

1 **BILL NO. G-18-06-08**_____

2 **GENERAL ORDINANCE NO.**_____

3
4 **AN ORDINANCE AMENDING CHAPTER 52:**
5 **WATER AND WATERCOURSES**
6 **CITY OF FORT WAYNE, CODE OF ORDINANCES**

7 **WHEREAS**, the Common Council of the City of Fort Wayne, Indiana last
8 approved a water rate adjustment in January of 2012, which was approved by the
9 Indiana Utility Regulatory Commission following a rate analysis study; and

10 **WHEREAS**, the Fort Wayne Water Utility has developed a Capital
11 Improvement Plan (CIP) that will allow the Water Utility to continue to provide its
12 customers with safe, reliable, and affordable drinking water through sustainable
13 levels of capital spending on treatment facilities' parts and equipment, field
14 maintenance equipment, water main replacement and other structures and
15 facilities positioned throughout the service territory; and

16 **WHEREAS**, Crowe Horwath LLP was hired by Fort Wayne City Utilities to
17 analyze the Water Utility's non-recurring fees and propose various adjustments to
18 those non-recurring charges; and

19 **WHEREAS**, Crowe Horwath LLP has concluded that the non-recurring fees
20 should be adjusted in various ways as described below; and

21 **WHEREAS**, H.J. Umbaugh and Associates was hired by Fort Wayne City
22 Utilities to analyze the Water Utility's pro forma revenues, proposed CIP, and other
23 projected cash flows in order to arrive at water rates that will generate sufficient
24 funds to meet the fiscal needs of the Water Utility including:

25 (A) Payment of all of the legal and other necessary expenses
26 incident to the operation of the utility;

27 (B) Provision of a sinking fund, a debt service reserve,
28 adequate money for working capital and making extensions and replacements
29 to the extent not provided for through depreciation;

30 (C) Provision of money for the payment of any taxes that may
be assessed against the utility; and

(D) Meeting the financial obligations of the Utility's CIP.

1 **WHEREAS**, H.J. Umbaugh and Associates has concluded that the existing rates
2 and charges for the use of and services rendered by the Fort Wayne Water Utility
3 do not produce sufficient revenue to satisfy the requirements of I.C. 8-1.5-3-8,
4 including but not limited to those costs related to the Utility's CIP and therefore
5 recommends that the existing rates and charges should be adjusted in five (5)
6 phases, each implemented one year after the other, in amounts described below.

7 **WHEREAS**, the Board of Public Works of the City of Fort Wayne, Indiana
8 recommends that the Common Council act in accordance with I.C. 8-1.5-3-8 to
9 find and elect that the rates and charges for water service to be paid by users of
10 the system should be sufficient to carry out the obligations of the Water Utility as
11 outlined above, to provide a fair and reasonable return on the Utility plant of the
12 City and to compensate the City for taxes that would be due to the City on the
13 Utility property were it privately owned;

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

16 **SECTION 1.** That the Common Council of the City of Fort Wayne, Indiana now
17 finds and elects that the rates and charges for water service to be paid by users of
18 the system should be sufficient to carry out the obligations of the Water Utility as
19 outlined above, to provide a fair and reasonable return on the Utility plant of the
20 City and to compensate the City for taxes that would be due to the City on the
21 Utility property were it privately owned;

22 **SECTION 2.** The following miscellaneous rates and charges of the Water Utility
23 are hereby amended to adjust the miscellaneous rates and charges assessed to
24 Fort Wayne Water Utility customers as recommended by Crowe Horwath LLP,
25 which may not be effective until after filing of the tariff with the Indiana Utility
26 Regulatory Commission:

27 **MISCELLANEOUS NON-RECURRING RATES**

28 Bad Check Charge	\$21.00
29 Reconnection Charge	\$29.00
30 Same Day Service-Reconnection Charge	\$58.00

Additional Trips	\$58.00 each
Special Service Charge	\$58.00
Service Call Charge	\$29.00
Testing Meter for Accuracy	\$112.00
Service Shut-Off Charge	\$29.00
Shut-Off for Repairs Charge	\$29.00
Door Hanger Fee	\$15.00
Unauthorized Usage Shut-Off Charge	\$74.00
Special Event Water Meter Set-Up Charge	\$398.00 (up to 3")*
Permanent Disconnection Charge	\$1,738.00

* For meters larger than 3", the meter set-up charge will be equivalent to the actual cost to the Fort Wayne Water Utility in setting up the special event meter.

