

**NOTICE OF HEARING  
ON PROPOSED RATES AND CHARGES**

Property owners, rate payers and other interested parties in, served by or to be served by the Adams County Regional Sewer District (the “District”) are hereby notified that the Board of the District (the “Board”) at a meeting held on October 13, 2022, determined to reconsider Ordinance No. 2020-02, establishing rates and charges for sewage works services to be rendered by the District, and introduced Ordinance No. 2022-4 for the purpose of amending Ordinance No. 2020-02. At a meeting of the Board to be held at 3:00 p.m. (Decatur time) on November 10, 2022, at the Adams County Commissioner’s Room located at 313 West Jefferson Street, Room 100, Decatur, Indiana, there will be a public hearing on the matter of the rates and charges, and consideration of adoption of said Ordinance No. 2022-4, which provides in part as follows:

Section 1. Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

- (a) “Board” shall mean the Board of Trustees of the Adams County Regional Sewer District, or any duly authorized officials acting on its behalf.
- (b) “District” shall mean the Adams County Regional Sewer District acting by and through the Board.
- (c) “Debt service costs” shall mean the average annual principal and interest payments on all outstanding revenue bonds or other long-term capital debt.
- (d) “Industrial wastes” shall mean the wastewater discharges from industrial, trade or business processes as distinct from employee wastes or wastes from sanitary conveniences.
- (e) “NPDES (National Pollutant Discharge Elimination System) Permit” shall have the same meaning as defined in the Sewer Use Ordinance.
- (f) “Operation and maintenance costs” include all costs, direct and indirect, necessary to provide adequate wastewater collection, transport and treatment on a continuing basis and produce discharges to receiving waters that conform with all related Federal, State and local requirements. (These costs include replacement.)
- (g) “Other service charges” shall mean tap charges, connection charges, area charges, and other identifiable charges, other than billing charges, service charges and excessive strength surcharges.
- (h) “Person” shall mean any and all persons, natural or artificial, including any individual, firm, company, municipal or Private Corporation, association, society, institution, enterprise, governmental agency or other entity.
- (i) “Project” shall mean the construction of the wastewater facilities and collection system to provide sewer service to the following and surrounding areas:

- Monmouth – Roe Acres service area
- Arcadia Village service area
- Pleasant Mills service area
- Rivare (Bobo) service area
- US 33 and Salem Road service area
- Linn Grove service area
- Preble service area
- Peterson service area

Barrington Woods service area  
 Monmouth Extended CR 900N service area  
 Clem;s Lake service area  
 Sunnybrook Addition – CR 100W – CR 200W service area  
 Oakwood Addition (Yost Woods Fringe) service area  
 Magley – CR 600W service area  
 NW Winchester – CR 200W service area  
 Clem’s Lake South – US 224 service area

- (j) “Replacement costs” shall mean the expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of treatment works to maintain the capacity and performance for which such works were designed and constructed
- (k) “Shall” is mandatory; “May” is permissive.
- (l) “Wastewater Facilities” shall mean the structure, equipment, and processes required to collect, carry away, and treat domestic and commercial wastes and dispose of the effluent.

Section 2. Every person whose premises are served by said Sewage Works shall be charged for the services provided. These charges are established for each user in order that the District shall recover, from each user, revenue which is proportional to its use of the treatment works in terms of volume and load.

Section 3. or the use of and the service rendered by said Sewage Works, rates and charges shall be collected from the owners of each and every lot, parcel of real estate or building that is connected with the District’s sanitary system or otherwise discharges sanitary sewage, industrial wastes, water or other liquids, either directly or indirectly, into the sanitary sewerage system of the District. Which rates and charges shall be payable as hereinafter provided and shall be in an amount determinable as follows:

- (a) Each lateral connection shall pay a bill which shall consist of the sewer rate per month of:

Billing Charge per bill	\$ 3.35
Service Charge per equivalent single family dwelling unit	89.95
Total Monthly Bill	<u>\$93.30*</u>

\*Additional minimum electric service charge (if applicable) **\$24.00/meter.**

- (b) The service charges shall be based on the quantity of water used on or in the property or premises subject to such rates and charges as the same is determined by equivalent single family dwelling units as found on Appendix A.
- (c) The monthly rates and charges provided herein shall be applied throughout the year based upon the maximum sewage service required in any month in any calendar year. For example, the service charges based upon employment shall be applied throughout the year based upon the maximum employment (full- and part-time) of the user for such single maximum employment month, and such maximum usage shall be applied through the year.
- (d) An additional monthly service charge (\*) for the cost of electric service to power grinder stations shall be charged to those customers who do not provide electric power to a grinder station in a Project that requires customers to supply such power.

