avilla Town Council

Paul Shepherd, Member

William Krock Jr, Member

ATTEST:

Rita Grocock, Clerk-Treasurer