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BILL NO. G-25-07-26

GENERAL ORDINANCE NO. __-25

AN ORDINANCE AMENDING CHAPTER 52: WATER AND WATERCOURSES CITY OF FORT WAYNE, CODE OF ORDINANCES

WHEREAS, the Common Council of the City of Fort Wayne, Indiana last approved a water rate adjustment in General Ordinance G-11-19 on May 28, 2019, which was subsequently amended by General Ordinance G-7-22 on April 26, 2022; and

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

WHEREAS, Baker Tilly was hired by Fort Wayne City Utilities to analyze the Water Utility's pro forma revenues, proposed CIP, and other projected cash flows in order to arrive at water rates that will generate sufficient funds to meet the fiscal needs of the Water Utility including:

- (A) Payment of all of the legal and other necessary expenses incident to the operation of the utility;
- (B) Provision of a sinking fund, a debt service reserve, adequate money for working capital and making extensions and replacements to the extent not provided for through depreciation;
- (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.

WHEREAS, Baker Tilly has concluded that the existing rates and charges for the use of and services rendered by the Fort Wayne Water Utility do not produce sufficient revenue to satisfy the requirements of I.C. 8-1.5-3-8, including but not limited to those costs related to the Utility's CIP and therefore recommends that the existing rates and charges should be adjusted in phases, each implemented one year after the other, as further described below.

WHEREAS, Baker Tilly also analyzed the Water Utility's non-recurring fees and concluded that the non-recurring fees should be adjusted in various ways as described below; and

WHEREAS, the Board of Public Works of the City of Fort Wayne, Indiana has recommended that the Common Council act in accordance with I.C. 8-1.5-3-8 to find and elect that the rates and charges for water service to be paid by users of the system should be sufficient to carry out the

obligations of the Water Utility as outlined above, to provide a fair and reasonable return on the Utility plant of the City and to compensate the City for taxes that would be due to the City on the Utility property were it privately owned and to adjust the Water Utility's non-recurring fees in accordance with the conclusions of Baker Tilly;

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

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

SECTION 2. 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 Baker Tilly in three (3) phases, with the current 2025 rates remaining in effect upon passage of this Ordinance, the Phase I rates taking effect upon approval of said rates and charges by the Indiana Utility Regulatory Commission, the Phase II rates taking effect 12 months after the Phase I rates, and the Phase III rates taking effect 12 months after the Phase II rates.

SECTION 3. Section 52.15 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

Sec. 52.15 <u>Water Usage Schedule - Inside City</u>

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

Metered Rates per Month (2025 only)	Unit of Measure	2025		
First 2,500 cubic feet	Per 100 cubic feet	\$ 2.69		
Next 9,500 cubic feet	Per 100 cubic feet	\$ 2.51		
Over 12,000 cubic feet	Per 100 cubic feet	\$ 2.44		

Metered Rates per Month (Phases I – III)	Unit of Measure	2025	Phase I		Phase II Phase II		Phase III
First 1,000 cubic feet	Per 100 cubic feet	See above	\$	3.59	\$ 3.68	\$ 3.92	
Next 49,000 cubic feet	Per 100 cubic feet	See above	\$	3.42	\$ 3.51	\$ 3.81	
Over 50,000 cubic feet	Per 100 cubic feet	See above	\$	2.73	\$ 2.71	\$ 2.70	

(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:

Monthly Service Charge by Meter Size	Unit of Measure	2025		F	Phase I	P	hase II	Phase III		
5/8 x 3/4"	Per Meter per Month	\$	11.96	\$	8.05	\$	8.25	\$	8.35	
3/4"	Per Meter per Month	\$	11.96	\$	9.90	\$	10.15	\$	10.30	
1"	Per Meter per Month	\$	30.45	\$	13.50	\$	13.90	\$	14.10	
1 1/2"	Per Meter per Month	\$	68.20	\$	22.45	\$	23.20	\$	23.65	
2"	Per Meter per Month	\$	120.96	\$	33.15	\$	34.30	\$	35.05	
2 1/2"	Per Meter per Month	\$	120.96	\$	52.45	\$	54.40	\$	55.65	
3"	Per Meter per Month	\$	272.35	\$	58.20	\$	60.35	\$	61.80	
4"	Per Meter per Month	\$	484.15	\$	94.05	\$	97.60	\$	100.00	
6"	Per Meter per Month	\$	1,088.74	\$	183.60	\$	190.60	\$	195.40	
8"	Per Meter per Month	\$	1,936.06	\$	291.05	\$	302.20	\$	309.90	
10"	Per Meter per Month	\$	3,024.77	\$	416.40	\$	432.35	\$	443.45	
12"	Per Meter per Month	\$	3,024.77	\$	774.55	\$	804.35	\$	825.05	

