

ORDINANCE NO. _____

ORDINANCE AMENDING ORDINANCE NO. 090908A

WHEREAS, the Town Council of the Town of McCordsville, Indiana, (“Council”) has heretofore adopted Ordinance No. 090908A, an ordinance codifying previous sewer rate ordinances and amendments thereto; and

WHEREAS, the Council amended Ordinance No. 090908A on March 12, 2013 with Ordinance No. 031213 to revise sewer connection fees; and

WHEREAS, the Council has now been advised by the Town Engineer that, for clarity and ease of administration, there is a need to rename and simplify what was otherwise known as the sewer connection fee schedule which the Town is currently using for its various drainage basins and instead charge a flat fee, to be known as the “availability fee,” that is consistent throughout the Town’s sewer service area; and

WHEREAS, the availability fee is calculated to include the Town’s costs for plant expansions, extensions, repairs and replacements of existing and future sewer lines; and

WHEREAS, should a person engaging in a development project who applies for a sewer permit be requested by the Town to install sewer lines that are in larger sized diameter than needed for said person’s project, the Town will use money from the availability fee to reimburse said person; and

WHEREAS, the Council has been advised by the Town Engineer that there is a need to increase fees for sewer connections to reflect the current costs the Town is experiencing for providing connections to the sewer main; and

WHEREAS, the Council shares the opinion of the Town Engineer that renaming and simplification of the current fees are appropriate as well as an increase in fees is necessary in order to provide for the Town’s utility.

THEREFORE BE IT ORDAINED by the Town Council of the Town of McCordsville, Indiana that:

SECTION I

Section 9(c)(1) and (c)(2) shall be deleted in its entirety and in lieu thereof shall be inserted the following:

(c)(1) At the signing of the recorded plat or detailed unity development plan approval, the sum of \$1,400.00 per equivalent dwelling unit, which shall be allocated to the Sewer Improvement and Betterment Fund.

(c)(2)

(i) At the time of issuance of the sewer connection permit, the person or entity purchasing said permit shall pay an availability fee of \$3,100.00, which shall be deposited into the Sewer Improvement and Betterment Fund, unless

there exists a sewer service agreement specifying a different availability fee, in which case, said sewer service agreement shall control.

- (ii) All availability fees set forth above shall be deposited into the Sewer Improvement and Betterment Fund and unless there exists an executed sewer service agreement between the town and any particular developer directing otherwise, in which case the executed sewer service agreement shall control, said funds shall be disbursed as follows:

(A) The sum of \$1,400.00 shall remain in the Sewer Improvement and Betterment Fund to be utilized as allocated and budgeted.

(B) When applicable, a portion of the availability fees collected shall be disbursed as reimbursement to the particular developer that incurred costs for oversizing certain wastewater infrastructure at the request of the town, said sums to be paid until the developer has been fully reimbursed for approved oversizing costs pursuant to an executed sewer service agreement between the town and the particular developer for a period not to exceed 15 years.

SECTION II

This Ordinance shall be in full force and effect from and after its passage and due publication.

SECTION III

Introduced and filed on the 10th day of May, 2022.

Duly ordained and passed this ____ day of _____, 2022 by the Town Council of the Town of McCordsville, Hancock County, Indiana, having been passed by a vote of ____ in favor and ____ opposed.

TOWN OF MCCORDSVILLE, INDIANA, BY ITS TOWN COUNCIL

AYE:

NAY:

Greg Brewer

Greg Brewer

Chad Gooding

Chad Gooding

Larry Longman

Larry Longman

Tom Strayer

Tom Strayer

Branden Williams

Branden Williams

ATTEST:

Staci Starcher, Clerk-Treasurer

This instrument was prepared by Gregg H. Morelock, BRAND & MORELOCK, 6 West South Street, Greenfield, IN 46140.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Gregg H. Morelock.