

NOTICE OF A HEARING ON PROPOSED SEWER RATES AND CHARGES

Greenwood Sewage Works Users, Property owners, and other interested parties in the City of Greenwood, Indiana, in the former Johnson Suburban Utilities Franchise Area, in the former Community Sanitation Corporation Franchise area and in contracted service areas are hereby notified that Greenwood Common Council Ordinance No. 10-26, "An Ordinance Amending Ordinance No. 92-6, Ordinance No. 96-46, Ordinance No. 96-47, and Ordinance No. 97-45, as amended, to Revise the Ordinances of the Schedules of Rates and Charges to be Collected by the City of Greenwood, Indiana, from the Owners and Occupiers of Property Served by the Sewage Works of said City, and Other Matters Connected Therewith" was introduced at a meeting of the Common Council held on August 16, 2010. Greenwood Common Council Ordinance No. 10-26 will revise some of the present Greenwood Sewage Works rates and charges found in the Greenwood Municipal Code (1993) as amended in Sec. 9-106, Sec. 9-113, Sec. 9-124, Sec. 9-125, Sec. 9-131, Sec. 9-132, Sec. 9-134 by increasing the monthly base rates and the tap-on fees for each meter size by various amounts, for example, the monthly base rates for the smallest, a 5/8 inch to 3/4 inch (typically residential) meter will increase from \$7.25 to \$10.44, to the largest meter, an eight inch meter, for which the base rate will increase from \$1,086.31 to \$1,564.29; the tap-on fees for each meter size will increase by varying amounts, the 5/8 to 3/4 inch meter will increase from \$600 to \$835, the meters over two inches will increase from \$13,800 to \$19,196; the monthly sewer charge shall be increased from \$1.66 for each 1,000 gallons of water used as converted to units to \$2.39 per 1,000 gallons, the monthly flat rate for residential users with non-metered supplies of water will increase from \$22.19 for users outside the former JSU and former Community areas to \$31.95, for former JSU Franchise area residential users with non-metered supplies of water the monthly flat rate will increase to \$39.34, and for former Community Franchise Area residential users with non-metered supplies of water the monthly flat rate will increase to \$42.96; the Sewer Availability Fee will increase from \$1,490 per EDU to \$2,073 per EDU, the application fee for sewer availability will increase from \$270 to \$500, and inspection and testing fees for new sewer facilities will increase from \$35 to \$40; all rates and charges shall be effective with the sewer bills issued after November 1, 2010. Actual rates and charges for services of the Greenwood Sewage Works, other than those stated above, are unchanged.

At a meeting of the Common Council to be held at 7:00 P.M. (local time) on September 8, 2010, in the Council Chambers of the City Building, Two North Madison Avenue, Greenwood, Indiana, there will be a public hearing on the matter of rates and charges and consideration of adoption of Greenwood Common Council Ordinance No. 10-26.

The following are the definitions found in Greenwood Municipal Code (1993), Chapter 9, Article 3, Division IV Utilities – Sewers and Sewage Disposal - Rates and Charges and used in Greenwood Common Council Ordinance No. 10-26.

"City" shall mean the City of Greenwood, Indiana.

"Community Industrial User" shall mean an industrial user as defined below that is located within the Former Community Area and shall pay fees in accordance with the Ordinance establishing fees for other industrial users except for the additional connection fees provided for herein.

"Community Non-Industrial User" shall mean a non-industrial user as defined below that is located within the Former Community Area.

"Debt Service Charge" shall mean the charge levied on users of sewage works to meet principal and interest on revenue bonds and service charges.

"Domestic Wastewater or Sewage" shall mean the liquid waste normally contributed by a residential living unit which shall not exceed a volume of ten thousand five hundred (10,500) gallons per month, thirty (30) pounds of BOD per month and thirty-five (35) pounds of suspended solids per month.