SECTION 4. Section 52.16 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

Sec. 52.16. <u>Fire Protection Service - Inside City.</u>

Fire protection service shall be as follows:

Monthly Public Fire Protection Charge by Meter Size	Unit of Measure	2025	Phase I	1	Phase II	F	Phase III
5/8 x 3/4"	Per Meter per Month	\$ 3.30	\$ 4.72	\$	5.31	\$	5.87
3/4"	Per Meter per Month	\$ 3.30	\$ 7.08	\$	7.97	\$	8.81
1"	Per Meter per Month	\$ 8.43	\$ 11.80	\$	13.28	\$	14.68
1 1/2"	Per Meter per Month	\$ 18.92	\$ 13.69	\$	15.40	\$	17.02
2"	Per Meter per Month	\$ 33.66	\$ 29.22	\$	32.87	\$	36.34
2 1/2"	Per Meter per Month	\$ 52.60	\$ 52.53	\$	59.10	\$	65.33
3"	Per Meter per Month	\$ 75.74	\$ 84.87	\$	95.47	\$	105.54
4"	Per Meter per Month	\$ 134.63	\$ 180.87	\$	203.48	\$	224.94
6"	Per Meter per Month	\$ 302.89	\$ 525.38	\$	591.06	\$	653.39
8"	Per Meter per Month	\$ 538.48	\$ 1,119.63	\$	1,259.59	\$	1,392.42
10"	Per Meter per Month	\$ 841.37	\$ 2,013.46	\$	2,265.14	\$	2,504.02
12"	Per Meter per Month	\$ 1,211.57	\$ 3,252.27	\$	3,658.80	\$	4,044.66
Monthly Private Fire Line Charge by Connection Pipe Size	Unit of Measure	2025	Phase I	1	Phase II	F	Phase III
1"	Per Connection Per Month	\$ 0.38	\$ 0.77	\$	0.86	\$	0.94
1 ½"	Per Connection Per Month	\$ 1.10	\$ 2.23	\$	2.49	\$	2.73
2"	Per Connection Per Month	\$ 2.34	\$ 4.77	\$	5.32	\$	5.82
2 ½"	Per Connection Per Month	\$ 4.21	\$ 8.57	\$	9.57	\$	10.46
3"	Per Connection Per Month	\$ 6.77	\$ 13.84	\$	15.46	\$	16.90

4"	Per Connection Per Month	\$ 14.4	3	\$	29.51	\$	32.96	\$	36.02		
6"	Per Connection Per Month	\$ 41.9	2	\$	85.71	\$	95.73	\$	104.63		
8"	Per Connection Per Month	\$ 89.3	2	\$	182.65	\$	204.00	\$	222.98		
10"	Per Connection Per Month	\$ 160.6	3	\$	328.47	\$	366.86	\$	400.99		
12"	Per Connection Per Month	\$ 259.4	9	\$	530.56	\$	592.57	\$	647.70		
16"	Per Connection Per Month	\$ 552.9	5	\$	1,128.77	\$	1,260.70	\$	1,377.97		
20"	Per Connection Per Month	not active		\$	2,033.29	\$	2,270.95	\$	2,482.20		
24"	Per Connection Per Month	not active		\$	3,284.33	\$	3,668.21	\$	4,009.44		
Monthly Private Fire Hydrant Charge	Unit of Measure	2025		2025 Phase I		Phase II			Phase III		
Private Hydrant	Per Each per Month	\$ 41.93	2	\$	85.71	\$	95.73	\$	104.63		

SECTION 5. Section 52.18 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

Sec. 52.18 <u>Water Usage Schedule – Outside City.</u>

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 (2025 only)	Unit of Measure	2025			
First 2,500 cubic feet	Per 100 cubic feet	\$ 2.96			
Next 9,500 cubic feet	Per 100 cubic feet	\$ 2.76			
Over 12,000 cubic feet	Per 100 cubic feet	\$ 2.68			
Metered Rates per Month (Phases I-III)	Unit of Measure	2025	Phase I	Phase II	Phase III

