

3 **AN ORDINANCE AMENDING CHAPTER 51 OF**
4 **THE CITY OF FORT WAYNE CODE OF ORDINANCES**

5 **WHEREAS**, pursuant to Indiana Code 36-9-23-25, the Common Council of the City of
6 Fort Wayne Indiana has enacted a User Charge System and a Sewer Use Ordinance as contained
7 in Chapter 51 of the Fort Wayne Code of Ordinances; and

8 **WHEREAS**, Indiana Code 8-1.5-3-8 states that rates and charges of municipally owned
9 utilities are unlawful if they are too low to produce income sufficient to maintain the utility
10 property in a sound physical and financial condition to render adequate and efficient services; and

11 **WHEREAS**, the City of Fort Wayne is subject to a Consent Decree, effective April 1,
12 2008, wherein the City must construct certain facilities at certain times within 18 years from the
13 effective date to achieve certain specified levels of control over combined sewer overflows.
14 Further, the City must avoid sanitary sewer overflows and must report timely on progress and
15 events or pay per diem fines and penalties for failure to meet deadlines, milestones or for failure
16 to provide sufficient maintenance; and

17 **WHEREAS**, the Water Pollution Control Utility has continued to develop and
18 implement plans for investments in high value combined sewer system projects, projects to build
19 capacity in the sanitary sewer interceptors for future economic growth and development, a
20 continuation of pipeline rehabilitation work, and preventative maintenance programs for
21 maintenance sufficiency; and

22 **WHEREAS**, Water Pollution Control Plant, sewer capacity and water quality capital
23 projects have been incorporated into a long-term plan for sewer improvements -- the next five (5)
24 years (2020 – 2024) of which are included in the sewage works Capital Improvement Program
(CIP); and

25 **WHEREAS**, upon review of the sewage works Capital Improvement Program, the
26 Board of Public Works of the City of Fort Wayne, in accordance with I.C. 36-9-23-25 now finds
27 that existing rates and charges for the use of and services rendered by the Water Pollution Control
28 Utility do not provide sufficient revenue to:
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1 (a) Pay all expenses incidental to the operation of the sewage works
2 as defined in 36-9-1-8, including legal expenses, maintenance costs, operating
3 charges, repairs, lease rentals, and interest charges on bonds or other obligations;

4 (b) Provide the sinking fund required by Indiana Code 36-9-23-21
5 for proposed debt; and

6 (c) Provide adequate money for improving and replacing the sewage
7 works, specifically those projects that are required by the Consent Decree; and

8 **WHEREAS**, a series of adjustments in treatment, conveyance and other rates and fees
9 rates shown herein, are needed to fund the sewer CIP projects for the next five (5) years (2020 –
10 2024) and meet the requirements of Indiana Code 36-9-23-25; and

11 **WHEREAS**, the Board of Public Works of the City of Fort Wayne did, on January 28,
12 2020, resolve that it is in the best interest of the Fort Wayne Water Pollution Control Utility, in
13 order to provide income sufficient to maintain the utility property in a sound physical and
14 financial condition to be able to render adequate and efficient service to its users while
15 implementing the recommendations of the Utility Advisory Group, requirements of the Consent
16 Decree, and the Utility's approved five-year CIP, to revise sewage rates charged to all sewage
17 works users as shown herein for the years listed, and did recommended that such changes be
18 adopted by Common Council by way of amendment to Chapter 51 of the Fort Wayne Code of
19 Ordinances; and

20 **WHEREAS**, the Common Council now finds the sewer rates for the next five (5) years
21 are insufficient pursuant to Indiana Code 36-9-23-25 to meet the needs of the Fort Wayne Water
22 Pollution Control Utility (sewage works), including capital projects planned for the next five (5)
23 years; and

24 **WHEREAS**, the Common Council of the City of Fort Wayne now finds it is in the best
25 interest of the Fort Wayne Water Pollution Control Utility, in order to provide income sufficient
26 to maintain the utility property in a sound physical and financial condition to be able to render
27 adequate and efficient service to its users while implementing the recommendations of the Sewer
28 Advisory Group and requirements of the Consent Decree, and the Utility's five-year CIP to
29 revise sewage rates charged to all sewage works users as shown herein for the years listed,
30 effective as of the following dates: the initial adjustment for the year 2020 shall take effect no
earlier than thirty (30) days after adoption of this Ordinance and any necessary approval by the

1 Mayor; subsequent adjustments shall take effect on January 1 of each successive year through
2 2024.

3 **NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF**
4 **THE CITY OF FORT WAYNE, INDIANA;**

5 **SECTION 1.** That the following sections or subsections of Chapter 51 of the Fort
6 Wayne Code of Ordinances be amended as follows with all other sections to remain unchanged:
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8 **51.001 DEFINITIONS**

9 **(To be deleted and replaced as follows)**

10 **AREA CONNECTION FEE.** An additional one-time fee charged per ERU at the time of or
11 prior to connection to the sewer utility for any classification of users discharging sewage to the
12 water pollution control utility from a geographic area designated responsible to contribute to the
13 payment of costs associated with installation, adjustment or other improvement to the water
14 pollution control utility intended to serve the area connection fee area.

