

**ORDINANCE 2021-**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE TOWN OF DAYTON CHAPTER 52.17: RATES AND CHARGES.**

WHEREAS, the Town Council of the Town of Dayton previously adopted Chapter 52.17 of the Code of Ordinances for the Town of Dayton concerning Rates and Charges; and

WHEREAS, the Town Council of the Town of Dayton seeks to make certain amendments to Chapter 52.17 of the Code of Ordinances for the Town of Dayton and said amendments are attached as Exhibit A:

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Dayton, Indiana, that the Code of Ordinances for the Town of Dayton be amended by repealing existing Chapter 52.17 and replacing it with a new Chapter 52.17 as follows:

**ADOPTING RATES AND CHARGES ORDINANCE 52.17 BY REFERENCE**

(A) The Rates and Charges Ordinance for the Town of Dayton, Indiana, as amended in Exhibit A, is incorporated by reference as part of this chapter and it is hereby enacted and adopted and approved as a general ordinance of the Town of Dayton.

(B) Two copies of the Rates and Charges Ordinance for the Town of Dayton, Indiana, as amended, are on file in the office of the Town Clerk-Treasurer for public inspection.

(C) The Town Council and/or the Utility Service Board shall be responsible for implementation and enforcement of this Ordinance.

This Ordinance supersedes all prior ordinances regarding Rates and Charges of the Water Utility.

This Ordinance shall be in full force and effect upon its passage and signing and publication as required by law.

ADOPTED AND PASSED BY THE TOWN COUNCIL OF THE TOWN OF DAYTON, INDIANA THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021.

\_\_\_\_\_  
Presiding Officer

ATTEST:

\_\_\_\_\_  
Clerk-Treasurer

## **Exhibit A**

### **§ 52.17 RATES AND CHARGES.**

There are hereby established for the use of and the service rendered by the waterworks of the town the following rates and charges.

(A) There is hereby fixed a minimum monthly charge for each residential user of \$29.75, for which the user will be entitled to 3,000 gallons of water per month. In addition to the monthly minimum charge, a residential user shall pay \$9.96 per 1,000 gallons or any part thereof from 3,000 to 10,000 gallons; an additional \$4.99 per 1,000 gallons or any part thereof from 10,000 to 15,000 gallons; and an additional \$1.65 per 1,000 gallons or any part thereof over 15,000 gallons.

(B) Until a time as an owner is connected to the waterworks pursuant to § 52.02 and assessed costs as set forth in division (A) above, the owner shall be charged the fixed rate of \$12.66.

(C) Where the Board has authorized one meter for multiple users or units, then the owner shall pay a minimum charge for each unit served by the meter, and shall be entitled thereby to the gallonage usage provided in division (A) above, times the number of users or units. The excess gallonage usage as provided for in division (B) above shall apply thereafter to the one meter.

(D) If an owner requests the Superintendent or the Board to disconnect his or her water, then no minimum charge shall accrue or become payable until the owner requests the Superintendent to reconnect and the reconnection is made. The owner shall pay a fee of \$25 to the Board each time the water is disconnected and a fee of \$25 to reconnect.

(E) All owners shall, prior to connection with the waterworks and town supply, pay to the Board a deposit for each meter. The water meter deposit shall be \$125, with \$75 payable upon having the water service turned on, and with the remaining \$50 due 30 days thereafter. The deposits shall be deposited in a waterworks account specifically for deposits of owners. Upon action by the Board to disconnect service pursuant to § 52.14 for delinquent payment of charges or fees, the Board may direct the Clerk-Treasurer to withdraw the owner's deposit and credit it to the delinquent charges. Before service can thereafter be reconnected, a new deposit must be paid.

(F) All services provided by the waterworks shall be for the owner, and all charges and fees herein provided for shall be billed and charged to the owner and same shall be the owner's obligation. Billings shall be made by the Board on a monthly basis and shall be mailed by the Board to the owner at the address on file at the County Auditor's office or another address as the owner may in writing give to the Board.

(G) All bills for water service not paid within 15 days from the due date thereof, as stated in the bill, shall be subject to a collection or deferred payment charge of 10%.

(H) There shall be and there are hereby established for those customers having private fire protection sprinklers the following annual rates and charges.

<i>Size</i>	<i>Charge</i>
1-1/2-inch line	\$166.70
2-inch line	\$194.40
2-1/2-inch line	\$249.90
3-inch line	\$305.40
4-inch line	\$388.80
5-inch line	\$583.10
6-inch line	\$777.30
8-inch line	\$1,666.00
10-inch line	\$2,082.40

(I) (1) A tenant/owner of property in the town whose account is 30 days or more in arrears and with a balance of \$25 or more will be subject to a temporary disconnection of service on the first day of the following month. This disconnection will be subject to a \$25 reconnection fee once the arrears are paid in full. The arrears must be paid by cash, money order, cashier's check or credit card only.

(2) Reconnection of water service shall not be authorized by any person, other than the Town Utility Clerk or Deputy Utility Clerk, once all the arrears are paid in full.