First 1,000 cubic feet	Per 100 cubic feet	See above	\$ 3.95	\$ 4.05	\$ 4.31
Next 49,000 cubic feet	Per 100 cubic feet	See above	\$ 3.76	\$ 3.86	\$ 4.19
Over 50,000 cubic feet	Per 100 cubic feet	See above	\$ 3.00	\$ 2.98	\$ 2.97

(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:

Monthly Service Charge by Meter Size	Unit of Measure	2025	Phase .	I I	Phase II		Phase III	
5/8 x 3/4"	Per Meter per Month	\$ 13.19	\$ 8	3.45 \$	8.65	\$	8.70	
3/4"	Per Meter per Month	\$ 13.19	\$ 10	0.35 \$	10.60	\$	10.75	
1"	Per Meter per Month	\$ 33.53	\$ 14	\$.30 \$	14.70	\$	14.95	
1 1/2"	Per Meter per Month	\$ 75.05	\$ 24	\$.05	24.75	\$	25.25	
2"	Per Meter per Month	\$ 133.09	\$ 35	.85 \$	36.90	\$	37.70	
3"	Per Meter per Month	\$ 299.62	\$ 63	3.25 \$	65.20	\$	66.65	
4"	Per Meter per Month	\$ 532.60	\$ 102	2.40 \$	105.65	\$	108.05	
6"	Per Meter per Month	\$ 1,197.64	\$ 200	0.30 \$	206.70	\$	211.50	
8"	Per Meter per Month	\$ 2,129.70	\$ 317	7.80 \$	327.95	\$	335.65	
10"	Per Meter per Month	\$ 3,327.28	\$ 454	80 \$	469.35	\$	480.45	
12"	Per Meter per Month	\$ 3,327.28	\$ 846	5.40 \$	873.55	\$	894.25	

(C) Fire protection service shall be as follows:

Monthly Public Fire Protection Charge by Meter Size	Unit of Measure	2	2025	Pl	nase I	Ph	ase II	Pho	ase III
5/8 x 3/4"	Per Meter per Month	\$	3.63	\$	5.19	\$	5.84	\$	6.46
3/4"	Per Meter per Month	\$	3.63	\$	7.79	\$	8.77	\$	9.69

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1"	Per Meter per Month	\$	9.27	\$	12.98	\$	14.61	\$ 16.15
1 1/2"	Per Meter per Month	\$	20.81	\$	15.06	\$	16.94	\$ 18.72
2"	Per Meter per Month	\$	37.03	\$	32.14	\$	36.16	\$ 39.97
2 1/2"	Per Meter per Month	\$	57.86	\$	57.78	\$	65.01	\$ 71.86
3"	Per Meter per Month	\$	83.31	\$	93.36	\$	105.02	\$ 116.09
4"	Per Meter per Month	\$	148.09	\$	198.96	\$	223.83	\$ 247.43
6"	Per Meter per Month	\$	333.18	\$	577.92	\$	650.17	\$ 718.73
8"	Per Meter per Month	\$	592.33	\$	1,231.59	\$	1,385.55	\$1,531.66
10"	Per Meter per Month	\$	925.51	\$	2,214.81	\$	2,491.65	\$2,754.42
12"	Per Meter per Month	\$	1,332.73	\$	3,577.50	\$	4,024.68	\$4,449.13
Monthly Private Fire Line Charge by Connection Pipe Size	Unit of Measure	2025		Phase I		Phase II		Phase III
1"	Per Connection per Month	\$	0.42	\$	0.85	\$	0.95	\$ 1.03
1 ½"	Per Connection per Month	\$	1.21	\$	2.45	\$	2.74	\$ 3.00
2"	Per Connection per Month	\$	2.57	\$	5.25	\$	5.85	\$ 6.40
2 ½"	Per Connection per Month	\$	4.63	\$	9.43	\$	10.53	\$ 11.51
3"	Per Connection per Month	\$	7.45	\$	15.22	\$	17.01	\$ 18.59
4"	Per Connection per Month	\$	15.87	\$	32.46	\$	36.26	\$ 39.62
6"	Per Connection per Month	\$	46.11	\$	94.28	\$	105.30	\$ 115.09
8"	Per Connection per Month	\$	98.25	\$	200.92	\$	224.40	\$ 245.28
10"	Per Connection per Month	\$	176.69	\$	361.32	\$	403.55	\$ 441.09
12"	Per Connection per Month	\$	285.44	\$	583.62	\$	651.83	\$ 712.47
16"	Per Connection per Month	\$	608.25	\$	1,241.65	\$	1,386.77	\$1,515.77

