

**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 Indiana 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, Indiana Code 8-1.5-3-8 states that rates and charges of municipally owned utilities are unlawful if they are too low to produce income sufficient to maintain the utility property in a sound physical and financial condition to render adequate and efficient services; and

WHEREAS, the City of Fort Wayne is subject to a Consent Decree, effective April 1, 2008, wherein the City must construct certain facilities at certain times within 18 years from the effective date to achieve certain specified levels of control over combined sewer overflows. Further, the City must avoid sanitary sewer overflows and must report timely on progress and events or pay per diem fines and penalties for failure to meet deadlines, milestones or for failure to provide sufficient maintenance; and

WHEREAS, the Water Pollution Control Utility has continued to develop and implement plans for investments in high value combined sewer system projects, projects to build capacity in the sanitary sewer interceptors for future economic growth and development, a continuation of pipeline rehabilitation work, and preventative maintenance programs for maintenance sufficiency; and

WHEREAS, various sewer capacity and water quality capital projects have been incorporated into a long-term plan for sewer improvements for the next five (5) years (2025 – 2029), which are included in the sewage works Capital Improvement Program (“CIP”); and

WHEREAS, upon review of the sewage works CIP, the Board of Works of the City of Fort Wayne found that existing rates and charges for the use of and services rendered by the Water Pollution Control Utility do not provide sufficient revenue to:

(a) Pay all expenses incidental to the operation of the sewage works as defined in 36-9-1-8, including legal expenses, maintenance costs, operating charges, repairs, lease rentals, and interest charges on bonds or other obligations;

(b) Provide the sinking fund required by Indiana Code 36-9-23-21 for proposed debt; and

(c) Provide adequate money for improving and replacing the sewage works, including projects that are required by the Consent Decree; and

WHEREAS, a series of adjustments in treatment, conveyance and other rates and fees rates shown herein, is needed to fund the sewer CIP projects for the next five (5) years (2025 – 2029) and meet the requirements of Indiana Code 36-9-23-25; and

WHEREAS, the Board of Public Works of the City of Fort Wayne did resolve that it is in the best interest of the Fort Wayne Water Pollution Control Utility, in order to provide income sufficient to maintain the utility property in a sound physical and financial condition to be able to render adequate and efficient service to its users while implementing the recommendations of the Utility Advisory Group, requirements of the Consent Decree, and the Utility’s approved five-year CIP, to revise sewage rates

1 charged to all sewage works users as shown herein for the years listed, and did recommended that such
2 changes be adopted by Common Council by way of an amendment to Chapter 51 of the Fort Wayne Code
3 of Ordinances; and

4 **WHEREAS**, the Common Council now finds the sewer rates for the next five (5) years are
5 insufficient pursuant to Indiana Code 36-9-23-25 to meet the needs of the Fort Wayne Water Pollution
6 Control Utility (sewage works), including capital projects planned for the next five (5) years; and

7 **WHEREAS**, the Common Council of the City of Fort Wayne now finds it is in the best interest of
8 the Fort Wayne Water Pollution Control Utility, in order to provide income sufficient to maintain the utility
9 property in a sound physical and financial condition to be able to render adequate and efficient service to
10 its users while implementing the recommendations of the Sewer Advisory Group and requirements of the
11 Consent Decree, and the Utility's five-year CIP to revise sewage rates charged to all sewage works users as
12 shown herein for the years listed, effective as of the following dates: the initial adjustment for the year
13 2025 shall take effect no earlier than thirty (30) days after adoption of this Ordinance and any necessary
14 approval by the Mayor; subsequent adjustments shall take effect on January 1 of each successive year
15 through 2029.

16 **NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
17 OF FORT WAYNE, INDIANA;**

18 **SECTION 1.** That the definition of the term "Area Connection Fee" contained in Section 51.001
19 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following
20 (with all other definitions in Section 51.001 remaining unchanged):

21 **AREA CONNECTION FEE.** An additional one-time fee charged per ERU at the time of or prior to
22 connection to the sewer utility or request for capacity increase for any classification of users discharging
23 sewage to the water pollution control utility from a geographic area designated responsible to contribute to
24 the payment of costs associated with installation, adjustment or other

25 **SECTION 2.** Section 51.066 of the Fort Wayne Code of Ordinances is hereby deleted in its
26 entirety and replaced with the following:

27 **§ 51.066 WATER OBTAINED FROM SOURCES OTHER THAN CITY'S WATER UTILITY.**

28 (A) Where the property obtains any part or all of the water used from sources other than the
29 city's water utility, the owner or the tenant may be required by the city to install and maintain at the user's
30 own expense a meter or meters acceptable to the city for the quantity of water obtained from these other
sources. Once installed, no such meter may be bypassed for any reason.

(B) *Residential meter on well.* The following provisions apply only to single family
residential dwellings:

(1) If a single family residential dwelling obtains all or part of its water from a well,
the owner of the property on which the dwelling is located may request the city to install a meter

on the well for purposes of calculating the monthly sewage fees. The city may approve installation of a meter on the well if the following conditions are met:

- (a) The property can be served by a 5/8" x 3/4", 3/4", or 1" water meter;
- (b) The property is served by a single lateral; and
- (c) The owner of the property pays the cost of installation of the meter and

radio as follows:

<i>Residential Meter on Well - Metering Equipment for Sewer Bill</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
5/8" x 3/4"	per Each	\$ 237.17	\$ 241.92	\$ 246.75	\$ 251.69	\$ 256.72
3/4"	per Each	\$ 257.04	\$ 262.18	\$ 267.42	\$ 272.77	\$ 278.23
1"	per Each	\$ 276.05	\$ 281.57	\$ 287.20	\$ 292.95	\$ 298.81

(2) Upon installation of a water meter on the well, the fees for sewage service shall be based on the volume of water passing through the water meter as set forth in Section 51.065. The customer shall be responsible for all consumption and service charges set forth in Section 51.069, as well as any applicable capital surcharges as set forth in Section 51.075.