TEMPORARY METER FEES

Meter Size	Temporary Meter Fee for One Month
3/4"	\$25.00
3"	\$111.00

WATER METER REPLACEMENT (for damaged, frozen, lost or stolen meters)

Meter Size*	Radio Only	Meter Only	Radio & Meter	Pit Meter Only	Pit Meter & Radio
5/8" Meter	\$136.80	\$137.14	\$204.14	\$138.63	\$205.63
5/8" x 3/4" Meter	\$136.80	\$137.14	\$204.14	\$138.63	\$205.63
3/4" Meter	\$136.80	\$162.29	\$229.29	\$163.78	\$230.78
1" Meter	\$136.80	\$187.81	\$254.81	\$189.30	\$256.30

* For any meter sizes not specifically listed, the meter replacement charge will be equivalent to the actual cost to the Fort Wayne Water Utility in replacing the meter.

INDIVIDUAL WATER SERVICE INSTALLATIONS (when performed by the Fort Wayne Water Utility)

Service Size*	Short Service Main Same Side	Long Service Across Main
3/4"	\$2,012.00	\$3,048.00
1"	\$2,012.00	\$3,048.00
1 1/2"	\$2,012.00	\$3,048.00
2"	\$2,012.00	\$3,048.00

* For any service sizes not specifically listed, the water service installation charge will be equivalent to the actual cost to the Fort Wayne Water Utility in performing the installation.

INDIVIDUAL WATER SERVICE INSTALLATIONS—TAP ONLY (when performed by the Fort Wayne Water Utility)

Service Size*	Tap Fee
3/4" to 2"	\$291.00

* For any service sizes not specifically listed, the tap fee will be equivalent to the actual cost to the Fort Wayne Water Utility in installing the tap.

WATER LAB FEES

Chloride	\$15.00
Res. Chlorine	\$10.00
Color	\$5.00
Fluoride	\$15.00
Langlier Index	\$101.00
M.B.A.S	\$27.00
NO3/NO2	\$25.00
Phosphate	\$28.00
Sulfate	\$15.00
TDS	\$20.00

TSS	\$12.00
Turbidity	\$15.00
Bacti	\$50.00
Titration Package	\$73.00 (Total)
Alkalinity	\$35.00
pH	\$8.00
Total Hardness	\$30.00

SECTION 3. The following sections of Chapter 52 of the Fort Wayne Code of Ordinances are hereby amended to adjust the rates and charges assessed to Fort Wayne Water Utility customers as recommended by H.J. Umbaugh and Associates in five (5) phases, the first phase to be effective upon approval of said rates and charges by the Indiana Utility Regulatory Commission, the second phase effective 12 months later, the third phase effective 12 months after the second, the fourth phase effective 12 months after the third, and the fifth phase effective 12 months after the fourth, as shown below:

Sec. 52.15 Water Usage Schedule - Inside City

There shall be and hereby are established for the use of and the service rendered by the waterworks system of the City the following rates and charges based on the use of water supplied by the City Waterworks System:

(A) Metered rates per month

<u>Metered Rates Per Month</u> (cubic feet)	<u>Rate Per 100 Cubic Feet</u>				
	<u>Phase I</u>	<u>Phase II</u>	<u>Phase III</u>	<u>Phase IV</u>	<u>Phase V</u>
First 2,500 cubic feet	\$2.19	\$2.32	\$2.46	\$2.60	\$2.75
Next 9,500 cubic feet	\$2.04	\$2.16	\$2.29	\$2.42	\$2.56
Over 12,000 cubic feet	\$1.99	\$2.11	\$2.23	\$2.36	\$2.50

(B) Monthly service charges. Each user shall pay a monthly service charge, in addition to usage charges calculated under the metered rate schedule, as follows:

<u>Size of Meter</u>	<u>Monthly Service Charges</u>
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(inches)

		<u>Phase I</u>	<u>Phase II</u>	<u>Phase III</u>	<u>Phase IV</u>	<u>Phase V</u>
5/8"	\$	9.72	10.30	10.91	11.55	12.23
3/4"	\$	9.72	10.30	10.91	11.55	12.23
1"	\$	24.79	26.26	27.81	29.44	31.18
1 1/2"	\$	55.53	58.82	62.28	65.92	69.81
2"	\$	98.50	104.33	110.48	116.94	123.84
2 1/2"	\$	98.50	104.33	110.48	116.94	123.84
3"	\$	221.80	234.93	248.77	263.32	278.86
4"	\$	394.28	417.62	442.22	468.09	495.71
6"	\$	886.70	939.19	994.51	1,052.69	1,114.80
8"	\$	1,576.76	1,670.10	1,768.47	1,871.93	1,982.37
10"	\$	2,463.46	2,609.30	2,762.99	2,924.62	3,097.17
12"	\$	2,463.46	2,609.30	2,762.99	2,924.62	3,097.17

Sec. 52.16. Cost for Fire Protection Service - Inside City.

