

ORDINANCE NO. 2014-23



AN ORDINANCE AMENDING THE RATES AND CHARGES
FOR THE STORM WATER WORKS UTILITY

WHEREAS, the Cloverdale Department of Storm Water Management ("Storm Water Department"), in Cloverdale, Indiana ("Town") operates a storm water department for the benefit of the ratepayers within the Town and in the surrounding area;

WHEREAS, Ordinances 2013-9 created the Department of Storm Water Management, and Ordinance 2014-5 created a system of rates and charges to fund the storm water activities of the Storm Water Department;

WHEREAS, it has been determined by the Town Council that it is necessary to increase the current storm water rates in order that they will be adequate to fund the activities of the Storm Water Department, and therefore the storm water rates should be amended and modified as provided for in this ordinance;

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CLOVERDALE, as follows:

1. STORM WATER RATES – for use of and service rendered by the Storm Water Department, each user shall be charged in an amount based upon a monthly fee for, as shown in Appendix A.

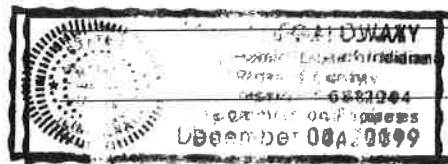
All other provisions of Ordinance No. 2014-5 not amended by this ordinance shall remain in full force and effect.

The provisions herein, when approved and adopted, shall be effective for billing beginning December 2014.

SO ADOPTED this 11 day of Nov., 2014.

Town Council

Conetta Patton



ATTEST:

By Cheryl Ballouney
Clerk Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

Prepared by Alan Yockey

Cheryl Ballouney

APPENDIX A

STORMWATER DEPARTMENT USER FEES

To be collected by monthly billing and to be included on the monthly utility bills.

A storm water department user fee shall be imposed on all improved property within the town corporate limits, including those classified as non-profit or tax-exempt, for facilities provided by the storm water department. This user fee is deemed reasonable and is necessary to pay for the repair, replacement, planning, improvement, operation, regulation and maintenance of the existing and future storm water system for the Town of Cloverdale, Indiana.

All improved property within the corporate boundary of the Town of Cloverdale, Putnam County, Indiana will be subject to these fees. Improved property is defined as those properties receiving either water or sewer service (or both) from the town.

For the purposes stated herein, there is hereby assessed a storm water department user fee to each storm water department user within the corporate limits of the Town of Cloverdale, Putnam County, Indiana, in an amount as determined below. For purposes of imposing the storm water department user fee, all lots and parcels within the sewage works system service area are classified as either:

1. Residential, or
2. Non-Residential, or

1. Residential Properties:

Monthly fees for residential properties located within the sewage works system service area are hereby established as one (1) ERU multiplied by the Base Rate.

2. Non-Residential Properties:

Monthly fees for non-residential properties located within the sewage works system service area are hereby established as one (2) ERU multiplied by the Base Rate.

4. Billing and Payment; Penalties

Such rates and charges shall be prepared, billed and collected by the Town in the manner provided by law and ordinance.

- a. The rates and charges for all users shall be prepared and billed monthly.
- b. The rates and charges may be billed to the tenant or tenants occupying the properties served, unless otherwise requested in writing by the owner, but such billing shall in no way relieve the owner from the liability in the event payment is not made as herein required. The owners of properties served, which are occupied by a tenant or tenants, shall have the right to examine the collection records of the Town for the purpose of determining whether bills have been paid by such tenant or tenants, provided that such

examination shall be made at the office at which said records are kept and during the hours that such office is open for business.

c. As provided by statute, all rates and charges not paid when due are hereby declared to be delinquent and a penalty of ten percent (10%) of the amount of the rates or charges shall thereupon attach thereto. The time at which such rates or charges shall be paid is now fixed at fifteen (15) days after the date of mailing of the bill.

5. Storm Water Base Rate (Monthly)

The Storm Water Base Rate is \$5.00.

NOTICE OF PUBLIC HEARING ON
THE PROPOSED RATES AND CHARGES OF
THE TOWN OF CLOVERDALE, INDIANA
STORM WATER WORKS UTILITY

Property owners, ratepayers and other interested parties in or served or to be served by the Storm Water Works of the Town of Cloverdale, Indiana ("Town") are hereby notified that a public hearing will be held by the Storm Water Board of the Town, at the Town Hall, 154 South Main Street, Cloverdale, Indiana 46120, commencing at 6:30 p.m. on October 16, 2014. The purpose of the hearing is to consider an increase in the monthly storm water rates for the users of the Town storm water works. At the hearing, interested persons may be heard concerning the storm water rates and charges established by Ordinance No. 2014-23 of the Town, introduced on September 18, 2014. Ordinance No. 2014-23 makes such rates and charges effective for December 2014 billing, which rates and charges are set forth in Appendix A (as follows). The complete text of Ordinance No. 2014-23 is available for examination and copying at the office of the Clerk-Treasurer at the Town Hall of the Town of Cloverdale, 154 South Main Street, Cloverdale, Indiana 46120 during normal business hours and will be available at the public hearing.

All other rates and charges of the Cloverdale Storm Water Works will remain unchanged.

On October 16, 2014, the Storm Water Board shall consider, and may take final action on, the proposed ordinance.


Cheryl Galloway
Clerk-Treasurer

Dated: September 18, 2014

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