15 **(To be deleted and replaced as follows)**

16 **CAPITAL IMPROVEMENT SURCHARGE.** The additional monthly charges for sewage
17 service collected from retail sanitary sewer users discharging sewage to the water pollution
18 control utility form a capital improvement surcharge area designated to be responsible to
19 contribute to the payment of costs associated with installation, adjustment, or other improvements
20 to the water pollution control utility intended to serve the capital improvement surcharge area.
21 Capital improvement surcharges are applied per ERU.

22 **(To be deleted and replaced as follows)**

23 **EQUIVALENT RESIDENTIAL UNIT (ERU).** A unit of measurement representing the daily
24 sewage flow rate of a single-family dwelling as established in Indiana Administrative Code 327
25 IAC 3-6-11. Flow rates for customers or uses other than single-family dwellings shall be
26 determined in terms of ERUs by using standards adopted by the Board of Public Works.

27 **51.015 REQUIREMENTS FOR CONNECTION TO PUBLIC SEWERS (delete**
28 **existing and replace)**

29 City Utilities shall have the authority to require an owner of real property to disconnect any
30 geothermal system or downspout, yard drain, sump pump, or other drain which carries the runoff
of natural precipitation from a building sewer which drains into a sanitary sewer, or in areas

1 served by combined sewers where City Utilities reasonably determines, in its sole discretion, that
2 disconnection is appropriate or necessary. Property owners shall have thirty (30) days after notice
3 thereof to comply with any such requirement. A property owner that fails to disconnect a
4 geothermal system, downspout, yard drain, sump pump, or other drain as required under this
5 Section shall be subject to an additional fee per month for as long as the connection remains, as
6 set forth in Section 51.074.

7 **51.066 WATER OBTAINED FROM SOURCES OTHER THAN CITY'S WATER**
8 **UTILITY (delete existing and replace)**

9 (A) Where the property obtains any part or all of the water used from sources
10 other than the city's water utility, the owner or the tenant may be required by the city
11 to install and maintain at the user's own expense a meter or meters acceptable to the
12 city for the quantity of water obtained from these other sources. Once installed, no
13 such meter may be bypassed for any reason.

14 (B) *Residential meter on well.* The following provisions apply only to single
15 family residential dwellings:

16 (1) If a single family residential dwelling obtains all or part of its water from
17 a well, the owner of the property on which the dwelling is located may request the city to
18 install a meter on the well for purposes of calculating the monthly sewage fees. The city
19 may approve installation of a meter on the well if the following conditions are met:

- 20 (a) The property can be served by a 5/8" x 3/4" or 3/4" water meter;
- 21 (b) The property is served by a single lateral; and
- 22 (c) The owner of the property pays the cost of installation of the

23 meter and radio as follows:

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Meter Size	Radio and Meter
5/8" x 3/4"	\$221.45
3/4"	\$257.75

25 (2) Upon installation of a water meter on the well, the fees for sewage
26 service shall be based on the volume of water passing through the water meter as set
27 forth in Section 51.065. The customer shall be responsible for all consumption and
28 service charges set forth in Section 51.069, as well as any applicable capital surcharges
29 as set forth in Section 51.075.
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2 **51.067 EXEMPT WATER – GENERAL (delete existing and replace)**

3 (A) Where a significant portion of the metered water used in commercial, manufacturing, or
4 industrial processes does not and cannot enter the sewerage system, either directly or indirectly,
5 the person having charge of the property may request permission from the utility to install, at the
6 user's expense, a meter or meters to determine the quantity of water that cannot enter the
7 sewerage system or an approved sewage measuring device or devices to determine the volume of
8 sewage that actually enters the sewerage system. If the utility approves the request, the following
9 provisions shall apply:

10 (1) The customer shall purchase the meter(s) directly from the utility or seek the utility's pre-
11 approval to use alternative meter(s). The customer shall use the utility's radio which must be
12 installed by the utility. Below are the costs for the utility's meters and radios. The costs include
13 delivery of meter and installation of radio only.