SECTION 3. Section 51.066.5 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

§ 51.066.5 DISCHARGES OF NON-POTABLE WATER TO SANITARY SEWER SYSTEM.

(A) *Definition of non-potable water.* As used in this section, **NON-POTABLE WATER** means any form of water that is not immediately fit for human consumption. The term includes, without limitation, stormwater, surface runoff, industrial process water, landfill water, and all other forms of untreated water.

(B) *Application of section.* This section does not apply to discharges from downspouts, yard drains, sump pumps, or geothermal systems. Discharges from those sources are governed by § 51.074 and rules and regulations promulgated by the Fort Wayne Water Pollution Control Utility and the Fort Wayne Stormwater Utility.

(C) *Meter required for discharges of non-potable water to sanitary sewer.* The following provisions apply to all non-potable water discharges to a sanitary sewer:

(1) If a property owner discharges non-potable water to the city's sanitary sewer system, the owner of the property from which the discharge occurs must install a meter on the discharge line for purposes of calculating the monthly sewage fees. Each discharge line shall serve only one property.

(2) The property owner shall be responsible for the cost of the meter and radio, as well as the installation of the meter and radio. Meter and radio costs are as follows:

<i>Non-Potable Discharge - Metering Equipment for</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
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<i>Sewer Bill</i>						
1 1/2"	per Each	\$ 3,410.31	\$ 3,478.52	\$ 3,548.09	\$ 3,619.05	\$ 3,691.43
2"	per Each	\$ 3,506.70	\$ 3,576.83	\$ 3,648.37	\$ 3,721.34	\$ 3,795.77
3"	per Each	\$ 3,694.13	\$ 3,768.01	\$ 3,843.37	\$ 3,920.24	\$ 3,998.64
4"	per Each	\$ 3,878.34	\$ 3,955.90	\$ 4,035.02	\$ 4,115.72	\$ 4,198.04
6"	per Each	\$ 4,311.02	\$ 4,397.24	\$ 4,485.19	\$ 4,574.89	\$ 4,666.39
8"	per Each	\$ 4,918.28	\$ 5,016.64	\$ 5,116.98	\$ 5,219.32	\$ 5,323.70
10"	per Each	\$ 5,504.12	\$ 5,614.20	\$ 5,726.48	\$ 5,841.01	\$ 5,957.83

(3) Upon installation of a non-potable water meter, the fees for sewage service shall be based on the volume of water passing through the water meter as set forth in § 51.065. The customer shall be responsible for all consumption and service charges set forth in § 51.069, as well as any applicable capital surcharges as set forth in § 51.075.

(D) *Temporary non-potable water*. Any person who seeks to discharge non-potable water to the city's sanitary sewer system on a temporary basis (e.g., for a period not to exceed 180 days or such other period as is approved by the city) must request a temporary non-potable meter and obtain approval from City Utilities to discharge the non-potable water into the sanitary sewer. City Utilities shall be authorized to charge an administrative fee for temporary non-potable water discharges as well as consumption charges based on the volume of water discharged to the sanitary sewer at the rates set forth in § 51.069.

SECTION 4. Section 51.067 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

§ 51.067 EXEMPT WATER – GENERAL.

(A) Where a significant portion of the metered water used in commercial, manufacturing, or industrial processes does not and cannot enter the sewerage system, either directly or indirectly, the person having charge of the property may request permission from the utility to install, at the user's expense, a meter or meters to determine the quantity of water that cannot enter the sewerage system or an approved sewage measuring device or devices to determine the volume of sewage that actually enters the sewerage system. If the utility approves the request, the following provisions shall apply:

(1) The customer shall purchase the meter(s) directly from the utility or seek the utility's pre-approval to use alternative meter(s). The customer shall use the utility's radio which must be installed by the utility. Below are the costs for the utility's meters and radios. The costs include the meter and installation of radio only. The meter charge and monthly meter fee shall commence upon receiving the meter.

