

**WHITELAND TOWN COUNCIL
ORDINANCE NO. 2022-06**

**AN ORDINANCE AMENDING THE RATES AND CHARGES
FOR THE TOWN OF WHITELAND'S WATERWORKS, TO REFLECT THE
ELIMINATION OF THE UTILITY RECEIPTS TAX**

WHEREAS, the Town of Whiteland, Indiana (the "Town") operates a water utility;

WHEREAS, the Whiteland Town Council (the "Council") is the governing board of the Town's water utility and as such sets reasonable rates and charges sufficient to pay all legal and other necessary expenses incident to the operation of the utility;

WHEREAS, prior to its repeal by the Indiana General Assembly pursuant to its adoption of HEA 1002-2022, the Town's water utility was subject to a utility receipts tax, which is currently a component of its water rates and charges;

WHEREAS, as of January 1, 2022, the Town's water utility was not under the jurisdiction of the Indiana Utility Regulatory Commission for the approval of its rates and charges;

WHEREAS, effective as of July 1, 2022, the utility receipts tax will no longer be an expense of the Town's water utility;

WHEREAS, pursuant to Indiana Code Section 8-1-2-4.3, added to the Indiana Code by the adoption of HEA 1002-2022, a utility that is subject to the utility receipts tax under Indiana Code 6-2.3-1-1 *et. seq.*, and is not under the jurisdiction of the Indiana Utility Regulatory Commission, shall adjust its rates and charges to reflect the repeal of the utility receipts tax.

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

Section 1. The Town Council finds that the rates and charges adopted by this Ordinance are reasonable and just in order to reflect the repeal of the utility receipts tax pursuant to HEA 1002-2022.

Section 2. Effective for the consumption period beginning and including July 1, 2022, and to be first implemented with the bills issued in August, 2022 and due in September 2022, Section 51.35(A) of the Whiteland Code of Ordinances (a.k.a. Whiteland Municipal Code) shall be amended to read as follows:

(A) *Rates and charges.* There is hereby established, for the use of and service rendered by the waterworks system of the town, the following rates and charges based upon the use of water supplied by the waterworks system:

| Monthly Minimum Charges | | |
|--------------------------------|--|-------------------------------------|
| Meter Size (inches) | Volume Included (gallons allowed) | Rates Effective July 1, 2022 |
| 5/8 | 4,000 | \$31.04 |
| 3/4 | 5,000 | \$44.68 |
| 1 | 5,000 | \$79.45 |
| 1-1/2 | 5,000 | \$178.92 |
| 2 | 5,000 | \$317.84 |
| 3 | 5,000 | \$715.20 |
| 4 | 5,000 | \$1,273.34 |

| Monthly Metered Rates, Per 100 Gallons (After Minimum Gallonage Charge) | |
|--|-------------------------------------|
| Volume Included | Rates Effective July 1, 2022 |
| Next 10,000 gallons | \$0.7214 |
| Next 10,000 gallons | \$0.7214 |
| Next 25,000 gallons | \$0.5376 |
| More than 50,000 gallons | \$0.4693 |

Section 3. The Council hereby authorizes and directs the appropriate officials and representatives of the Town to take all necessary actions to implement this Ordinance following final adoption.

Section 4. All prior ordinance provisions in conflict herewith are repealed as of the effective date of this Ordinance.

Section 5. This Ordinance shall be in full force and effect upon its final adoption.

PASSED through first reading by the Town Council on the 14 day of June, 2022, by a vote of 3 in favor and 0 against.

DULY PASSED AND FINALLY ADOPTED on second reading on the 12 day of July, 2022, by a vote of _____ in favor and _____ against.

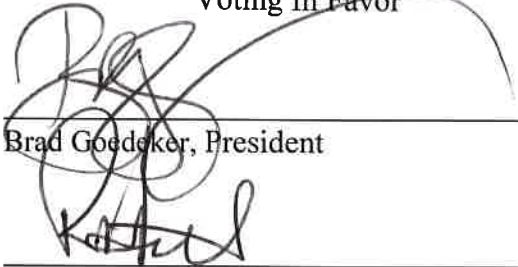
[Signatures appear on the following page.]

TOWN OF WHITELAND, INDIANA, TOWN COUNCIL



Brad Goedeker, President

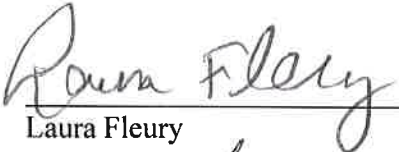
Voting In Favor



Brad Goedeker, President



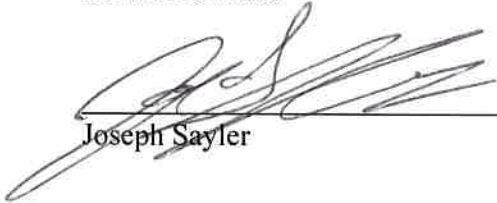
Richard Hill, Vice President



Laura Fleury



David Hawkins



Joseph Sayler

Voting Opposed

Brad Goedeker, President

Richard Hill, Vice President

Laura Fleury

David Hawkins

Joseph Sayler

Attest:



Debra L. Hendrickson, Clerk-Treasurer