Meter Size	Radio	Meter	Radio and Meter
5/8" x 3/4"	\$198.01	\$280.03	\$361.53
3/4"	\$198.01	\$314.68	\$396.18
1"	\$198.01	\$344.85	\$426.35
1 1/2"	\$198.01	\$650.23	\$731.73
2"	\$198.01	\$842.56	\$924.06
3"	\$198.01	\$1,784.23	\$1,865.73
4"	\$198.01	\$1,774.23	\$1,855.73
6"	\$198.01	\$3,632.23	\$3,713.73
8"	\$198.01	\$4,254.23	\$4,335.73
10"	\$198.01	\$7,423.23	\$7,504.73

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19 (2) The meter shall be installed by the customer or its agent in accordance with the utility's
20 installation specifications, and plans for installation (including location of where the meter(s) will
21 be installed) shall be submitted to the utility and approved prior to installation.

22 (3) Once a meter and radio reading device has been installed, the utility will assume
23 responsibility for general maintenance and upgrades. Provided, however, if a meter or radio is
24 damaged and the utility determines the damage was caused by the customer, the customer shall
25 be responsible for the cost of a replacement meter and/or radio.

26 (4) The customer shall pay a monthly fee per meter/radio, as follows:

Meter Size	Monthly Meter Fee
5/8" x 3/4"	\$7.28
3/4"	\$7.57

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1"	\$7.82
1 1/2"	\$10.36
2"	\$11.96
3"	\$19.81
4"	\$19.73
6"	\$35.21
8"	\$40.39
10"	\$66.80

The monthly fee amount may be adjusted by the utility on an annual basis to reflect increases in the Consumer Price Index for All Urban Consumers, U.S. City Average, for all items, 1982-84=100 (CPI-U).

(B) In the absence of verifiable data from an approved meter confirming the amount of water that passed through the water meter but did not enter the sewer system, all water passing through the master water meter will be presumed to have entered the sewer system for billing purposes. A customer that engages in water submetering shall not be entitled to have sewage billings based on the sum of water passing through all of the separate water meters.

51.069 METERED RETAIL USER CHARGES (delete existing and replace)

(A) Metered retail users include residential, industrial, commercial, institutional and governmental users.

(B) Hereinafter, the terms "inside city" or "outside city" shall be read to distinguish the users located within or outside the corporate boundaries of the City of Fort Wayne. Users designated as outside city who are within an annexation area shall, upon the effective date of annexation, be designated as inside the city and inside city rates and charges shall apply.

(C) Outside city charges for metered consumption, service charges, and for flat user charges (Section 51.070) are 25% more than the charges for inside city users.

(D) *Inside city consumption and service charges.*

(1) *Consumption charge.* Monthly charges for services rendered to users within the corporate boundaries of the City of Fort Wayne shall be based on metered water consumption, unless otherwise measured, in accordance with the following charges for this classification of service:

	Unit of Measure	Effective 2020	Effective January 1, 2021	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2024
Total Treatment, Collection and	Per ccf per month	\$ 5.6293	\$ 5.8324	\$ 5.9902	\$ 6.3050	\$ 6.6446

Conveyance						
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(2) *Service charge.* In addition to the consumption charge, users inside the city shall be billed a monthly service charge based on water meter size:

Meter size	Unit of Measure	Effective 2020	Effective January 1, 2021	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2024
5/8" - 3/4"	Per meter per month	\$ 16.55	\$ 17.89	\$19.77	\$20.67	\$21.71
1"	Per meter per month	\$33.11	\$36.37	\$40.71	\$42.65	\$45.05
1 1/2"	Per meter per month	\$69.54	\$77.03	\$86.78	\$90.99	\$96.40
2"	Per meter per month	\$115.91	\$128.77	\$145.41	\$152.52	\$161.75
3"	Per meter per month	\$259.43	\$288.93	\$326.89	\$342.97	\$364.03
4"	Per meter per month	\$447.11	\$498.37	\$564.21	\$592.02	\$628.55
6"	Per meter per month	\$1,010.15	\$1,126.69	\$1,276.17	\$1,339.17	\$1,422.11
8"	Per meter per month	\$1,795.09	\$2,002.64	\$2,268.73	\$2,380.79	\$2,528.43
10"	Per meter per month	\$2,800.84	\$3,124.99	\$3,540.48	\$3,715.40	\$3,945.94
12"	Per meter per month	\$4,030.69	\$4,497.44	\$5,095.63	\$5,347.41	\$5,679.33

(E) *Outside city consumption and service charges.*

(1) *Consumption charge.* Monthly charges for services rendered to users outside the corporate boundaries of the City of Fort Wayne shall be based on metered water consumption, unless otherwise measured, in accordance with the following charges for this classification of service:

	Unit of Measure	Effective 2020	Effective January 1, 2021	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2024
Total Treatment, Collection and Conveyance	Per ccf per month	\$ 7.0363	\$ 7.2888	\$ 7.4874	\$ 7.8811	\$ 8.3057

(2) *Service charge.* In addition to the consumption charge, outside city users shall be billed a monthly service charge based on water meter size:

Meter size	Unit of Measure	Effective 2020	Effective January 1,	Effective January 1,	Effective January 1,	Effective January 1,

			2021	2022	2023	2024
5/8" – 3/4"	Per meter per month	\$ 20.69	\$ 22.36	\$ 24.71	\$ 25.84	\$ 27.14
1"	Per meter per month	\$ 41.39	\$ 45.46	\$ 50.89	\$ 53.31	\$ 56.32
1 1/2"	Per meter per month	\$ 86.93	\$ 96.28	\$ 108.47	\$ 113.73	\$ 120.50
2"	Per meter per month	\$ 144.89	\$ 160.96	\$ 181.76	\$190.63	\$202.19
3"	Per meter per month	\$324.29	\$361.16	\$408.61	\$428.66	\$455.04
4"	Per meter per month	\$558.89	\$622.96	\$705.26	\$739.93	\$785.69
6"	Per meter per month	\$1,262.69	\$1,408.36	\$1,595.21	\$1,673.74	\$1,777.64
8"	Per meter per month	\$2,243.87	\$2,503.30	\$2,835.91	\$2,975.58	\$3,160.54
10"	Per meter per month	\$3,501.05	\$3,906.24	\$4,425.60	\$4,643.62	\$4,932.43
12"	Per meter per month	\$5,038.37	\$5,621.80	\$6,369.53	\$6,683.36	\$7,099.16

51.070 FLAT RETAIL USER CHARGES (delete existing and replace)

(A) *Flat user charges inside City.* In the event that any inside city user is not a metered water customer, there shall be imposed a monthly flat charge as follows:

	Unit of Measure	Effective 2020	Effective January 1, 2021	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2024
Single family residential dwelling per month	Per ERU per month	\$ 60.46	\$ 62.22	\$ 64.10	\$ 66.07	\$ 68.22
All unmetered customers other than single family residential dwelling per month	Per ERU per month	To be calculated by City Utilities	To be calculated by City Utilities	To be calculated by City Utilities	To be calculated by City Utilities	To be calculated by City Utilities

The utility shall retain documentation supporting its ERU determination and billings based thereon. Such determination of billings may be reviewed and adjusted by the utility at any time. Adjustments for reasons including, without limitation, a change in the ERU determination or billing errors may only be applied to bills that were due within the past six (6) years.

(B) *Flat user charges outside City.* In the event that any outside city user is not a metered water customer, there shall be imposed a monthly flat charge as follows:

	Unit of Measure	Effective 2020	Effective January 1, 2021	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2024
Single family residential dwelling per month	Per ERU per month	\$ 75.57	\$ 77.75	\$ 80.12	\$ 82.58	\$ 85.28
All unmetered customers other than single family residential dwelling per month	Per ERU per month	To be calculated by City Utilities	To be calculated by City Utilities	To be calculated by City Utilities	To be calculated by City Utilities	To be calculated by City Utilities

The utility shall retain documentation supporting its ERU determination and billings based thereon. Such determination of billings may be reviewed and adjusted by the utility at any time. Adjustments for reasons including, without limitation, a change in the ERU determination or billing errors may only be applied to bills that were due within the past six (6) years.

51.071 CONTINUING SURVEILLANCE SAMPLING/WASTE EVALUATION CHARGES (delete existing and replace)

(A) *Surveillance/Evaluation charge inside and outside City.* All users discharging wastes into the system that require continuing surveillance sampling and waste evaluation, shall be subject to the following fixed charges to cover the costs of such services.

Monthly Evaluation

	Unit of Measure	Effective 2020	Effective January 1, 2021	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2024
Type 1 Evaluation	Per discharge point per month	\$ 144.03	\$ 144.03	\$ 144.03	\$ 144.03	\$ 144.03
Type 2 Evaluation	Per discharge point per month	\$ 197.70	\$ 197.70	\$ 197.70	\$ 197.70	\$ 197.70
Type 3 Evaluation	Per discharge point per month	\$249.51	\$249.51	\$249.51	\$249.51	\$249.51