"Former Community Area" shall mean the real property more particularly described in the Former Community Area Legal Description and shown on the Former Community Area Map, which are by reference made a part of this Division as fully as if the same were attached hereto and incorporated herein, and two (2) copies of which are now on file in the Office of the Clerk –Treasurer of the City and are open for public inspection pursuant to IC 36-1-5-4 , and which is commonly known as the areas (1) within Community's Certificate of Territorial Authority No. 23 and 129, (2), within the service area of the Sanitary Sewer Service Agreement between Greenwood and Community, as amended, and (3) Olive Branch Estates and Brentridge Estates.

"Former JSU Franchise Area" shall mean the real property more particularly described in the Indiana Public Service Commission's (now Indiana Utility Regulatory Commission) Certificate of Territorial Authority (hereinafter CTA) No. 103 and 149, and the Typewritten note of 27 July, 1979, which CTA and note are by reference made a part of this Ordinance (Division) as fully as if the same were attached and incorporated herein, and two (2) copies of which are now on file in the Office of the Clerk –Treasurer of the City and are open for public inspection pursuant to IC 36-1-5-4 , and more commonly believed to be located within the boundaries of the map attached hereto and incorporated herein by reference only, but two (2) copies of which are now on file in the Office of the Clerk –Treasurer of the City and are open for public inspection pursuant to IC 36-1-5-4.

"Industrial Wastes" shall mean liquid waste resulting from any commercial, manufacturing or industrial operation or process.

"JSU Industrial User" shall mean an industrial user as defined below that is located within the Former JSU Franchise Area and shall pay fees in accordance with the Ordinance establishing fees for other industrial users except for the additional connection fees provided for herein.

"JSU Non-Industrial User" shall mean a non-industrial user as defined below that is located within the Former JSU Franchise Area.

"Owner" shall mean a user who is listed as the owner or occupier of real estate as disclosed in the records of the Auditor of Johnson County, Indiana.

“Replacement Charge” shall mean the expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the service life of the sewage works to maintain the capacity and performance for which such works were designed and constructed; operation and maintenance includes replacement.

“Sewer Service Charge” shall mean the aggregate of user and debt service charges.

“Suspended Solids” shall mean solids that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering under standard laboratory procedure.

“Unit” shall be the nearest seven hundred and fifty (750) gallons of water used as provided to the City from the Water readings, actual or estimated.

“User” shall mean any and all persons (natural or artificial) including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity user that uses the City’s sewage works.

“User Class” shall mean the division of wastewater treatment customers by location, source, function, waste characteristics, and process or discharge similarities (i.e., residential, commercial, industrial, institutional and governmental in the user service charge system).

“Industrial User” shall mean any non-governmental or non-residential user and shall include a JSU Industrial User and a Community Industrial User of the sewage works identified in the “Standard Industrial Classification Manual”, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions:

- (1) Division A – Agriculture, Forestry and Fishing
- (2) Division B – Mining
- (3) Division D – Manufacturing
- (4) Division E – Transportation, Communication, Electric, Gas and Sanitary Services
- (5) Division I – Services

A user in the Division listed may be excluded if it is determined by the Greenwood Board of Public Works and Safety that such user will introduce primarily segregated domestic wastes or wastes from sanitary conveniences. Those users not excluded shall in addition be subject to the charges provided for in Ordinance No. 85-21, Industrial Cost Recovery.

“Non-Industrial User” shall mean any governmental or residential user and includes a JSU Non-Industrial User and a Community Non-Industrial User. The term also includes commercial, institutional, and other industrial users where it has been determined that the wastes contributed by these users is primarily segregated domestic wastes or wastes from sanitary conveniences.

“User Service Charge” shall mean the charge levied on users of sewage works for cost of operation, maintenance, and replacement of the works and equipment.