<i>Exempt Water - Metering Equipment for Sewer Bill</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
<i>Cold Water</i>						
5/8" x 3/4"	per Each	\$ 390.39	\$ 398.20	\$ 406.16	\$ 414.29	\$ 422.57
3/4"	per Each	\$ 429.48	\$ 438.07	\$ 446.83	\$ 455.77	\$ 464.88
1"	per Each	\$ 463.39	\$ 472.66	\$ 482.11	\$ 491.75	\$501.59
1 1/2"	per Each	\$ 783.68	\$ 799.36	\$ 815.34	\$ 831.65	\$848.28
2"	per Each	\$ 989.67	\$ 1,009.46	\$ 1,029.65	\$ 1,050.24	\$1,071.25
3"	per Each	\$ 1,998.20	\$ 2,038.16	\$ 2,078.92	\$ 2,120.50	\$ 2,162.91
4"	per Each	\$ 2,737.19	\$ 2,791.93	\$ 2,847.77	\$ 2,904.72	\$2,962.82
6"	per Each	\$ 3,977.40	\$ 4,056.95	\$ 4,138.09	\$ 4,220.85	\$4,305.27
8"	per Each	\$ 4,643.57	\$ 4,736.44	\$ 4,831.17	\$ 4,927.79	\$5,026.35
10"	per Each	\$ 8,037.57	\$ 8,198.32	\$ 8,362.28	\$ 8,529.53	\$8,700.12
<i>Hot Water</i>						
5/8" x 3/4"	per Each	\$ 699.77	\$ 713.77	\$ 728.04	\$ 742.60	\$ 757.45
3/4"	per Each	\$ 1,097.26	\$ 1,119.21	\$ 1,141.59	\$ 1,164.42	\$1,187.71
<i>Exempt Water - Metering Equipment for Sewer Bill</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
Radio Only	per Each	\$ 230.96	\$ 235.58	\$ 240.29	\$ 245.10	\$ 250.00

(2) The meter shall be installed by the customer or its agent in accordance with the utility's installation specifications, and plans for installation (including location of where the meter(s) will be installed) shall be submitted to the utility and approved prior to installation. The customer shall pay a monthly fee per meter/radio, as follows:

<i>Exempt Water Monthly Service Charge by Meter Size</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
5/8"	Per Meter per Month	\$ 8.97	\$ 9.15	\$ 9.34	\$ 9.52	\$ 9.71
3/4"	Per Meter per Month	\$ 9.33	\$ 9.51	\$ 9.71	\$ 9.90	\$ 10.10
1"	Per Meter per Month	\$ 9.64	\$ 9.83	\$ 10.03	\$ 10.23	\$ 10.43
1 1/2"	Per Meter per Month	\$ 12.78	\$ 13.03	\$ 13.29	\$ 13.56	\$ 13.83
2"	Per Meter per Month	\$ 14.76	\$ 15.05	\$ 15.35	\$ 15.66	\$ 15.97
3"	Per Meter per Month	\$ 24.43	\$ 24.92	\$ 25.42	\$ 25.92	\$ 26.44
4"	Per Meter per Month	\$ 35.03	\$ 35.73	\$ 36.45	\$ 37.18	\$ 37.92

6"	Per Meter per Month	\$ 43.42	\$ 44.29	\$ 45.17	\$ 46.08	\$ 47.00
8"	Per Meter per Month	\$ 49.81	\$ 50.81	\$ 51.82	\$ 52.86	\$ 53.92
10"	Per Meter per Month	\$ 82.38	\$ 84.03	\$ 85.71	\$ 87.42	\$ 89.17

The monthly fee amount may be adjusted by the utility on an annual basis to reflect increases in the Consumer Price Index for All Urban Consumers, U.S. City Average, for all items, 1982-84=100 (CPI-U).

(B) In the absence of verifiable data from an approved meter confirming the amount of water that passed through the water meter but did not enter the sewer system, all water passing through the master water meter will be presumed to have entered the sewer system for billing purposes. A customer that engages in water submetering shall not be entitled to have sewage billings based on the sum of water passing through all of the separate water meters.

SECTION 5. Section 51.069 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

§ 51.069 METERED RETAIL USER CHARGES.

(A) Metered retail users include residential, industrial, commercial, institutional and governmental users.

(B) Hereinafter, the terms "inside city" or "outside city" shall be read to distinguish the users located within or outside the corporate boundaries of the City of Fort Wayne. Users designated as outside city who are within an annexation area shall, upon the effective date of annexation, be designated as inside the city and inside city rates and charges shall apply.

(C) Outside city charges for metered consumption, service charges, and for flat user charges (Section 51.070) are 25% more than the charges for inside city users.

(D) *Inside city consumption and service charges.*

(1) *Consumption charge.* Monthly charges for services rendered to users within the corporate boundaries of the City of Fort Wayne shall be based on metered water consumption, unless otherwise measured, in accordance with the following charges for this classification of service:

<i>Consumption Charge</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
Total Treatment Collection and Conveyance	Per ccf per month	\$ 7.0228	\$ 7.2239	\$ 7.6769	\$ 7.9084	\$ 7.8558

(2) *Service charge.* In addition to the consumption charge, users inside the city shall be billed a monthly service charge based on water meter size:

<i>Monthly Service Charge by Meter Size</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
5/8"	Per Meter per Month	\$ 20.97	\$ 20.96	\$ 19.91	\$ 19.83	\$ 21.51
3/4"	Per Meter per Month	\$ 28.36	\$ 28.26	\$ 26.81	\$ 26.70	\$ 29.20
1"	Per Meter per Month	\$ 43.13	\$ 42.86	\$ 40.61	\$ 40.43	\$ 44.58
1 1/2"	Per Meter per Month	\$ 91.87	\$ 91.04	\$ 86.15	\$ 85.73	\$ 95.33
2"	Per Meter per Month	\$ 153.90	\$ 152.36	\$ 144.11	\$ 143.40	\$ 159.93
3"	Per Meter per Month	\$ 345.91	\$ 342.16	\$ 323.51	\$ 321.89	\$ 359.87
4"	Per Meter per Month	\$ 597.00	\$ 590.36	\$ 558.11	\$ 555.30	\$ 621.33
6"	Per Meter per Month	\$1,350.27	\$ 1,334.96	\$ 1,261.91	\$ 1,255.53	\$ 1,405.71
8"	Per Meter per Month	\$2,400.42	\$ 2,373.02	\$ 2,243.09	\$ 2,231.73	\$ 2,499.23
10"	Per Meter per Month	\$3,745.96	\$ 3,703.08	\$ 3,500.27	\$ 3,482.54	\$ 3,900.35
12"	Per Meter per Month	\$5,391.34	\$ 5,329.52	\$ 5,037.59	\$ 5,012.06	\$ 5,613.68
16"	Per Meter per Month	\$9,586.02	\$ 9,475.92	\$ 8,956.79	\$ 8,911.38	\$ 9,981.60
20"	Per Meter per Month	\$ 14,974.12	\$14,802.00	\$ 13,991.03	\$ 13,920.08	\$ 15,592.22
24"	Per Meter per Month	\$ 21,560.06	\$21,312.14	\$ 20,144.45	\$ 20,042.29	\$ 22,450.16