Evaluation Per Occurrence

	Unit of Measure	Effective 2020	Effective January 1, 2021	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2024
Type 1 Evaluation	Per discharge point	\$ 432.10	\$ 432.10	\$ 432.10	\$ 432.10	\$ 432.10
Type 2 Evaluation	Per discharge point	\$ 593.10	\$ 593.10	\$ 593.10	\$ 593.10	\$ 593.10
Type 3 Evaluation	Per discharge point	\$1,214.85	\$1,214.85	\$1,214.85	\$1,214.85	\$1,214.85
Grab Compliance	Per sample	\$ 220.87	\$ 220.87	\$ 220.87	\$ 220.87	\$ 220.87

(B) *Surveillance/Evaluation charge for certain other customers.* The city may perform surveillance sampling and waste evaluation for customers located within the service area of a contract customer that has consented to such sampling and evaluation in accordance with applicable law. The fee for such sampling and evaluation shall be negotiated between the city and the contract customer.

51.072 STRENGTH OF WASTE SURCHARGE (delete existing and replace)

(A) Each user discharging wastes into the collection system shall be subject to a Strength of Waste Surcharge, in addition to other sewage service charges imposed by this chapter, based on the following minimum strength characteristics to the extent that such wastes are in concentrations greater than:

- (1) Biochemical oxygen demand of 300 milligrams per liter.
- (2) Chemical oxygen demand of 600 milligrams per liter.
- (3) Suspended solids content of 300 milligrams per liter.
- (4) Phosphorus content of 10 milligrams per liter.
- (5) Ammonia content of 25 milligrams per liter.

(B) *Strength of waste surcharge inside and outside City.* In the event any user contributes waste having strength of sewage in excess of the concentrations set forth in subsection (A), a surcharge based on the following unit process charges will be in effect for all waste found to be in excess of limitations:

	Unit of Measure	Effective 2020	Effective January 1, 2021	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2024
Suspended Solids	Per pound per month	\$ 0.1964	\$ 0.2026	\$ 0.2090	\$ 0.2156	\$ 0.2224
Biochemical Oxygen Demand	Per pound per month	\$ 0.1504	\$ 0.1551	\$ 0.1600	\$ 0.1651	\$ 0.1702
Phosphorus	Per pound per month	\$ 1.9337	\$ 1.9946	\$ 2.0574	\$ 2.1221	\$ 2.1889
Ammonia	Per pound per month	\$ 0.3407	\$ 0.3514	\$ 0.3625	\$ 0.3739	\$ 0.3857

The surcharge shall be determined as follows: The excess pounds of BOD or COD (whichever results in the higher charge) suspended solids, phosphorus and ammonia will each be computed by first multiplying the user's billing sewage volume measured in units of 100 cubic feet for the current billing period by the factor 0.0062321 and then multiplying this product by the difference between, (a) the concentrations measured in milligrams per liter, of the BOD (or COD), suspended solids, phosphorus and ammonia respectively in the user's sewage, and (b) the allowed

concentrations set out in 51.072(A). The surcharge for each constituent will then be determined by multiplying the excess pounds of each constituent by the appropriate rate of surcharge. In the event COD measurement is used, as hereinbefore provided, 50% of the excess pounds measured will be used to compute the equivalent BOD charge.

51.073 BULK WASTE CHARGES (delete existing and replace)

(A) *Bulk Industrial Waste Charge.* All industrial waste suitable for disposal, which has been delivered by an approved waste hauler to City's plant. For purposes of computing charges hereunder, a **LOAD** is defined as 1,000 gallons of tank capacity or any fraction thereof.

	Unit of Measure	Effective 2020	Effective January 1, 2021	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2024
Discharge	1,000 gallons	\$ 123.67	\$ 124.05	\$ 124.33	\$ 129.85	\$ 136.57
Billing Charge	Per bill	\$ 5.51	\$ 5.57	\$ 5.81	\$ 6.02	\$ 6.15

(B) *Domestic.* All domestic waste delivered to the city's plant by customer's truck or tank. For purposes of computing charges hereunder, a **LOAD** is defined as 1,000 gallons of tank capacity or any fraction thereof.

	Unit of Measure	Effective 2020	Effective January 1, 2021	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2024
Discharge	1,000 gallons	\$ 64.52	\$ 64.72	\$ 64.87	\$ 67.74	\$ 71.25
Billing Charge	Per bill	\$ 5.51	\$ 5.57	\$ 5.81	\$ 6.02	\$ 6.15

(C) *Contracted services.* The city or its designated agent may enter into agreements with producers of bulk waste to deliver waste to the City's plant on terms and conditions that are mutually acceptable to the producer and the city or its designated agent. For purposes of this subsection, the city or its designated agent shall have the authority to negotiate the pricing for the delivery and acceptance of waste from each producer, taking into consideration factors such as volume and quality of waste and any other factors determined to be appropriate by the city or its designated agent.