Fire protection service for use in extinguishing fire only, shall be as follows:

		<u>Phase I</u>	<u>Phase II</u>	<u>Phase III</u>	<u>Phase IV</u>	<u>Phase V</u>
<u>Size of Meter</u>						
(inches)						
5/8"	\$	2.68	2.84	3.01	3.19	3.38
3/4"	\$	2.68	2.84	3.01	3.19	3.38
1"	\$	6.85	7.26	7.69	8.14	8.62
1 1/2"	\$	15.41	16.32	17.28	18.29	19.37
2"	\$	27.40	29.02	30.73	32.53	34.45
2 1/2"	\$	42.83	45.37	48.04	50.85	53.85
3"	\$	61.67	65.32	69.17	73.22	77.54

4"	\$	109.64	116.13	122.97	130.16	137.84
6"	\$	246.68	261.28	276.67	292.86	310.14
8"	\$	438.55	464.51	491.87	520.64	551.36
10"	\$	685.23	725.80	768.55	813.51	861.51
12"	\$	986.73	1,045.14	1,106.70	1,171.44	1,240.55
Private Hydrant Fee (Monthly)	\$	34.14	\$ 36.16	\$ 38.29	\$ 40.53	\$ 42.92
Private Fire Line Connection (Monthly Charge)						
1"	\$	0.31	0.33	0.35	0.37	0.39
1 1/2"	\$	0.89	0.94	1.00	1.06	1.12
2"	\$	1.90	2.01	2.13	2.25	2.38
2 1/2"	\$	3.42	3.62	3.83	4.05	4.29
3"	\$	5.51	5.84	6.18	6.54	6.93
4"	\$	11.75	12.45	13.18	13.95	14.77
6"	\$	34.14	36.16	38.29	40.53	42.92
8"	\$	72.74	77.05	81.59	86.36	91.46
10"	\$	130.82	138.56	146.72	155.30	164.46
12"	\$	211.32	223.83	237.01	250.88	265.68
16"	\$	450.33	476.99	505.08	534.63	566.17

Sec. 52.18 Charges for Customers Outside Corporate Limits.

The following rates and charges shall apply to customers located outside the corporate limits of the City of Fort Wayne:

(A) Metered rates per month

Metered Rates Per Month

Rate Per 100 Cubic Feet

(cubic feet)

	<u>Phase I</u>	<u>Phase II</u>	<u>Phase III</u>	<u>Phase IV</u>	<u>Phase V</u>
First 2,500 cubic feet	\$ 2.50	\$ 2.62	\$ 2.76	\$ 2.89	\$ 3.03
Next 9,500 cubic feet	\$ 2.33	\$ 2.44	\$ 2.56	\$ 2.69	\$ 2.82
Over 12,000 cubic feet	\$ 2.27	\$ 2.38	\$ 2.50	\$ 2.62	\$ 2.75

(B) Monthly service charges. Each user shall pay a monthly service charge, in addition to usage charges calculated under the metered rate schedule, as follows:

<u>Size of Meter</u> (inches)	<u>Monthly Service Charges</u>				
	<u>Phase I</u>	<u>Phase II</u>	<u>Phase III</u>	<u>Phase IV</u>	<u>Phase V</u>
5/8"	\$ 11.08	11.64	12.22	12.82	13.45
3/4"	\$ 11.08	11.64	12.22	12.82	13.45
1"	\$ 28.26	29.67	31.15	32.68	34.30
1 1/2"	\$ 63.30	66.47	69.75	73.17	76.79
2"	\$ 112.29	117.89	123.74	129.80	136.22
2 1/2"	\$ 112.29	117.89	123.74	129.80	136.22
3"	\$ 252.85	265.47	278.62	292.29	306.75
4"	\$ 449.48	471.91	495.29	519.58	545.28
6"	\$ 1,010.84	1,061.28	1,113.85	1,168.49	1,226.28
8"	\$ 1,797.51	1,887.21	1,980.69	2,077.84	2,180.61
10"	\$ 2,808.34	2,948.51	3,094.55	3,246.33	3,406.89
12"	\$ 2,808.34	2,948.51	3,094.55	3,246.33	3,406.89

(C) Fire Protection Service for use in extinguishing fire only, shall be as follows:

Public Fire Protection

(Monthly Charge)

Size of Meter

(inches)

5/8"	\$	3.06	3.21	3.37	3.54	3.72
3/4"	\$	3.06	3.21	3.37	3.54	3.72
1"	\$	7.81	8.20	8.61	9.04	9.48
1 1/2"	\$	17.57	18.44	19.35	20.30	21.31
2"	\$	31.24	32.79	34.42	36.11	37.90
2 1/2"	\$	48.83	51.27	53.80	56.44	59.24
3"	\$	70.30	73.81	77.47	81.27	85.29
4"	\$	124.99	131.23	137.73	144.48	151.62
6"	\$	281.22	295.25	309.87	325.07	341.15
8"	\$	499.95	524.90	550.89	577.91	606.50
10"	\$	781.16	820.15	860.78	903.00	947.66
12"	\$	1,124.87	1,181.01	1,239.50	1,300.30	1,364.61

