

**SPONSOR: Robert Markovich,
Councilman at Large
Dan Spitale
Councilman at Large
Janet Venecz
Councilwoman at Large**

ORDINANCE NO. 9379

**An Ordinance Amending and Fixing the Schedule of Sewer Rates and Charges
to be Collected by the Hammond Sanitary District from the Owners
of Property Served by the Sewage Works of the District
(as amended)**

WHEREAS, the Common Council (“Council”) of the City of Hammond, Indiana (“City”) has been informed of the determination by the Board of Commissioners (“HSD Board”) of the Hammond Sanitary District (“District”) by Resolution 6-2017, that it is necessary to secure additional funds for the operation, maintenance, replacements, capital improvements and pay debt service on bonds of the City wastewater treatment and disposal facilities and the City collection system of pumps, sewers and related appurtenances; and

WHEREAS, the Council has received the following record of recent actions taken by the HSD Board which:

- a. has determined that it is necessary, being mindful of the City’s significant and varied water resources, and the need to protect and enhance the ability of the City to safely and efficiently treat and discharge its wastewater, to improve, reconstruct, replace or upgrade substantial portions of the City Wastewater Treatment System and Collection System in order to provide an environmentally responsible, healthful, efficient and effective means of waste water treatment, all as required by the laws of the United States and the State of Indiana; and
- b. commissioned an analysis through Cender & Company, LLC, District’s financial advisor of the costs, both in the recent past and for anticipated future years of providing the minimum amount of funds necessary for the operation and maintenance of the District Wastewater Treatment System together with anticipated capital and Long-Term Control Plan needs and collection system maintenance and improvements; and
- c. considered the adoption of a system of amended and updated sewer rates and charges which justly and equitably distribute the cost for the treatment and disposal of sewage and other waste discharged into the sewerage system of the District together with collection system maintenance and improvements among the various classes of users in the District, all as required by I.C. §36-9-25-11 (a); and

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d. desiring to make said amended sewer rates and charges effective in the City by obtaining the adoption of same in the manner specified by §36-9-25-11,

e. and adopted and approved Resolution Number 6-2017 on February 28, 2017, which proposed the modification of existing sewer rates and charges for the users of the District's sewerage system; and

WHEREAS, the Council has concluded that the adoption of the new system of wastewater rates and charges proposed is in the best interest of all of the residents of the District, that the expense of proper maintenance, planning and development for the wastewater treatment and disposal system, and the collection system require adequate resources which are not otherwise obtainable, and that failure to address the wastewater treatment and disposal needs of the District will expose it to worsening water quality, overflows, legal challenges by governmental authorities and even higher costs to its residents; and

WHEREAS, based upon the advice of the District's financial advisor and HSD adopting Resolution No. 6-2017, the Council finds that it is necessary to ratify the amended rates and charges of the sewage works to provide sufficient monies to pay operating and maintenance, replacements and improvements and debt service on the bonds and wishes to spread its action upon the public record through this ordinance.

THEREFORE, BE IT ORDAINED by the Common Council of the City of Hammond, Indiana as follows:

Section 1. The rates and charges of the Hammond Sanitary District are as follows:

	<u>Rate</u>
Residential and Industrial Customers	
Flow Charge per 1,000 gallon	\$ 2.31
Commercial Customers	
Flow Charge per 1,000 gallons	\$ 4.90
Bi-Monthly Base Charge	
Per Bi-Monthly bill	\$ 16.79
Industrial Customers and Those Customers Subject to Pretreatment	
Chemical Oxygen Demand (COD)	\$.19
Total Suspended Solids (TSS)	\$.21
Total Kjeldahl Nitrogen (TKN)	\$ 1.00

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Outside Subscribers –Griffith Sanitary
District, Highland Sanitary District and
Whiting Sanitary District

Per negotiated contract

Section 2. The Commercial rate category definition of commercial class of users established by Hammond Sanitary District Resolution No. 38-2014 and approved by City of Hammond Ordinance No. 9263 on September 22, 2014 is hereby amended to add the following provision: “Provided, however, a multi-unit condominium building served by a single (master) meter shall pay the current residential rate and the base charge for each condominium unit in the building.”

Section 3. In all other respects, the previous Rate Ordinances shall remain in full force and effect.

Section 4. Rates shall be effective upon adoption by the Hammond Common Council.

BE IT FURTHER ORDAINED by the Hammond Common Council that this Ordinance shall be in full force and effect from and after its passage by the Common Council, signing by the President thereof and approval by the Mayor.

BE IT FURTHER ORDAINED by the Hammond Common Council that if any part, parts, section, sections, provision, clause or portions of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or constitutionality shall not affect the validity or constitutionality of this ordinance as a whole or of any other part, parts, section, sections, provision or clause or portion of this ordinance.

ADOPTED AND APPROVED BY the Common Council of the City of Hammond,
Indiana this 12th day of June, 2017.

President Janet Venecz /s/
Hammond Common Council

ATTEST:

Robert Golec, City Clerk /s/
City of Hammond, Indiana

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PRESENTED by me, the undersigned City Clerk of the City of Hammond, Indiana to the Mayor, for approval and signature, this 13th day of June, 2017.

Robert Golec, City Clerk /s/
City of Hammond, Indiana

The foregoing Ordinance No. 9379 consisting of four (4) typewritten pages, including this page, was APPROVED AND SIGNED BY ME, the undersigned Mayor of the City of Hammond, Indiana this 13th day of June, 2017.

Thomas M. McDermott, Jr. Mayor /s/
City of Hammond, Indiana

PASSED by the Common Council on the 12th day of June, 2016 and APPROVED by the Mayor on the 13th day of June, 2017.

Robert Golec, City Clerk /s/
City of Hammond, Indiana