(D) *Manifest.* All bulk waste loads delivered to the Water Pollution Control Plant shall be accompanied by a "Waste Hauler Manifest," the form for which will be provided by the city or an agent working on the city's behalf.

(E) *FOG Grease Cooperative.* To improve the sustainability of the City's POTW and continue to explore the use of fats, oils, and grease as a renewable energy supply, the city

1 may enter into agreements with waste haulers to provide maintenance and cleaning services for
 2 interceptors and traps used by food service establishments. The Board of Public Works is
 3 authorized to develop terms and conditions regarding participation in any such maintenance and
 4 cleaning program by food service establishments.

5 **51.074 OTHER RATES AND CHARGES (delete existing and replace)**

6 (A) *Incorporation of Miscellaneous Non-Recurring Rates and Charges.* The
 7 charges set forth in the City's schedule of Miscellaneous Non-Recurring Rates and
 8 Charges approved by the Indiana Utility Regulatory Commission which may be
 9 applicable to sewage services, including, without limitation, the Bad Check Charge,
 10 Additional Trip Charge, Special Service Charge, and Service Call Charge, are
 11 incorporated into this Chapter as if fully set forth herein.

12 (B) *Food Service Establishment Surcharge.*

	<u>Unit of Measure</u>	Effective 2020	Effective January 1, 2021	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2024
Surcharge	Per ccf per month	\$1.2661	\$1.5826	\$1.9783	\$2.2750	\$2.3081

13 (C) *Additional Fees Related to Sewage Services.*

<u>Type of Fee</u>	<u>Cost</u>
Sewer Tap Inspection Fee	\$80.00 per inspection
Residential Downspout, Yard Drain, Sump Pump or Other Drain Connected to a Sanitary Sewer.	\$50.00 per month per connection
Non-residential Downspout, Yard Drain, Sump Pump or Other Drain Connected to a Sanitary Sewer.	TBD by Utility based on ERU calculation, applied per connection
Residential Geothermal System Connected to a Sanitary or Combined Sewer.	\$210.00 per month
Non-residential Geothermal System Connected to a Sanitary or Combined Sewer	TBD by Utility based on ERU calculation

14 (D) These charges are subject to change as warranted and authorized by
 15 Ordinance.

16 **51.075 MONTHLY CAPITAL IMPROVEMENT SURCHARGE (delete existing
 17 and replace)**

18 (A) All classifications of users subject to a capital improvement surcharge shall pay the
 19 applicable surcharge in addition to other sewage service charges imposed by this chapter. Capital
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improvement surcharges shall remain in effect until the cost of the intended installations, adjustments or improvements to the water pollution control utility has been retired and the capital improvement surcharge area has been retired.

(B) The designated capital improvement surcharge areas, the respective amount of the surcharges, and frequency of the surcharges include the following:

Capital Improvement Surcharge Area	Unit of Measure	Effective 2020	Effective January 1, 2021	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2024
Deer Track Area	Per ERU Per month	\$ 42.00	\$ 42.00	\$ 42.00	\$ 20.00	\$ 20.00
Neuhaus Extension	Per ERU Per month	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00
Rothman Road Area	Per ERU Per month	\$ 22.50	\$ 22.50	\$ 22.50	\$ 22.50	\$ 22.50
Tiernam Shed B	Per ERU Per month	\$ 22.50	\$ 22.50	\$ 22.50	\$ 22.50	\$ 22.50
Upper Ely	Per ERU Per month	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00

51.076 AREA CONNECTION FEES (delete existing and replace)

(A) Area Connection Fee Charges, for areas as designated on Exhibit A.

Area Connection Fee Area	Unit of Measure	Effective 2020	Effective January 1, 2021	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2024
Central	Per ERU Per month	\$ 365.00	\$ 365.00	\$ 730.00	\$ 800.00	\$ 800.00
Northeast	Per ERU Per month	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,600.00	\$ 2,600.00
Northwest	Per ERU Per month	\$ 2,015.00	\$ 2,015.00	\$ 2,015.00	\$ 2,200.00	\$ 2,200.00
Southeast	Per ERU Per month	\$ 700.00	\$ 1,200.00	\$ 1,800.00	\$ 1,980.00	\$ 1,980.00
Southwest	Per ERU Per month	\$ 1,100.00	\$ 1,500.00	\$ 1,950.00	\$ 2,150.00	\$ 2,150.00

(B) These charges are subject to change as warranted and authorized by Ordinance.