In order to produce an amount sufficient to meet the interest on the revenue bonds and other expenses payable prior to the completion of the Project, after the contract for construction of sewer system has been let and the actual work commenced thereunder, the owners of each and every lot, parcel or real estate or building to be connected with the District's sanitary sewage system, as a result of the construction of said Works, shall pay each month the Monthly Billing Charge of \$3.35 plus the Service Charge of \$46.65 per equivalent single family dwelling unit for a total monthly interim rate in the amount of \$50.00/month during construction. Beginning with the first month after the sanitary sewers are available for connection and use to any lot, parcel of real estate or building, the full rates and charges shall become effective for such lot, parcel of real estate or building; but in any event, said full rates and charges shall become effective, with respect to Magley – CR 600W, NW Winchester – CR 200W, an Clem's Lake South – US 224, no later than January 1, 2024, so that billings for full rates and charges shall be issued for the month of January and each month thereafter on a schedule to be determined and/or approved by the Board of Trustees.

Section 4. The owner of any lot, parcel of real estate or building connecting to the Sewage Works shall, prior to being permitted to make a connection, pay a connection charge in the amount of \$2,000.00 for each connection. The Board of Trustees now finds such a connection charge to be a reasonable and equitable pro rata cost of construction of a local or lateral sewer adequate to serve the property so connecting and the cost of providing a connection to the sewer system.

Provided, however, no connection charge will be required of any customer that was part of the original plans and specifications prepared for a District financed Project connecting to a local or lateral sewer within 90 days of the date on which said sewer was available for connection. Each customer making a connection to the sewer system shall be required to pay an inspection fee of \$75.00 to the District to cover the cost of inspecting the customer's connection to the system before the work is commenced and in accordance with any policies and procedures adopted or approved by the Board of Trustees for connections.

Unless otherwise determined by the Board of Trustees, connection charges will be imposed on any connection made after 90 days of availability for connection and on all connections made to future extensions of the system based on the actual cost to make a lateral connection plus the connection fee of \$2,000.00. The Board may waive or reduce a connection charge to the District's sewer system upon a finding by the Board of one or more of the following circumstances or conditions:

- (a) The Owner of property requesting an exemption has granted an easement to the District that will permit the District to extend lines to immediately serve additional users other than the person requesting the exemption.
- (b) The Owner requesting an exemption is paying a portion of the cost to extend a line that will provide current or future benefit to the District.
- (c) The Owner has paid monthly sewer charges to the District before requesting or making a connection.
- (d) Any other condition that the Board finds will substantially benefit the District according to a policy approved by the Board.

Section 5. Such rates and charges shall be prepared, billed and collected by the District in the manner provided by law and ordinance.

- (a) The rates and charges for all users shall be prepared and billed monthly.
- (b) The rates and charges will be billed to the deeded owner of the property unless otherwise determined by a policy approved by the Board. Any billing issued to a person or entity other than the deeded owner shall in no way relieve the owner from the liability in the event payment is not made as herein required. The owners of properties served, which

are occupied by a tenant or tenants, shall have the right to examine the collection records of the District for the purpose of determining whether bills have been paid by such tenant or tenants, provided that such examination shall be made at the office at which said records are kept and during the hours that such office is open for business.

- (c) As is provided by statute, all rates and charges not paid when due are hereby declared to be delinquent and a penalty of ten percent (10%) of the amount of the rates or charges shall thereupon attach thereto unless some additional grace period is approved by the Board. The time at which such rates or charges shall be paid is now fixed at fifteen (15) days after the date of mailing of the bill or the due date stated upon the bill, whichever is later.

**APPENDIX A**

**EQUIVALENT SINGLE-FAMILY DWELLING UNITS**

	<b><u>ESFDU</u></b>	<b><u>ESFDU</u></b>
	<b><u>Determinant</u></b>	
<b>Residential:</b>		
Single family residence	Per unit	1.000
Apartment	Per unit	0.750
<b>Commercial:</b>		
Assembly Hall	Per seat	0.010
Food Service Operation – Restaurant or Tavern	Per Seat	0.110
Office Building (without showers)	Per employee	0.060
Office Building (with showers)	Per employee	0.110
Other Commercial		
Per 1,000 square feet	Per square feet	0.300
PLUS: Per Employee	Per employee	0.060
<b>Governmental:</b>		
First 3 employees	Per employee	1.000
Each additional employee	Per employee	0.250
Fire department	Per unit	1.000
<b>Institutional:</b>		
Church without kitchen	Per sanctuary seat	0.010
Church with full kitchen	Per sanctuary seat	0.020
Daycare Center	Per person	0.060
Schools:		
For each enrolled student:		
Full-time	Per student	0.100
Part-time	Per student	0.050
<b>Industrial: (sanitary flow only)</b>		
Factory without showers	Per employee	0.060
Factory with showers	Per employee	0.110

At such hearing and prior to final adoption of said Ordinance, all interested parties may appear and be heard. A copy of Ordinance No. 2022-\_\_ may be examined at the office of the Adams County Auditor, located at 313 West Jefferson Street, Decatur, Indiana.

Dated this 19<sup>th</sup> day of October, 2022.

By: Adams County Regional Sewer District

**[To be published two (2) times on Wednesday, October 19, 2022 and Wednesday, October 26, 2022,  
with second publication at least seven (7) days prior to the date of the public hearing]**

DMS 23908468v1