(E) *Outside city consumption and service charges.*

(1) *Consumption charge.* Monthly charges for services rendered to users outside the corporate boundaries of the City of Fort Wayne shall be based on metered water consumption, unless otherwise measured, in accordance with the following charges for this classification of service:

<i>Consumption Charge</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
Total Treatment Collection and Conveyance	Per ccf per month	\$ 8.7786	\$ 9.0308	\$ 9.5967	\$ 9.8855	\$ 9.8203

(2) *Service charge.* In addition to the consumption charge, outside city users shall be billed a monthly service charge based on water meter size:

<i>Monthly Service Charge by Meter Size</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
5/8"	Per Meter per Month	\$ 26.21	\$ 26.20	\$ 24.89	\$ 24.79	\$ 26.89
3/4"	Per Meter per Month	\$ 35.44	\$ 35.33	\$ 33.52	\$ 33.37	\$ 36.51
1"	Per Meter per Month	\$ 53.90	\$ 53.58	\$ 50.77	\$ 50.53	\$ 55.74
1 1/2"	Per Meter per Month	\$ 114.82	\$ 113.80	\$ 107.69	\$ 107.16	\$ 119.19
2"	Per Meter per Month	\$ 192.35	\$ 190.45	\$ 180.14	\$ 179.23	\$ 199.96
3"	Per Meter per Month	\$ 432.33	\$ 427.70	\$ 404.39	\$ 402.31	\$ 449.95
4"	Per Meter per Month	\$ 746.15	\$ 737.95	\$ 697.64	\$ 694.03	\$ 776.86
6"	Per Meter per Month	\$ 1,687.61	\$ 1,668.70	\$ 1,577.39	\$ 1,569.19	\$ 1,757.59
8"	Per Meter per Month	\$ 3,000.12	\$ 2,966.28	\$ 2,803.87	\$ 2,789.27	\$ 3,124.84
10"	Per Meter per Month	\$ 4,681.82	\$ 4,628.85	\$ 4,375.34	\$ 4,352.54	\$ 4,876.70
12"	Per Meter per Month	\$ 6,738.27	\$ 6,661.90	\$ 6,296.99	\$ 6,264.17	\$ 7,018.92
16"	Per Meter per Month	\$ 11,980.91	\$ 11,844.90	\$ 11,195.99	\$ 11,137.61	\$ 12,480.24
20"	Per Meter per Month	\$ 18,715.11	\$ 18,502.50	\$ 17,488.79	\$ 17,397.57	\$ 19,495.34
24"	Per Meter per Month	\$ 26,946.43	\$ 26,640.18	\$ 25,180.57	\$ 25,049.22	\$ 28,070.00

SECTION 6. Section 51.070 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

§ 51.070 FLAT RETAIL USER CHARGES.

(A) *Flat user charges inside City.*

(1) In the event that any inside city user is not a metered water customer, there shall be imposed a monthly flat charge as follows:

<i>Flat User Charge</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
Single family residential dwelling per month	Per ERU per month	\$ 69.43	\$ 70.08	\$ 71.35	\$ 72.03	\$ 72.57
All un-metered customers other than single family residential dwelling per month	Per ERU per month	To be calculated by City Utilities	To be calculated by City Utilities	To be calculated by City Utilities	To be calculated by City Utilities	To be calculated by City Utilities

(2) The utility shall retain documentation supporting its ERU determination and billings based thereon. Such determination of billings may be reviewed and adjusted by the utility at any time. Adjustments for reasons including, without limitation, a change in the ERU determination or billing errors may only be applied to bills that were due within the past six (6) years.

(B) *Flat user charges outside City.*

(1) In the event that any outside city user is not a metered water customer, there shall be imposed a monthly flat charge as follows:

<i>Flat User Charge</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
Single family residential dwelling per month	Per ERU per month	\$ 86.78	\$ 87.61	\$ 89.19	\$ 90.03	\$ 90.72
All un-metered customers other than single family residential dwelling per month	Per ERU per month	To be calculated by City Utilities	To be calculated by City Utilities	To be calculated by City Utilities	To be calculated by City Utilities	To be calculated by City Utilities

(2) The utility shall retain documentation supporting its ERU determination and billings based thereon. Such determination of billings may be reviewed and adjusted by the utility at any time. Adjustments for reasons including, without limitation, a change in the ERU determination or billing errors may only be applied to bills that were due within the past six (6) years.

