

BILL NO. G-14-05-28

GENERAL ORDINANCE NO. G-_____

**AN ORDINANCE AMENDING CHAPTER 51 OF
THE CITY OF FORT WAYNE CODE OF ORDINANCES**

WHEREAS, pursuant to Indiana Code 36-9-23-25, the Common Council of the City of Fort Wayne has enacted a User Charge System and a Sewer Use Ordinance as contained in Chapter 51 of the Fort Wayne Code of Ordinances; and

WHEREAS, the Board of Public Works is charged with the responsibility for the operation of Fort Wayne City Utilities including long-term planning, engineering, financing and construction of sanitary sewer infrastructure served by the Fort Wayne Water Pollution Control Utility; and

WHEREAS, on May 26, 2009, Common Council of Fort Wayne adopted Bill No. G-09-05-08 (Ordinance No. G-12-09), which among other things, approved a five year rate plan that would adjust sewer rates annually on the 1st day of July of each year from July 1, 2009 to July 1, 2013, (hereinafter referred to as "2009 Rate Ordinance"), which included rates as well as other rates, fees and charges;

WHEREAS, in order to encourage growth, investment and economic development and to contribute to the payment of costs associated with installation, adjustment, inspection and other improvements to the Water Pollution Control Utility, Fort Wayne City Utilities recommends approving the amendment and extension of the Food Service Establishment Surcharge, Tap Inspection Fee, Meter on Well Installation, Deduct Meter Reading Assessment and Area Connection Fees.

WHEREAS, the Common Council of the City of Fort Wayne now finds it is in the best interest of the Fort Wayne Water Pollution Control Utility, in order to encourage growth, investment and economic development and to contribute to the payment of costs associated with the installation, adjustment, inspection, monitoring and other improvements to the Water Pollution Control Utility, that the following fees be approved to be amended and extended until such time that the Council

1 amends the fee or charge or that Board of Public Works recommends discontinuance
2 of said fee or charge.

3
4 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

5 **SECTION 1.** That in order to encourage growth, investment and
6 development and to allow City Utilities to contribute to the payment of costs
7 associated with the installation, adjustment, inspection, monitoring and other
8 improvement to the water pollution control utility, that the following Section of
9 Chapter 51 be amended as follows:

10 The following Section shall be amended:

11 **§ 51.001 DEFINITIONS**

12
13 **FOOD SERVICE ESTABLISHMENT.** Any establishment, including, but
14 not limited to, a restaurant, coffee shop, cafeteria, short-order café, luncheonette, bar,
15 tavern, sandwich stand, soda fountain, commissary, drive-in restaurant, drink
16 establishment, snack bar, food counter, dining room, food catering facility, industrial
17 cafeteria, convenience store, grocery store, private, public or non-profit organization
18 or institution routinely serving food, and any other establishment, where food or
19 drink produces are prepared, served or provided for human consumption with or
20 without charge. The term does not include private homes where food is prepared or
21 served for individual family consumption, vending only facilities that provide only
22 pre-packaged foods, or any temporary establishment, whether fixed or mobile,
operating at one site for locations for a period of time not in excess of fourteen (14)
days.

23
24 **TAP INSPECTION.** Onsite inspection performed or authorized by City
25 Utilities of a newly installed, replaced, repaired or altered Building (or House) Sewer
26 Lateral and it's connection to the City's public sanitary sewer system. A Tap
27 Inspection Fee shall be charged to the Property Owner for the cost of the inspection.

METER ON WELL INSTALLATION. A City Utilities-owned water meter installed on a privately owned residential water well to obtain a measure of water use for the purpose of calculating a monthly sewer usage charge for the property.

§ 51.067 EXEMPT WATER - GENERAL

DEDUCT METER READING ASSESSMENT \$20.00 per trip read meter(s)
\$8.00 per meter per trip

The following Section shall be amended.

§ 51.076.5 AREA CONNECTION FEE.

(B) Area Connection Fee Charges, for areas as designated on Exhibit A.

Southeast	\$350 per ERU
Southtown Centre	\$2,450 per ERU
Tiernan	\$1,200 per ERU
Notestine	\$1,800 per ERU
Rothman	\$2,700 per ERU
North Maumee	\$2,100 per ERU
Central	\$600 per ERU
Neuhaus	\$1,400 per ERU
Southwest	\$750 per ERU
Upper Ely	\$2,000 per ERU
Upper Spy Run	\$1,800 per ERU
Zanesville	\$2,500 per ERU
Deer Track Area	\$2,950 per ERU

The following new Section shall be added:

§ 51.077.5 OTHER RATES AND CHARGES.

(A) Food Service Establishment Surcharge	\$1.0129 per ccf per month
(B) Tap Inspection Fee	\$75.00 per inspection
(C) Meter on Well Installation	\$254.00 per installation

SECTION 2. These fees and charges shall be effective immediately upon passage of this Ordinance and continue until such time as Council amends the fees and charges or until the Board of Public Works recommends to Council that the fee or charge be discontinued.

SECTION 3. That this Ordinance shall be in full force and effect following its passage, any and all necessary approval by the Mayor and due legal publication thereof.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney

Interoffice Memo

Date: May 22, 2014
To: Common Council Members
From: Kumar Menon, Director of City Utilities
RE: **Ordinance Amending Chapter 51 (Sewers)**

As is normal business practice, City Utilities reviews all its fees, charges and connection costs to ensure they stay balanced, continue to support economic development where growth pays for growth, continue to insulate rate payers from new development costs, and are adequate to repay sunk costs. Based on this review and the increase in development related projects and new customer connections, City Utilities is seeking to modify certain sewer fees and charges impacted by these changes. More specifically, City Utilities is requesting adjustment/amendment of the Food Service Establishment Surcharge, Tap Inspection Fee, Meter on Well Installation, Deduct Meter Reading Assessment and Area Connection Fees. These adjustments (both increases and decreases) reflect the impacts of the increase in demand to City Utilities and accelerated customer growth and more accurately aligns these fees and charges with the existing and anticipated transactional and service delivery-based costs of the Utility.

Based on the current private investment/growth climate, the approval of this ordinance would make these adjustments effective upon passage.

Please contact Nancy Townsend at 427-2691 or at nancy.townsend@cityoffortwayne.org if you have any questions.

CC: Diane Brown
Molly McCray