Greenwood Municipal Code (1993), as amended, Chapter 9, Article 3, Division IV, as will be amended by Greenwood Common Council Ordinance No. 10-26, provides in pertinent part the following proposed fees and amendments:

Section 1. Common Council Ordinance No. 96-46, entitled “An Ordinance to Amend the Greenwood Municipal Code (1993), as amended, Section 9-125 Tap-On Fees for Individually metered Multi-Family Dwellings Projects and to Codify Sewer Connection Permits Expiration”, Section 1., **Sec. 9-125 Tap On Fees**, and Greenwood Municipal Code (1993), as amended, Chapter 9, Article 3. Sewers and Sewage Disposal, Division IV. Rates and Charges, **Sec. 9-125 Tap On Fees**, are hereby amended as follows:

- A. In the first paragraph of the Section regarding five-eighths (5/8) or three-fourths (3/4) inch or less in diameter water meter, by deleting the rate of “\$600” and replacing it with the rate of “\$835”;
- B. In the first paragraph of the Section regarding a water meter larger than three-fourths inch (3/4) but less than two (2) inches in diameter, by deleting the rate of “\$1,500” and replacing it with the rate of \$2,087”;
- C. In the first paragraph of the Section regarding a water meter two (2) inches in diameter, by deleting the rate of “\$6,000” and replacing it with the rate of “\$8,346”;
- D. In the first paragraph of the Section regarding a water meter over two (2) inches in diameter, by deleting the rate of “\$13,800” and replacing it with the rate of “\$19,196”;
- E. In the third paragraph of the Section, by changing the word “units” to “unit” in the second line of the paragraph, and inserting the words “the user shall” after the word “and” and before the word “pay” in the second line of the paragraph.

Section 2. Common Council Ordinance No. 97-45, entitled “An Ordinance Revising the Ordinance of the Schedule of Rates and Charges to be Collected by the City of Greenwood, Indiana, from the Owners and Occupiers of Property Served by the Sewage Works of Said City, and Other Matters Connected Therewith”, as amended, Section 1., **Sec. 9-106 Rates and Charges**, and Greenwood Municipal Code (1993), as amended, Chapter 9, Article 3. Sewers and Sewage Disposal, Division IV., Rates and Charges, **Sec. 9-106 Rates and Charges**, are hereby amended as follows:

- A. In Subsection (b), by deleting the rate of “One Dollar and Sixty-Six Cents (\$1.66) per thousand (1,000) gallons of water used” and replacing it with the rate of “Two Dollars and Thirty-Nine Cents (\$2.39) per thousand (1,000) gallons of water used”;
- B. In Subsection (c), by deleting the language of the subsection in its entirety and replacing it with language to read as follows:

“(c) Monthly rates and charges for user charge and debt service shall be based upon the size of the water meter installed at the premises as follows-

<i>Size of Water Meter</i>	<i>Per Month</i>
For each five-eighths (5/8) or three-fourths (3/4) inch water meter	\$10.44
For each one (1) inch water meter	\$24.74
For each one and one-quarter (1-1/4) inch water meter	\$39.04
For each one and one-half (1 1/2) inch water meter	\$55.24
For each two (2) inch water meter	\$96.24
For each three (3) inch water meter	\$220.16
For each four (4) inch water meter	\$382.22
For each six (6) inch water meter	\$863.39
For each eight (8) inch water meter	\$1,564.29

(Ord. No. 90-24, § 2 (a)-(c), 6-4-90; Ord. No. 97-45, § 1, (12-15-97); Ord. No. 98-27, § 1, (7-20-98); Ord. No. 10-26, §2 B., 9-20-10)

Section 3. Common Council Ordinance No. 97-45, entitled “An Ordinance Revising the Ordinance of the Schedule of Rates and Charges to be Collected by the City of Greenwood, Indiana, from the Owners and Occupiers of Property Served by the Sewage Works of Said City, and Other Matters Connected Therewith”, as amended, **Section 1., Sec. 9-113 Flat Rate Residential Users With Non-Metered Supplies of Water.**, and Greenwood Municipal Code (1993), as amended, Chapter 9, Article 3. Sewers and Sewage Disposal, **Division IV., Rates and Charges, Sec. 9-113 Flat Rate Residential Users With Non-Metered Supplies of Water.**, are hereby amended to read as follows:

“Sec. 9-113 Flat Rate Residential Users With Non-Metered Supplies of Water.