SECTION 7. Section 51.071 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

§ 51.071 CONTINUING SURVEILLANCE SAMPLING/WASTE EVALUATION CHARGES.

(A) *Surveillance/Evaluation charge inside and outside City.* All users discharging wastes into the system that require continuing surveillance sampling and waste evaluation shall be subject to the following fixed charges to cover the costs of such services.

<i>Continuing Monthly Evaluation Charge</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
Type 1 Evaluation	Per discharge point per month	\$ 193.83	\$ 197.71	\$ 201.66	\$ 205.69	\$ 209.81
Type 2 Evaluation	Per discharge point per month	\$ 247.18	\$ 252.12	\$ 257.17	\$ 262.31	\$ 267.56
Type 3 Evaluation	Per discharge point per month	\$ 297.18	\$ 303.12	\$ 309.19	\$ 315.37	\$ 321.68
<i>Evaluation Charge per Occurrence</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
Type 1 Evaluation	Per discharge point	\$ 581.48	\$ 593.11	\$ 604.97	\$ 617.07	\$ 629.41
Type 2 Evaluation	Per discharge point	\$ 741.53	\$ 756.36	\$ 771.49	\$ 786.91	\$ 802.65
Type 3 Evaluation	Per discharge point	\$ 1,455.93	\$ 1,485.05	\$ 1,514.75	\$ 1,545.04	\$ 1,575.94
Grab Compliance	Per discharge point	\$ 245.96	\$ 250.88	\$ 255.90	\$ 261.01	\$ 266.24

(B) *Surveillance/Evaluation charge for certain other customers.* The city may perform surveillance sampling and waste evaluation for customers located within the service area of a contract customer that has consented to such sampling and evaluation in accordance with applicable law. The fee for such sampling and evaluation shall be negotiated between the city and the contract customer.

SECTION 8. Section 51.072 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

§ 51.072 STRENGTH OF WASTE SURCHARGE.

(A) Each user discharging wastes into the collection system shall be subject to a Strength of Waste Surcharge, in addition to other sewage service charges imposed by this chapter, based on the following minimum strength characteristics to the extent that such wastes are in concentrations greater than:

- (1) Biochemical oxygen demand of 300 milligrams per liter (“mg/l”).
- (2) Chemical oxygen demand of 600 mg/l.
- (3) Suspended solids content of 300 mg/l.
- (4) Phosphorus content of 10 mg/l.
- (5) Ammonia content of 25 mg/l.

(B) *Strength of waste surcharge inside and outside City.* In the event any user contributes waste having strength of sewage in excess of the concentrations set forth in subsection (A), a surcharge based on the following unit process charges will be in effect for all waste found to be in excess of limitations:

<i>Strength of Waste Surcharge</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
Suspended Solids	Per pound per month	\$ 0.2777	\$ 0.2889	\$ 0.2920	\$ 0.3042	\$ 0.3168
Phosphorus	Per pound per month	\$ 2.7336	\$ 2.8442	\$ 2.8742	\$ 2.9937	\$ 3.1184
Ammonia	Per pound per month	\$ 0.4816	\$ 0.5011	\$ 0.5064	\$ 0.5275	\$ 0.5495
Biochemical Oxygen Demand - sample over 300 mg/L and up to 1500 mg/L	Per pound per month	\$ 0.2126	\$ 0.2212	\$ 0.2235	\$ 0.2329	\$ 0.2425
Biochemical Oxygen Demand - sample over 1500 mg/L	Per pound per month	\$ 0.2126	\$ 0.2212	\$ 0.3318	\$ 0.4977	\$ 0.7466

(C) The surcharge shall be determined as follows: The excess pounds of BOD or COD (whichever results in the higher charge), suspended solids, phosphorus and ammonia will each be computed by first multiplying the user’s billing sewage volume measured in units of 100 cubic feet for the current billing period by the factor 0.0062321 and then multiplying this product by the difference between, (a) the concentrations measured in milligrams per liter, of the BOD (or COD), suspended solids, phosphorus and ammonia respectively in the user’s sewage, and (b) the allowed concentrations set out in 51.072(A). The surcharge for each constituent will then be determined by multiplying the excess pounds of each constituent by the appropriate rate of surcharge. In the event COD measurement is used, as hereinbefore provided, 50% of the excess pounds measured will be used to compute the equivalent BOD charge.

SECTION 9. Section 51.073 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

§ 51.073 BULK WASTE CHARGES.

(A) *Bulk Industrial Waste Charge.* All industrial waste suitable for disposal, which has been delivered by an approved waste hauler to City's plant. For purposes of computing charges hereunder, a

LOAD is defined as 1,000 gallons of tank capacity or any fraction thereof.

<i>Bulk Industrial Waste Discharge</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
Discharge	Per 1,000 gallons	\$ 146.53	\$ 160.05	\$ 158.22	\$ 180.29	\$ 177.23
Billing Charge	per bill	\$ 6.20	\$ 6.36	\$ 6.11	\$ 6.10	\$ 6.13

(B) *Domestic.* All domestic waste delivered to the city's plant by customer's truck or tank. For purposes of computing charges hereunder, a **LOAD** is defined as 1,000 gallons of tank capacity or any fraction thereof.