20"	Per Connection per Month	not active	\$ 2,236.62	\$ 2,498.05	\$2,730.42
24"	Per Connection per Month	not active	\$ 3,612.76	\$ 4,035.03	\$4,410.38
Monthly Private Fire Hydrant Charge	Unit of Measure	2025	Phase I	Phase II	Phase III

(D) Large industrial customers

Metered Rates Per Month (2025 only)	Unit of Measure	2025						
First 2,500 cubic feet	Per 100 cubic feet	\$ 2.73						
First 9,500 cubic feet	Per 100 cubic feet	\$ 2.52						
Over 12,000 cubic feet	Per 100 cubic feet	\$ 2.14						
Metered Rates per Month & Charges per Month (Phases I-III)	Unit of Measure	2025	Ph	nase I	Ph	ase II	Pho	ase III
First 1,000 cubic feet	Per 100 cubic feet	See above	\$	2.78	\$	2.82	\$	2.96
Next 49,000 cubic feet	Per 100 cubic feet	See above	\$	2.57	\$	2.60	\$	2.73
Over 50,000 cubic feet	Per 100 cubic feet	See above	\$	2.18	\$	2.21	\$	2.32
Monthly Service Charge	Per Meter per Month	Base	ed on O	utside Cit	y Month	ly Service	Charge	
Monthly Public Fire Protection Charge	Per Meter per Month	Based	on Outs	ide City P	ublic Fi	re Protectio	on Charg	ge

(E) City of New Haven

Metered Rates per Month & Charges per Month	Unit of Measure	2025	Phase I	Phase II	Phase III
Demand Charge	Per Month	\$14,654.68	\$ 15,387.41	\$ 16,156.78	\$ 16,964.62
Commodity Charge	Per 100 cubic feet	\$ 1.9684	\$ 2.1430	\$ 2.1700	\$ 2.2900

Monthly Service Charge	Per Meter per Month	Based on Inside City Monthly Service Charge
Monthly Public Fire Protection Charge	Per Meter per Month	Based on Inside City Public Fire Protection Charge

(F) Town of Grabill

Metered Rates per Month & Charges per Month	Unit of Measure	2025	Phase I	Phase II	Phase III
Demand Charge	Per Month	\$ 1,801.39	\$ 1,891.46	\$ 1,986.03	\$ 2,085.33
Commodity Charge	Per 100 cubic feet	\$ 1.9684	\$ 2.1430	\$ 2.1700	\$ 2.2900
Monthly Service Charge	Per Meter per Month	Based on Inside City Monthly Service Charge			
Monthly Public Fire Protection Charge	Per Meter per Month	Based	on Inside City P	ublic Fire Protect	ion Charge

SECTION 6. Section 52.22 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

Sec. 52.22 <u>System Development Charge.</u>

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:

System Development Charge	Unit of Measure	2025	_	Phase I
5/8 x 3/4"	Per Meter	\$ 580.00	\$	650.00
3/4"	Per Meter	\$ 870.00	\$	975.00
1"	Per Meter	\$ 1,450.00	\$	1,625.00
1 1/2"	Per Meter	\$ 2,900.00	\$	3,250.00
2"	Per Meter	\$ 4,640.00	\$	5,200.00
3"	Per Meter	\$ 8,700.00	\$	9,750.00

4"	Per Meter	\$ 14,500.00	\$ 16,250.00
6"	Per Meter	\$ 29,000.00	\$ 32,500.00
8"	Per Meter	\$ 46,400.00	\$ 52,000.00
10"	Per Meter	\$ 66,700.00	\$ 74,750.00
12"	Per Meter	not active	\$ 139,750.00

