

ORDINANCE NO. 26-2020

**AN ORDINANCE ESTABLISHING AN INITIAL RATE
FOR CITY SEWER SERVICES FOR THE PURPOSE
OF STORMWATER MANAGEMENT**

WHEREAS, the City of LaPorte, Indiana ("City") now owns and operates a Sewage Works System in accordance with provisions of IC 36-9-23 et.seq. ("Act"); and

WHEREAS, the Common Council is responsible for establishing, reviewing, and revising rates for these services; and

WHEREAS, the Common Council finds that in order to address stormwater needs, provisions must be made to study, design, and implement a system for the safe and efficient disposition of City stormwater and that funds be made available for such purpose; and

WHEREAS, the Stormwater Department is a division of the LaPorte Sewage Works as defined in IC 36-9-1-8; and

WHEREAS, the Common Council finds, based upon the advice of its counsel, that the provisions of the Act apply to the collection, disposal, and drainage of storm and surface water and relieving sanitary sewers of such water; that the City may finance its Stormwater System pursuant to the Act; that the Common Council may supervise and control said Stormwater System pursuant to the Act; and that the provisions of the Act will enable the City to finance, operate, and control its Stormwater System; and

WHEREAS, the Common Council wishes to establish a Stormwater division of the Sewage Works, a stormwater fund for receiving stormwater revenue, and a system of stormwater rates and charges;

NOW, THEREFORE, be it ordained by the Common Council of the City of LaPorte, Indiana:

Section 1. For purposes of this Ordinance, an equivalent residential unit ("ERU") is defined as the amount of impervious area included upon an average residential property. An "impervious area" refers to those surface areas of residential and non-residential properties which water will not penetrate and from which stormwater runoff will be produced. An impervious area of not more than 3,000 square feet shall constitute one (1) ERU.

Section 2. Definitions. For the purposes of this schedule, the following terms shall have the specified meaning.

- (a) Class I. Any parcel existing in the City considered to be agricultural or residential. Includes duplexes, triplexes, mobile homes and condominiums

- (b) Class II. Any parcel existing in the City considered to be railroad parcels or unimproved parcels. Unimproved parcels include, but are not necessarily limited to, unimproved agricultural parcels, unimproved residential parcels, unimproved commercial parcels, unimproved industrial parcels, unimproved tax-exempt parcels, unimproved municipal parcels, and unimproved utility parcels.
- (c) Class III. All parcels not encompassed within the definitions of Class I and Class II. This includes, but is not necessarily limited to, commercial parcels, industrial parcels, tax-exempt parcels, municipal parcels, and utility parcels.

Section 3. Ordinance No. 27-2013 (and subsequent Ordinances) of the City of LaPorte regarding the municipal Sewage Works is hereby amended to make provisions for a monthly Stormwater Fee. The monthly Stormwater Fee is to be paid by each user and shall be paid according to the following schedule:

<u>Type of Property</u>	<u>Number of ERUs</u>	<u>Monthly Fee per ERU</u>		<u>Total Monthly Fee</u>
		<u>Phase I⁽¹⁾</u>	<u>Phase II⁽²⁾</u>	
Class I	1.00	\$5.49	\$5.49	\$5.49 both phases
Class II	0.33	\$5.49	\$5.49	1.81 both phases
Class III	One ERU for every 3,000 square feet of impervious area	\$2.75	\$5.49	Variable, but not less than \$2.75 ⁽¹⁾ and \$5.49 ⁽²⁾

(1) Effective 1/1/2021.

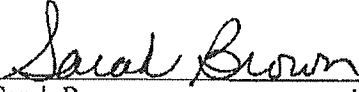
(2) Effective 1/1/2022.

Section 4. Rates and charges incurred under this Ordinance shall be prepared and collected by the City in accordance with those provisions regulating the preparation and issuance of bills for sewer service generally. The monies collected under this Ordinance shall be deposited in the Stormwater Revenue Fund hereby created.

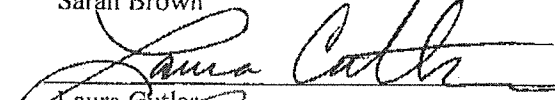
Section 5. This Ordinance shall be in full force and effect upon adoption.

PASSED AND ADOPTED by the Common Council of the City of LaPorte, Indiana, this 2nd day of November, 2020.


LAPORTE COMMON COUNCIL



Sarah Brown



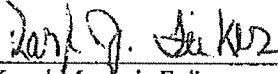
Laura Gutler




Tim Franke



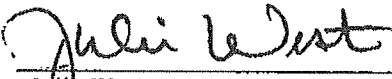
Roger Galloway



Karyl Machek-Feikes



Paul Vincent

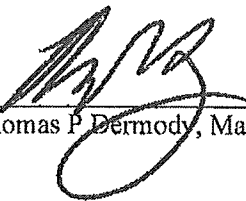


Julie West

Attest:



Courtney Parthun, Clerk-Treasurer



Thomas P. Dermody, Mayor