Non-Industrial Users who are outside the Former JSU Franchise Area and outside the Former Community Area and who do not have an acceptable metered supply of water shall pay a flat rate of Thirty-One Dollars and Ninety-Five Cents (\$31.95) per month; provided, however, that JSU Non-Industrial Users who do not have an acceptable metered supply of water shall pay a flat rate of Thirty-Nine Dollars and Thirty-Four Cents (\$39.34) per month; provided further, that Community Non-industrial Users who do not have an acceptable metered supply of water, shall pay a flat rate of Forty-Two Dollars and Ninety-Six Cents (\$42.96) per month. (Ord. No. 90-24, § 2 (j), 6-4-90; Ord. No. 94-8, § 2, 5-4-94; Ord. No. 97-45, § 1, (12-15-97) Ord. No. 98-27 § 2 (7-20-98); Ord No. 10-26, §3, 9-20-10).”

Section 4. Common Council Ordinance No. 97-45, entitled “An Ordinance Revising the Ordinance of the Schedule of Rates and Charges to be Collected by the City of Greenwood, Indiana, from the Owners and Occupiers of Property Served by the Sewage Works of Said City, and Other Matters Connected Therewith”, as amended, **Section 1., Sec. 9-124 Effective Date of Rates and Charges.**, and Greenwood Municipal Code (1993), as amended, Chapter 9, Article 3. Sewers and Sewage Disposal, **Division IV., Rates and Charges, Sec. 9-124 Effective Date of Rates and Charges.**, are hereby amended to read as follows:

“Sec. 9-124 Effective Date of Rates and Charges.

Except as otherwise provided, the rates and charges as herein set forth shall become effective with the first billing issued after November 1, 2010. (Ord No. 97-45, § 1, 12-15-97; Ord. No. 98-27 § 3, 7-20-98; Ord. No 10-26, §4, 9-20-10)

Section 5. Common Council Ordinance No. 96-47, entitled, “An Ordinance Adding New Sections 9-131 through 9-134 to the Greenwood Municipal Code (1993), as Amended, to Establish a Sewer Availability Fee and its Procedures and to Provide for Other Rates and Charges”, **Section 1., Sec. 9-131 Sewer Availability Fees (SAF)**, Greenwood Common Council Ordinance No. 97-45 entitled “An Ordinance Revising the Ordinance of the Schedule of Rates and Charges to be Collected by the City of Greenwood, Indiana, from the Owners and Occupiers of Property Served by the Sewage Works of Said City, and Other Matters Connected Therewith”, as amended, **Section 1., Sec. 9-131 Sewer Availability Fees (SAF)**, and Greenwood Municipal Code (1993), as amended, Chapter 9, Article 3. Sewers and Sewage Disposal, **Division IV. Rates and Charges, Sec. 9-131 Sewer Availability Fee (SAF)**, are hereby amended to read as follows:

- A. In subsection (a)(5), by deleting the fee amount of “One Thousand Four Hundred Ninety Dollars (\$1,490)” and replacing it with the fee amount of “Two Thousand Seventy-Three Dollars (\$2,073)” and inserting the words, “as may be occasionally updated as described in Sec. 9-131(f)” after the word “Utility” in the third line of the paragraph; and further, by inserting the words “for non-residential users” after the acronym “EDU”s” at the end of the paragraph.
- B. In subsection (c), Equivalent Domestic Unit (EDU); Table of Estimated Flow; SAF Calculation, by deleting the table in its entirety and replacing it with the following table:

Table for Estimating Wastewater Flows

Item Number	Service Connection Description		Estimated Flow (gallons per day)
1	Agricultural labor camp		50 per occupant
2	Airport		3 per passenger plus 20 per employee
3	Assembly hall		3 per seat
4	Athletic field (baseball, soccer, football, etc.)		1 per participant and spectator with additions for concessions
5	Auction and flea market		
	a)	with full kitchen	5 per customer
	b)	with warming kitchen	4 per customer
	c)	without kitchen	3 per customer
6	Automatic self-cleaning bathroom		20 per cycle (3 cycles per day)
7	Banquet caterer		10 per employee
8	Bar (without food)		10 per seat
9	Barber shop		42 per chair
10	Beauty salon		140 per chair
11	Bed and breakfast		150 per bedroom
12	Bowling alley		
	a)	with bar and/or food	125 per lane
	b)	without food	75 per lane
13	Bus station		3 per passenger
14	Campground (organizational)		
	a)	with flush toilets, showers, central kitchen	40 per camper
	b)	without flush toilets, privy use, central dining hall, no showers, handwashing	20 per camper
15	Campground (recreational)		
	a)	with individual sewer connection	100 per campsite
	b)	without individual sewer connection	50 per campsite
16	Car wash		
	a)	self serve bay	570 per bay
	b)	Tunnel	5,000 per tunnel
17	Church		
	a)	with full kitchen	5 per sanctuary seat
	b)	with warming kitchen	4 per sanctuary seat
	c)	without kitchen	3 per sanctuary seat
18	Condominium, multi family dwelling (includes apartment buildings)		
	a)	one bedroom	200 per unit
	b)	two bedroom	300 per unit
	c)	three bedroom	350 per unit
19	Condominium, one and two family dwelling		150 per bedroom
20	Conferences		10 per attendee
21	Correctional facilities		120 per inmate
22	Day care center		20 per person
23	Dentist		200 per chair plus 75 per medical employee and 20 per administrative employee
24	Distribution Center		20 per 5,000 sf floor space
25	Doctor's office		75 per doctor, plus 75 per nurse, plus 20 per support staff
26	Dry Cleaner		1,907
27	Factory		
	a)	with showers	35 per employee
	b)	without showers	20 per employee
28	Fire station		
	a)	Manned	75 per firefighter
	b)	Unmanned	35 per firefighter

29	Food service operations		
	a)	cocktail lounge or tavern	35 per seat
	b)	restaurant (not open 24 hours)	35 per seat
	c)	restaurant (open 24 hours)	50 per seat
	d)	restaurant (not open 24 hours but located along an interstate)	50 per seat
	e)	restaurant (open 24 hours and located along an interstate)	70 per seat
	f)	Tavern	35 per seat
	g)	curb service (drive-in)	50 per car space
30	Golf		
	a)	comfort station	3 per 50% of maximum number of golfers
	b)	main clubhouse	5 per golfer with additions for food service and showers
31	Hospital, medical facility		200 per bed
32	Hotel		100 per room
33	Kennels, animal groomers, and vet clinics (sum of all of the following services at a facility):		
	a)	Cages	5 per cage
	b)	inside runs	10 per run
	c)	outside runs	20 per run
	d)	Grooming	260
	e)	Surgery	50 per surgery room
	f)	Staff	75 per veterinary doctor, plus 75 per veterinary assistant, plus 20 per support staff
34	Laundromat		150 per washing machine
35	Library reading room		3 per 50 sf floor space
36	Mental health facility		100 per patient
37	Mobile home park		200 per lot
38	Motel		100 per room
39	Nail salon		46 per station
40	Nursing home		100 per bed
41	Office building		
		without showers	20 per employee
		with showers	35 per employee
42	Outpatient surgical center		50 per patient
43	Picnic area		5 per visitor
44	Race tracks		5 per attendee, 20 per staff
45	Residential - single family		310 per lot
46	Schools ¹		
	a)	Elementary	15 per pupil
	b)	Secondary	25 per pupil
	c)	with dormitory	100 per bed
47	Service station		
	a)	convenience store/service center	1,000 with additions for food preparation and seating
	b)	with only two (2) restrooms	400 per restroom
	c)	with only unisex restroom	600 per restroom
	d)	automatic self-cleaning bathroom	60 per day
48	Shopping center		0.1 per square foot of floor space, plus 20 per employee
49	Swimming pool bathhouse		10 per swimmer
50	Theater		
	a)	drive-in	5 per car space
	b)	inside building	5 per seat

¹ Baseline usage is established and approved by the BPW&S. Annual reporting is required as described in Board Resolution XX-X, and additional SAF due is calculated, where applicable, based on the annual student count report.