<i>Bulk Domestic Waste Discharge</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
Discharge	Per 1,000 gallons	\$ 76.45	\$ 83.50	\$ 82.55	\$ 94.06	\$ 92.46
Billing Charge	per bill	\$ 6.20	\$ 6.36	\$ 6.11	\$ 6.10	\$ 6.13

(C) *Contracted services.* The city or its designated agent may enter into agreements with producers of bulk waste to deliver waste to the City's plant on terms and conditions that are mutually acceptable to the producer and the city or its designated agent. For purposes of this subsection, the city or its designated agent shall have the authority to negotiate the pricing for the delivery and acceptance of waste from each producer, taking into consideration factors such as volume and quality of waste and any other factors determined to be appropriate by the city or its designated agent.

(D) *Manifest.* All bulk waste loads delivered to the Water Pollution Control Plant shall be accompanied by a "Waste Hauler Manifest," the form for which will be provided by the city or an agent working on the city's behalf.

SECTION 10. Section 51.074 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

§ 51.074 OTHER RATES AND CHARGES.

(A) *Incorporation of Miscellaneous Non-Recurring Rates and Charges.* The charges set forth in the City's schedule of Miscellaneous Non-Recurring Rates and Charges approved by the Indiana Utility Regulatory Commission which may be applicable to sewage services, including, without limitation, the Non-Sufficient Funds Charge, Service Trip Charge, Same Day Service Trip Charge, and Door Hanger Fee, are incorporated into this Chapter as if fully set forth herein.

(B) *Food Service Establishment Surcharge.*

<i>Food Service Establishment Surcharge</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
Discharge	Per ccf per month	\$ 3.5994	\$ 3.6714	\$ 3.7448	\$ 3.8197	\$ 3.8961

(C) *Sewer Tap Inspection Fees.*

<i>Tap Inspection Fee</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
Tap Inspection	Per inspection	\$ 85.00	\$ 85.00	\$ 85.00	\$ 90.00	\$ 90.00

(D) *Other Fees Related to Sewage Services.*

<u>Type of Fee</u>	<u>Cost</u>
Residential Downspout, Yard Drain, Sump Pump or Other Drain Connected to a Sanitary Sewer.	\$50.00 per month per connection
Non-residential Downspout, Yard Drain, Sump Pump or Other Drain Connected to a Sanitary Sewer.	TBD by Utility based on ERU calculation, applied per connection
Residential Geothermal System Connected to a Sanitary or Combined Sewer.	\$210.00 per month
Non-residential Geothermal System Connected to a Sanitary or Combined Sewer	TBD by Utility based on ERU calculation

(E) These charges are subject to change as warranted and authorized by ordinance.

SECTION 11. Section 51.075 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

§ 51.075 MONTHLY CAPITAL IMPROVEMENT SURCHARGE.

(A) All classifications of users subject to a capital improvement surcharge shall pay the applicable surcharge in addition to other sewage service charges imposed by this chapter. Capital improvement surcharges shall remain in effect until the cost of the intended installations, adjustments or improvements to the water pollution control utility has been retired and the capital improvement surcharge area has been retired.

(B) The designated capital improvement surcharge areas, the respective amount of the surcharges, and frequency of the surcharges include the following:

<i>Capital Improvement Surcharge Area</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
Neuhaus	Per ERU per month	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00

Rothman Road	Per ERU per month	\$ 22.50	\$ 22.50	\$ 22.50	\$ 22.50	\$ 22.50
Tiernan	Per ERU per month	\$ 22.50	\$ 22.50	\$ 22.50	\$ 22.50	\$ 22.50
Upper Ely	Per ERU per month	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00
Southwest	Per ERU per month	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00

SECTION 12. Section 51.076 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

§ 51.076 AREA CONNECTION FEES.

(A) Area Connection Fee Charges, for areas as designated, shall be charged as follows:

<i>Area Connection Fee Area</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
Central	Per ERU	\$ 800.00	\$ 1,000.00	\$ 1,200.00	\$ 1,390.00	\$ 1,390.00
Northeast	Per ERU	\$ 2,600.00	\$ 2,700.00	\$ 2,800.00	\$ 2,900.00	\$ 2,900.00
Northwest	Per ERU	\$ 2,200.00	\$ 2,400.00	\$ 2,600.00	\$ 2,800.00	\$ 2,800.00
Southeast	Per ERU	\$ 1,980.00	\$ 2,100.00	\$ 2,200.00	\$ 2,300.00	\$ 2,400.00
Southwest	Per ERU	\$ 2,150.00	\$ 2,400.00	\$ 2,600.00	\$ 2,800.00	\$ 2,800.00

(B) These charges are subject to change as warranted and authorized by ordinance.

SECTION 13. Section 51.077 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

§ 51.077 CONTRACT CUSTOMERS.

(A) Contract customer rates are applicable only to those users that meet the criteria described in the definition of a contract customer. If a user does not meet the criteria in the definition of a contract customer, the user will be considered to be a retail customer and retail rates shall apply.

(B) In the event City Utilities consummates a contract to serve as a regional treatment plant to a contract customer the following fees and charges shall apply:

(1) *Treatment charge (per 100 cubic feet).*

(2) *Conveyance charge (per 100 cubic feet).* A variable charge for conveyance and collections costs attributable to each contract customer's portion of the city conveyance system, and operating costs associated therewith, shall be computed by the city and added to the treatment cost to arrive at the contractee's total metered rate.

(3) *Monthly service charge.*

1 (4) *Surveillance/Evaluation charge.* All contract customers discharging wastes into
2 the system that require continuing surveillance sampling and waste evaluation, shall be subject to
3 the charges set forth in 51.071 or as otherwise specified in the customer's contract.