SECTION 7. Section 52.23 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

Sect. 52.23 <u>Miscellaneous Non-Recurring Rates.</u>

Miscellaneous Non-Recurring Rates	Unit of Measure	2025	P	hase I
Non-Sufficient Funds Charge	Per Each	\$ 20.00	\$	30.00
Service Trip Charge	Per Each	\$ 28.00	\$	35.00
Same Day Service Trip Charge	Per Each	\$ 56.00	\$	70.00
Accuracy Meter Investigation Charge	Per Each	\$ 83.00	\$	125.00
Door Hanger Fee	Per Each	\$ 14.00	\$	18.00
Unauthorized Usage Investigation Charge	Per Each	\$ 71.00	\$	98.00
Water Meter Set-up Charge (up to 3")*	Per Each	\$ 383.00	\$	412.00

^{*} 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.

SECTION 8. Section 52.24 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

Sec. 52.24 <u>Temporary Meter Fees</u>.

Temporary Meter Fee per Month by Meter Size	Unit of Measure	2025	P	Phase I
3/4"	Per Month	\$ 25.00	\$	28.00
3"	Per Month	\$ 111.00	\$	178.00

SECTION 9. Section 52.25 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

Sec. 52.25 Water Meter Replacement (for Damaged, Frozen, Lost or Stolen Meters).

Water Meter Replacement by Meter Size*	Unit of Measure	2025	i	Phase I
5/8 x 3/4"	Per Meter	\$ 134.18	\$	187.69
3/4"	Per Meter	\$ 159.33	\$	223.19
1"	Per Meter	\$ 184.85	\$	273.19
Water Meter Radio Replacement	Unit of Measure	2025	i	Phase I
Radio Only	Per Each	\$ 133.84	\$	163.21

^{*} 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.

SECTION 10. Section 52.26 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

Sec. 52.26 <u>Individual Water Service Installation, Inspection, or Disconnection (When</u> Performed by the Fort Wayne Water Utility).

Upon request from a customer, the Fort Wayne Water Utility may install, inspect, or disconnect an individual water service line. The cost of installation, inspection, or disconnection will be the actual cost incurred by the Fort Wayne Water Utility in performing the installation, inspection, or disconnection.

SECTION 11. Section 52.27 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

Sec. 52.27 New Connection Water Meter and Radio Installation (When Performed by the Fort Wayne Water Utility).

New Connection Water Meter Installation by Meter Size*	Unit of Measure	2025	Phase I	
5/8 x 3/4"	Per Meter	not active	\$ 225.17	

3/4"	Per Meter	not active	\$ 260.67
1"	Per Meter	not active	\$ 310.67
New Connection Water Meter Radio Installation	Unit of Measure	2025	Phase I

^{*} For any meter size not specifically listed, the meter installation cost will be equivalent to the actual cost to the Fort Wayne Water Utility in installing the meter.

SECTION 12. Section 52.28 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

Sec. 52.28 Water Lab Fees.

Water Lab Fees	Unit of Measure	2025		Phase I	
Chloride	per Each	\$	15.00	\$	15.00
Residual Chlorine	per Each	\$	10.00	\$	10.00
Color	per Each	\$	5.00	\$	5.00
Fluoride	per Each	\$	15.00	\$	17.00
Langlier Index	per Each	\$	101.00	\$	101.00
M.B.A.S.	per Each	\$	27.00	\$	27.00
NO3/NO2	per Each	\$	25.00	\$	29.20
Phosphate	per Each	\$	28.00	\$	28.00
Sulfate	per Each	\$	15.00	\$	15.00
TDS	per Each	\$	20.00	\$	20.00
TSS	per Each	\$	12.00	\$	12.00
Turbidity	per Each	\$	15.00	\$	15.00
Bacti	per Each	\$	50.00	\$	50.00
Titration Package (Total)	per Each	\$	73.00	\$	80.00
Alkalinity	per Each	\$	35.00	\$	35.00

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pH	per Each	\$ 8.00	\$ 15.00
Total Hardness	per Each	\$ 30.00	\$ 30.00

SECTION 13. 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.

SECTION 14. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that the existing schedule of water rates and charges and miscellaneous non-recurring rates and charges approved on May 28, 2019 shall remain in full force and effect until the 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 15. 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		
Malak Heiny, City Attorney		