

**WHITELAND TOWN COUNCIL**

**ORDINANCE NO. 2024-14**

**AN ORDINANCE AMENDING THE RATES AND CHARGES FOR CONNECTION TO  
THE SEWAGE WORKS OF THE TOWN OF WHITELAND**

WHEREAS, the Town of Whiteland, Indiana owns and operates Sewage Works; and

WHEREAS, the Town Council for the Town of Whiteland, Indiana (the "Council") is the governing board of the Town's Sewage Works and as such is authorized to set just and equitable fees as required to maintain the Sewage Works in the sound physical and financial condition necessary to render adequate and efficient service, and the fees must be sufficient to:

- (1) pay all expenses incidental to the operation of the works, including legal expenses, maintenance costs, operating charges, repairs, lease rentals, and interest charges on bonds or other obligations;
- (2) provide the sinking fund required by IC 39-9-23-21;
- (3) provide adequate money to be used as working capital; and
- (4) provide adequate money for improving and replacing the works.

WHEREAS, the Town has employed Reedy Financial Group P.C. (the "Financial Advisor") to prepare a study regarding sewage works rates and charges of the Town; and

WHEREAS, the Financial Advisor has prepared and submitted a rate study (the "Rate Report"), which evaluated the Town's sewage works rates and charges; and

WHEREAS, the Council has determined that the fees of the Town's Sewage Works are currently insufficient and that the existing Availability Fee needs adjusted to achieve a similar equity position between new and existing customers in the Sewage Works system and to plan and prepare for the future growth of the Sewage Works system; and

WHEREAS, the Council has determined that the fees of the Town's Sewage Works should be adjusted accordingly; and

WHEREAS, a public hearing on this Ordinance and the proposed rates and charges was properly noticed and held.

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

SECTION 1. The recitals set forth above are hereby incorporated herein, are made findings and determinations of the Council, and are made an operative part of this Ordinance. The Council further finds that the rates and charges adopted by this Ordinance are just and equitable fees as required to maintain the Sewage Works in the sound physical and financial condition necessary to render adequate and efficient service, and as required to:

- (1) pay all expenses incidental to the operation of the works, including legal expenses, maintenance costs, operating charges, repairs, lease rentals, and interest charges on bonds or other obligations;
- (2) provide the sinking fund required by IC 39-9-23-21;

- (3) provide adequate money to be used as working capital; and
- (4) provide adequate money for improving and replacing the works.

SECTION 2. Effective upon the final approval of this Ordinance, the sewer Availability Fee of \$2,250 per Equivalent Domestic Unit (EDU) currently authorized under Section 50.87(B) of the Whiteland Code of Ordinances (a.k.a. Whiteland Municipal Code) is hereby amended to be \$3,964 per Equivalent Domestic Unit (EDU), and the first sentence of Section 50.87(B) of the Whiteland Code of Ordinances is hereby amended to read, “The availability fee is hereby established in the amount of \$3,964 per Equivalent Domestic Unit (EDU).”

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.

SECTION 5. If any part of this Ordinance is held to be invalid, such part shall be deemed severable and its invalidity shall have no effect upon the remaining provisions of this Ordinance.

SECTION 6. This ordinance shall be in full force and effect upon its final adoption.

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PASSED through first reading by the Town Council on the 30<sup>th</sup> day of October, 2024, by a vote of 4 in favor and 0 against.

DULY PASSED AND FINALLY ADOPTED on the 12<sup>th</sup> day of November, 2024, by a vote of 5 in favor and 0 against.



**TOWN OF WHITELAND, INDIANA, TOWN COUNCIL**

Richard Hill, President



Voting In Favor

Voting Opposed

Richard Hill

Richard Hill



Tim Brown

Tim Brown



Joseph Sayler

Joseph Sayler



Brad Goedeker


Brad Goedeker



Debra L. Hendrickson

Debra L. Hendrickson

Attest:



Melissa A. Fraser, Clerk-Treasurer