51.077 CONTRACT CUSTOMERS (delete existing and replace)

Contract customer rates are applicable only to those users that meet the criteria described in the definition of a contract customer. If a user does not meet the criteria in the definition of a contract customer, the user will be considered to be a retail customer and retail rates shall apply.

1 In the event City Utilities consummates a contract to serve as a regional treatment plant
2 to a contract customer the following fees and charges shall apply:

3 (A) *Treatment charge (per 100 cubic feet).*

4 (B) *Conveyance charge (per 100 cubic feet).* A variable charge for
5 conveyance and collections costs attributable to each contract customer's portion of
6 the city conveyance system, and operating costs associated therewith, shall be
7 computed by the city and added to the treatment cost to arrive at the contractee's
8 total metered rate.

9 (C) *Monthly service charge.*

10 (D) *Surveillance/Evaluation charge.* All contract customers discharging
11 wastes into the system that require continuing surveillance sampling and waste
12 evaluation, shall be subject to the charges set forth in 51.071 or as otherwise specified
13 in the customer's contract.

14 (E) *Excess strength of waste.* In the event a contract customer user
15 contributes waste having a strength of sewage in excess of domestic waste
16 characteristics, as hereinbefore defined, a surcharge shall be implemented per 51.072
17 or as otherwise specified in the customer's contract.

18 (F) *Capital surcharge.* In the event a contract customer delivers sewage for treatment to the
19 city for three consecutive billing periods (approximately 90 consecutive days) which is in excess
20 of the base volume limit guaranteed in the contract, then the customer will be subject to a capital
21 surcharge, computed at the capital rate per 100 cubic feet in effect for outside the city customers
22 set out elsewhere herein. The capital rate per 100 cubic feet shall be multiplied by the excess
23 percentage of volume calculated by dividing the daily average for three billing periods by the
24 contracted volume limit.

25 (G) *Volumetric Exceedance Fee.* The additional fee for exceedances to the contractual
26 volume limits to be collected from contract customer users discharging sewage to the water
27 pollution control utility. This fee (also defined and specified in contracts under different
28 terminology, such as the "Treatment Plant Capital Surcharge") shall be collected as specified in
29 each contract and calculated as defined by the contract. Such fees shall contribute to the
30 payment of costs associated with operation, installation, adjustment or other improvements to the
water pollution control utility intended to serve the contract customer when it discharges flows
exceeding the capacity allocated per the contract.

(H) *Peak Flow Exceedance Fee.* The additional fee for exceedances to the contractual peak
flow limits to be collected from contract customer users discharging sewage to the water
pollution control utility. This fee (also defined and specified in contracts under different
terminology, such as "Peak Penalty Rates") shall be collected as specified in each contract and

1 calculated as defined by the contract. Such fees shall contribute to the payment of costs
 2 associated with operation, installation, adjustment or other improvements to the water pollution
 3 control utility intended to serve the contract customer when it discharges flows exceeding the
 4 capacity allocated per the contract.

5 (I) *Other provisions.* In the event sewage received pursuant to any contract
 6 entered into under this section exceeds any of the limitations imposed by this
 7 chapter, City Utilities shall have the right to impose all limitations, charges and
 8 penalties applicable to any non- contract customer user. Each contract entered into by
 9 City Utilities pursuant to the foregoing rate classification shall provide that the
 10 contract customer shall agree to enact and maintain a sewer use ordinance and user
 11 charge system acceptable to City Utilities and in conformance with City Utilities'
 12 obligations under Sec. 204 (b) (1), Public Law 92-500 as amended and
 13 supplemented, and guidelines and regulations promulgated thereunder by the U.S.
 14 Environmental Protection Agency and 40 CFR 35-905-8, 35-928-1 and 35-928-2 and
 15 35-935-13.

16 **Town of Grabill**

	Unit of Measure	Effective 2020	Effective January 1, 2021	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2024
Treatment	Per ccf per month	\$ 2.1047	\$ 2.1240	\$ 2.1248	\$ 2.2326	\$ 2.3396
Conveyance	Per ccf per month	\$ 0.3370	\$ 0.3425	\$ 0.3258	\$ 0.3519	\$ 0.3634
Total	Per ccf per month	\$ 2.4417	\$ 2.4665	\$ 2.4686	\$ 2.5485	\$ 2.7030
Monthly Service Charge	Per month	\$4,524.89	\$5,047.96	\$5,675.26	\$5,907.53	\$6,282.69