Table adapted from Water Pollution Control Board; 327 IAC 3-6-11; filed May 17, 1999, 12:11 p.m.: 22 IR 3090; errata filed May 20, 1999, 6:36 p.m.: 22 IR 3108; readopted filed Apr 11, 2005, 2:45 p.m.: 28 IR 2470

Occupancy loads as contained in the Indiana Building Code shall be used to estimate wastewater flows, where applicable.

Section 7. Common Council Ordinance No. 96-47, entitled, “An Ordinance Adding New Sections 9-131 through 9-134 to the Greenwood Municipal Code (1993), as Amended, to Establish a Sewer Availability Fee and its Procedures and to Provide for Other Rates and Charges”, Section 4., **Sec. 9-134 Establishment of Fees for Sanitary Sewer Plan Review, Sanitary Sewer Main Inspection and Testing and City’s Contract Attorney**, Common Council Ordinance No. 97-45, entitled “An Ordinance Revising the Ordinance of the Schedule of Rates and Charges to be Collected by the City of Greenwood, Indiana, from the Owners and Occupiers of Property Served by the Sewage Works of Said City, and Other Matters Connected Therewith”, as amended, Section 1., **Sec. 9-134 Establishment of Fees for Sanitary Sewer Plan Review, Sanitary Sewer Main Inspection and Testing and City’s Contract Attorney**, and Greenwood Municipal Code (1993), as amended, Chapter 9, Article 3. Sewers and Sewage Disposal, Division IV. Rates and Charges, **Sec. 9-134 Establishment of Fees for Sanitary Sewer Plan Review, Sanitary Sewer Main Inspection and Testing and City’s Contract Attorney**, are hereby amended to read as follows:

A. In subsection (a), by changing the amount of the application fee in line eight from “Two Hundred Seventy Dollar (\$270)” to “Five Hundred Dollar (\$500)”;

B. By inserting an additional paragraph to subsection (a) to read: “The Board of Public Works and Safety is authorized, at its discretion, to direct staff to perform the sanitary sewer design plan review and related services described above, in which case the owner, lessee or developer of real estate presenting development plans and/or requesting sanitary sewer service from the City of Greenwood shall pay and the Board shall collect a Fifty Dollar (\$50.00) per hour fee for each hour of review in excess of ten (10) hours.”

C. In subsection (b) (1), by changing the inspection and testing services fee from the amount of “Thirty-Five Dollars (\$35.00) per hour” to “Forty Dollars (\$40.00) per hour”.

Charges not paid by the 17th day after the billing date will be subject to a penalty of ten percent (10%) of the net bill, together with a reasonable attorney fee as provided by Indiana Code 36-9-23-29.

The rates and charges as herein set forth shall become effective with sewer billings after November 1, 2010.

In accordance with Indiana Code 36-9-23-26, the fees and charges established hereunder for any class of users or property shall be automatically extended to cover any additional property that is subsequently served and falls within the same class without any additional action by this Common Council, hearing, or notice.

At such hearing and prior to final adoption of Greenwood Common Council Ordinance No. 10-26, all interested parties may appear and be heard. Copies of Greenwood Municipal Code (1993) as amended, Chapter 9, Article 3, Division IV, setting forth the present rates and charges of the Greenwood Sewage Works, and Greenwood Common Council Ordinance No. 10-26, the proposed amending ordinance, are on file in the Office of the Clerk-Treasurer and are available for inspection by any interested parties during regular business hours.

Dated August 11, 2010

Jeannine Myers
Greenwood Clerk-Treasurer