Phase I

Phase II

Phase III

Phase IV

Phase V

Private Hydrant Fee

\$ 38.92

\$ 40.86

\$ 42.88

\$ 44.99

\$ 47.21

(Monthly)

Private Fire Line Connection (Monthly
Charge)

1"	\$	0.35	0.37	0.39	0.41	0.43
1 1/2"	\$	1.01	1.06	1.12	1.18	1.23
2"	\$	2.17	2.27	2.39	2.50	2.62
2 1/2"	\$	3.90	4.09	4.29	4.50	4.72
3"	\$	6.28	6.60	6.92	7.26	7.62
4"	\$	13.40	14.07	14.76	15.48	16.25

6"	\$	38.92	40.86	42.88	44.99	47.21
8"	\$	82.92	87.07	91.38	95.86	100.61
10"	\$	149.13	156.57	164.33	172.38	180.91
12"	\$	240.90	252.93	265.45	278.48	292.25
16"	\$	513.38	539.00	565.69	593.44	622.79

(D) *Large industrial customers*

<u>Metered Rates Per Month</u> (cubic feet)	<u>Rate Per 100 Cubic Feet</u>				
	<u>Phase I</u>	<u>Phase II</u>	<u>Phase III</u>	<u>Phase IV</u>	<u>Phase V</u>
First 2,500 cubic feet	\$ 2.22	\$ 2.35	\$ 2.49	\$ 2.64	\$ 2.80
Next 9,500 cubic feet	\$ 2.06	\$ 2.18	\$ 2.31	\$ 2.45	\$ 2.59
Over 12,000 cubic feet	\$ 1.95	\$ 2.07	\$ 2.19	\$ 2.32	\$ 2.46
Monthly Service Charge	(Based on Outside City Monthly Service Charges)				
Monthly Public Fire Protection	(Based on Outside City Private Fire Protection Services)				

(E) *City of New Haven*

	<u>Phase I</u>	<u>Phase II</u>	<u>Phase III</u>	<u>Phase IV</u>	<u>Phase V</u>
Demand charge (per \$ 12,828.23 13,587.66 14,387.97 15,229.67 16,128.22 month)					
Commodity charge (per 100 1.7848 1.8905 2.0019 2.1190 2.2440 cubic feet of water metered)					
Monthly Service Charge	(Based on Inside City Monthly Service Charges)				
Monthly Public Fire Protection	(Based on Inside City Private Fire Protection Services).				

SECTION 4. The following section 52.22 is added as a new section to Chapter 52 of the Fort Wayne Code of Ordinances, as shown below:

Sec. 52.22 System Development Charge.

A system development charge ("SDC") shall be assessed for all permanent connections to the Fort Wayne water system in accordance with the Fort Wayne Water Utility's connection policies after filing of the tariff with the Indiana Utility Regulatory Commission, as follows:

<u>Size of Meter</u>	<u>Meter Ratio</u>	<u>SDC</u>
5/8"	1.0	\$ 590.00
3/4"	1.5	\$ 885.00
1"	2.5	\$ 1,475.00
1 1/2"	5.0	\$ 2,950.00
2"	8.0	\$ 4,720.00
3"	15.0	\$ 8,850.00
4"	25.0	\$ 14,750.00
6"	50.0	\$ 29,500.00
8"	80.0	\$ 47,200.00
10"	115.0	\$ 67,850.00

SECTION 5. All references to "Utility Center, Inc. (*aka Aqua Indiana*)" contained in Chapter § 52.15, § 52.16, § 52.18 are hereby eliminated.

SECTION 6. Except for the foregoing amendments, the remaining sections of Chapter 52 of the City of Fort Wayne, Indiana, Code of Ordinances shall remain in full force and effect. Further, except for the foregoing amendments, the schedule of miscellaneous rates and charges of the Water Utility shall remain in full force and effect.

SECTION 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed, and the existing schedule of water rates and charges shall remain in full force and effect until the schedule of rates and charges fixed by this ordinance shall be approved by the Indiana Utility Regulatory Commission, and until such time as the order of said Commission approving said new rates and charges shall direct.

SECTION 8. This Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor and due legal publication hereof; provided however, the schedule of rates and charges herein set out shall not become effective unless approved by the Indiana Utility Regulatory Commission, or until such time as said Commission shall direct.

Council Member

Approved as to form and legality

Carol Helton, City Attorney

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