4 (5) *Excess strength of waste.* In the event a contract customer user contributes waste
5 having a strength of sewage in excess of domestic waste characteristics, as hereinbefore defined, a
6 surcharge shall be implemented per 51.072 or as otherwise specified in the customer's contract.

7 (6) *Capital surcharge.* In the event a contract customer delivers sewage for
8 treatment to the city for three consecutive billing periods (approximately 90 consecutive days)
9 which is in excess of the base volume limit guaranteed in the contract, then the customer will be
10 subject to a capital surcharge, computed at the capital rate per 100 cubic feet in effect for outside
11 the city customers set out elsewhere herein. The capital rate per 100 cubic feet shall be multiplied
12 by the excess percentage of volume calculated by dividing the daily average for three billing
13 periods by the contracted volume limit.

14 (7) *Volumetric Exceedance Fee.* The additional fee for exceedances to the
15 contractual volume limits to be collected from contract customer users discharging sewage to the
16 water pollution control utility. This fee (also defined and specified in contracts under different
17 terminology, such as the "Treatment Plant Capital Surcharge") shall be collected as specified in
18 each contract and calculated as defined by the contract. Such fees shall contribute to the payment
19 of costs associated with operation, installation, adjustment or other improvements to the water
20 pollution control utility intended to serve the contract customer when it discharges flows
21 exceeding the capacity allocated per the contract.

22 (8) *Peak Flow Exceedance Fee.* The additional fee for exceedances to the
23 contractual peak flow limits to be collected from contract customer users discharging sewage to
24 the water pollution control utility. This fee (also defined and specified in contracts under
25 different terminology, such as "Peak Penalty Rates") shall be collected as specified in each
26 contract and calculated as defined by the contract. Such fees shall contribute to the payment of
27 costs associated with operation, installation, adjustment or other improvements to the water
28 pollution control utility intended to serve the contract customer when it discharges flows
29 exceeding the capacity allocated per the contract.

30 (9) *Other provisions.* In the event sewage received pursuant to any contract entered
into under this section exceeds any of the limitations imposed by this chapter, City Utilities shall
have the right to impose all limitations, charges and penalties applicable to any non- contract
customer user. Each contract entered into by City Utilities pursuant to the foregoing rate
classification shall provide that the contract customer shall agree to enact and maintain a sewer
use ordinance and user charge system acceptable to City Utilities and in conformance with City
Utilities' obligations under Sec. 204 (b) (1), Public Law 92-500 as amended and supplemented,
and guidelines and regulations promulgated thereunder by the U.S. Environmental Protection
Agency and 40 CFR 35-905-8, 35-928-1 and 35-928-2 and 35-935-13.

<i>Town of Grabill</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
Treatment	Per ccf per month	\$ 2.4864	\$ 2.6804	\$ 2.6657	\$ 2.9653	\$ 2.9618
Conveyance	Per ccf per month	\$ 0.4177	\$ 0.3911	\$ 0.5329	\$ 0.4645	\$ 0.4253
Total	Per ccf per month	\$ 2.9041	\$ 3.0715	\$ 3.1986	\$ 3.4298	\$ 3.3871
Monthly Service Charge	Per Month	\$ 4,549.75	\$ 4,399.95	\$ 4,240.64	\$ 4,174.63	\$ 4,724.66

<i>Leo- Cedarville Regional Sewer District</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
Treatment	Per ccf per month	\$ 2.4864	\$ 2.6804	\$ 2.6657	\$ 2.9653	\$ 2.9618
Conveyance	Per ccf per month	\$ 0.5078	\$ 0.4822	\$ 0.6486	\$ 0.5724	\$ 0.5177
Total	Per ccf per month	\$ 2.9942	\$ 3.1626	\$ 3.3143	\$ 3.5377	\$ 3.4795
Monthly Service Charge	Per Month	\$ 12,032.75	\$ 11,782.95	\$ 11,224.64	\$ 11,199.63	\$ 12,482.66

<i>Maysville Regional Sewer District</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
Treatment	Per ccf per month	\$ 2.4864	\$ 2.6804	\$ 2.6657	\$ 2.9653	\$ 2.9618
Conveyance	Per ccf per month	\$ 0.4027	\$ 0.3861	\$ 0.5148	\$ 0.4595	\$ 0.4110
Total	Per ccf per month	\$ 2.8891	\$ 3.0665	\$ 3.1805	\$ 3.4248	\$ 3.3728
Monthly Service Charge	Per Month	\$ 4,015.75	\$ 3,974.95	\$ 3,749.64	\$ 3,782.63	\$ 4,165.66

<i>City of New Haven</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
Treatment	Per ccf per month	\$ 2.4864	\$ 2.6804	\$ 2.6657	\$ 2.9653	\$ 2.9618
Conveyance	Per ccf per month	\$ 0.1038	\$ 0.0979	\$ 0.1325	\$ 0.1162	\$ 0.1057
Total	Per ccf per month	\$ 2.5902	\$ 2.7783	\$ 2.7982	\$ 3.0815	\$ 3.0675

Monthly Service Charge	Per Month	\$ 10,157.75	\$ 9,882.95	\$ 9,482.64	\$ 9,382.63	\$ 10,540.66
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<i>General Motors</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
Treatment	Per ccf per month	\$ 2.48640	\$ 2.68040	\$ 2.66570	\$ 2.96530	\$ 2.96180
Conveyance	Per ccf per month	\$ 0.45450	\$ 0.42980	\$ 0.58050	\$ 0.51060	\$ 0.46340
Total	Per ccf per month	\$ 2.94090	\$ 3.11020	\$ 3.24620	\$ 3.47590	\$ 3.42520
Monthly Service Charge	Per Month	\$ 15,507.75	\$ 15,132.95	\$ 14,465.64	\$ 14,374.63	\$ 16,090.66

SECTION 14. Section 51.078 of the Fort Wayne Code of Ordinances is hereby deleted in its entirety and replaced with the following:

§ 51.078 GRINDER PUMP SERVICE CHARGES AND SERVICE PLANS.

