

**ORDINANCE NO. 7-2017**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO,  
INDIANA, AMENDING STORM WATER UTILITY RATES**

**WHEREAS**, the City of Valparaiso, Indiana (the “City”) has established the Storm Water Management District of the City of Valparaiso, Indiana (the “District”), to be governed by the Valparaiso City Utilities Board of Directors (the “Board”), and established, constructed and financed a municipal storm water system for the purpose of providing for the collection and disposal of storm water throughout the District (the “System”); and

**WHEREAS**, the Common Council of the City (the “Council”) has previously established the existing schedule of user rates and charges for operation and maintenance of the System, pursuant to Ordinance No. 34, 2009, adopted by the Council on December 14, 2009; and

**WHEREAS**, the Board conducted an investigation into the needs of the District and has concluded that existing rates and charges are insufficient to pay all the legal and other necessary expenses incident to the operation of the System, including maintenance costs, operating charges, upkeep, repairs, depreciation, including increases in such costs, and the payment of principal and interest on bonds, future bonds or other obligations; and

**WHEREAS**, the Board adopted a resolution recommending that the Council adopt such rates and charges as are set forth in Exhibit A attached hereto and incorporated herein by reference; and

**WHEREAS**, notice of a public hearing on the proposed rates and charges has been duly given by publication as required by law, and said public hearing was held before this Council on March 13, 2017, at which users of the System, owners of property served or to be served by the System and other interested persons had an opportunity to appear and express their views relating to the proposed rates and charges;

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Valparaiso, Indiana, as follows:

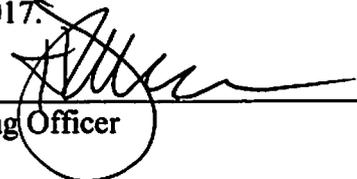
**Section 1.** The Council hereby finds and determines that, based upon the Board’s investigation, the existing rates and charges are insufficient to pay all the legal and other necessary expenses incident to the operation of the System, including maintenance costs, operating charges, upkeep, repairs, depreciation, including increases in such costs, and the payment of principal and interest on bonds, future bonds or other obligations.

**Section 2.** The Council finds and determines that the proposed rates and charges set forth in Exhibit A hereto are nondiscriminatory, reasonable and just, and are hereby adopted.

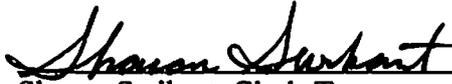
**Section 3.** All ordinances and parts of ordinances in conflict herewith are hereby repealed.

**Section 4.** This Ordinance shall be in full force and effect from and after its passage and compliance with the procedures required by law.

Passed by the Common Council of the City of Valparaiso, Indiana, by a 6-1 vote of all members present and voting this 13<sup>th</sup> day of March, 2017.

  
\_\_\_\_\_  
Presiding Officer

ATTEST:

  
\_\_\_\_\_  
Sharon Swihart, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 13<sup>th</sup> day of March, 2017, at 8:05 o'clock p.m.

  
\_\_\_\_\_  
Sharon Swihart, Clerk-Treasurer

This Ordinance approved and signed by me this 13<sup>th</sup> day of March, 2017, at 8:05 o'clock p.m.

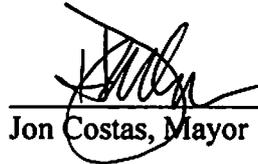
  
\_\_\_\_\_  
Jon Costas, Mayor

EXHIBIT A

**VALPARAISO (INDIANA) MUNICIPAL STORM WATER UTILITY**

**SCHEDULE OF PROPOSED RATES AND CHARGES**

|   | <u>Multiplier</u> | <u>Proposed Monthly Rates</u>  |                                  |                                  |
|---|-------------------|--------------------------------|----------------------------------|----------------------------------|
|   |                   | <u>Effective upon adoption</u> | <u>Effective January 1, 2018</u> | <u>Effective January 1, 2019</u> |
| A. Single Family Residential Properties     | 1                 | \$11.50                        | \$12.00                          | \$12.50                          |
| B. Apartments/mobile homes per living unit  | 0.75              | 8.63                           | 9.00                             | 9.40                             |
| C. Nonresidential Properties:               |                   |                                |                                  |                                  |
| 1) Areas less than 10,000 square feet       | 1                 | 11.50                          | 12.00                            | 12.50                            |
| 2) Areas from 10,000 to 40,000 square feet  | 4                 | 46.00                          | 48.00                            | 50.00                            |
| 3) Areas from 40,001 to 160,000 square feet | 16                | 184.00                         | 192.00                           | 200.00                           |
| 4) Areas greater than 160,000 square feet   | 32                | 368.00                         | 384.00                           | 400.00                           |

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