(A) *Purpose.* The purpose of this section is to provide eligible customers who own certain types of grinder pump stations within the city's sewer service territory with fixed-cost options for maintenance, repair, and replacement of the grinder pump stations and their components.

(B) *Performance of work.* Maintenance and repair services offered under this section may be provided by the city's own work force or by a city-procured vendor.

(C) *Fees for on-call services.* There are hereby established the following fixed-fees for on-call repair and replacement services for certain types of grinder pump stations and their components:

<i>Fees for On-Call Grinder Pump Services</i>	<i>Unit of Measure</i>	<i>Effective 2025</i>	<i>Effective January 1, 2026</i>	<i>Effective January 1, 2027</i>	<i>Effective January 1, 2028</i>	<i>Effective January 1, 2029</i>
Service Call - during business hours	per Service Call	\$ 150.00	\$ 153.00	\$ 157.00	\$ 161.00	\$ 165.00
Service Call - after business hours	per Service Call	\$ 258.00	\$ 264.00	\$ 270.00	\$ 276.00	\$ 282.00
Replace Capacitors ¹	per Each	\$ 53.00	\$ 55.00	\$ 57.00	\$ 59.00	\$ 61.00

Replace Fuses ¹	per Each	\$ 38.00	\$ 39.00	\$ 40.00	\$ 41.00	\$ 42.00
Replace Breakers (Type 1) ¹	per Each	\$ 70.00	\$ 72.00	\$ 74.00	\$ 76.00	\$ 78.00
Replace Breakers (Type 2) ¹	per Each	\$ 120.00	\$ 123.00	\$ 126.00	\$ 129.00	\$ 132.00
Replace Breakers (Type 3) ¹	per Each	\$ 315.00	\$ 322.00	\$ 329.00	\$ 336.00	\$ 343.00
Replace Motor Starter (Type 1) ¹	per Each	\$ 112.00	\$ 115.00	\$ 118.00	\$ 121.00	\$ 124.00
Replace Motor Starter (Type 2) ¹	per Each	\$ 180.00	\$ 184.00	\$ 188.00	\$ 192.00	\$ 196.00
Grinder Station Pump Out / Cleaning ¹	per Each	\$ 193.00	\$ 197.00	\$ 201.00	\$ 206.00	\$ 211.00
1 This Fee is in addition to the applicable Service Call charge. However, only one service call charge per visit will be assessed. Multiple services can be performed during one Service Call.						

(D) Optional service plans. In addition to on-call repair services, there are hereby established the following optional service plans in which eligible customers may elect to enroll:

Service Plan	Terms/Benefits	Price
City Utilities Care Plus – 5 Yr. Warranty – New Pumps	<ul style="list-style-type: none"> - 5 year warranty on new pumps - Customer pays Service Call charge for each visit - 50% off repairs/replacement (excluding pump) - 70% off pump replacement 	\$950.00/one-time charge OR \$20.00/mo. (for full 5 year term) - Customer elects payment plan at the time of enrollment
City Utilities Service Plus – Extended Warranty – All Pumps	<ul style="list-style-type: none"> - Annual service visit including pump test, electrical testing, and grinder pump station tank included - One additional Service Call/yr. at no charge - 20% off repairs/replacement (excluding pump) - 50% off pump replacement 	\$425.00/yr. OR \$36.00/mo. - Customer elects payment plan at the time of enrollment
City Utilities Service Basic – Extended Warranty – All Pumps	<ul style="list-style-type: none"> - Annual service visit including pump test and electrical testing included - Service Calls for \$100.00 - 15% off repairs/replacement (including pump) 	\$200.00/yr. OR \$17.00/mo. - Customer elects payment plan at the time of enrollment

(E) Eligibility; establishment of terms and conditions. The Board of Public Works is authorized to define the criteria for customers to be eligible for the on-call services and service plans described above.

1 The Board of Public Works is further authorized to establish, supplement, and change certain terms and
2 conditions related to the service options, including, without limitation, defining normal business hours for
3 service calls, modifying the eligibility criteria for on-call services and enrollment in service plans,
4 providing technical definitions on the services provided (e.g., defining what constitutes a Type 1, Type 2,
5 and Type 3 breaker), and outlining procedures for work not specifically described above.

6 **SECTION 15.** That all initial rate adjustments for 2025 shall take effect no earlier than thirty
7 (30) days after approval of this Ordinance. Subsequent adjustments shall take effect on the dates set forth
8 herein.

9 **SECTION 16.** That this Ordinance shall be in full force and effect from and after its passage
10 and any all necessary approval by the Mayor.

11 _____
12 Council Member

13
14 Approved as to form and legality

15 _____
16 Malak Heiny, City Attorney
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