21 **Leo-Cedarville Regional Sewer District**

	Unit of Measure	Effective 2020	Effective January 1, 2021	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2024
Treatment	Per ccf per month	\$ 2.1047	\$ 2.1240	\$ 2.1428	\$ 2.2326	\$ 2.3396
Conveyance	Per ccf per month	\$ 0.3922	\$ 0.3986	\$ 0.3791	\$ 0.4096	\$ 0.4230
Total	Per ccf per month	\$ 2.4969	\$ 2.5226	\$ 2.5219	\$ 2.6422	\$ 2.7626
Monthly Service Charge	Per month	\$12,184.89	\$13,595.96	\$15,285.26	\$15,912.53	\$16,922.69

Maysville Regional Sewer District

	Unit of Measure	Effective 2020	Effective January 1, 2021	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2024
Treatment	Per ccf per month	\$ 2.1047	\$ 2.1240	\$ 2.1428	\$ 2.2326	\$ 2.3396
Conveyance	Per ccf per month	\$.2361	\$.2400	\$.2282	\$ 0.2466	\$ 0.2546
Total	Per ccf per month	\$ 2.3408	\$ 2.3640	\$ 2.3710	\$ 2.4792	\$ 2.5942
Monthly Service Charge	Per month	\$3,542.89	\$3,951.96	\$4,443.26	\$4,624.53	\$4,918.69

City of New Haven

	Unit of Measure	Effective 2020	Effective January 1, 2021	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2024
Treatment	Per ccf per month	\$ 2.1047	\$ 2.1240	\$ 2.1428	\$ 2.2326	\$ 2.3396
Conveyance	Per ccf per month	\$ 0.0824	\$ 0.0837	\$ 0.0796	\$0.0860	\$ 0.0888
Total	Per ccf per month	\$ 2.1871	\$ 2.2077	\$ 2.2224	\$ 2.3186	\$ 2.4284
Monthly Service Charge	Per month	\$10,220.89	\$11,403.96	\$12,821.26	\$13,346.53	\$14,194.69

General Motors

	Unit of Measure	Effective 2020	Effective January 1, 2021	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2024
Treatment	Per ccf per month	\$ 2.1498	\$ 2.1240	\$ 2.1428	\$ 2.2326	\$ 2.3396
Conveyance	Per ccf per month	\$ 0.4255	\$ 0.3355	\$ 0.3191	\$ 0.3447	\$ 0.3560
Total	Per ccf per month	\$ 2.5753	\$ 2.4595	\$ 2.4619	\$ 2.5773	\$ 2.6956
Monthly Service Charge	Per month	\$12,096.90	\$17,540.96	\$19,721.26	\$20,529.53	\$21,833.69

Institutional Power Plant

	Unit of Measure	Effective 2020	Effective January 1, 2021	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2024
Treatment	Per ccf per month	\$ 3.7683	\$ 3.7661	\$ 3.7589	\$ 3.9281	\$ 4.1469

Conveyance	Per ccf per month	\$ 3.2680	\$ 3.5227	\$ 3.7285	\$ 3.9530	\$ 4.1588
Total	Per ccf per month	\$ 7.0363	\$ 7.2888	\$ 7.4874	\$ 7.8811	\$ 8.3057
Monthly Service Charge	Based on meter size per month as shown in 51.069(E)(2)					

Allen County Regional Water and Sewer District

	Unit of Measure	Effective 2020	Effective January 1, 2021	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2024
Treatment	Per ccf per month	\$ 2.1047	\$ 2.1240	\$ 2.1428	\$ 2.2326	\$ 2.3396
Conveyance	Per ccf per month	\$ 0.8795	\$ 0.8939	\$ 0.8502	\$ 0.9184	\$ 0.9485
Total	Per ccf per month	\$ 2.9842	\$ 3.0179	\$ 2.9930	\$ 3.1510	\$ 3.2881
Monthly Service Charge	Per month	\$19,058.89	\$21,266.96	\$23,910.26	\$24,890.53	\$26,471.69

SECTION 2. That all initial rate adjustments for 2020 shall take effect no earlier than thirty (30) days after approval of this Ordinance. Subsequent adjustments shall take effect on the dates set forth herein.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney







FORT WAYNE SEWER AREA CONNECTION FEES (ACFs)



AREA CONNECTION FEE (ACF) PER EQUIVALENT RESIDENTIAL UNIT (ERU)

Area Connection Fee	Unit of Measure	Effective In 2020	Effective January 1, 2021	Effective January 1, 2022	Effective January 1, 2023	Effective January 1, 2024
Central	Per ERU	\$365	\$365	\$730	\$600	\$500
Northwest	Per ERU	\$2350	\$2350	\$2350	\$2600	\$2600
Southwest	Per ERU	\$700	\$1200	\$1800	\$1950	\$1980

Sewer Contract Customers

-  SERVICED BY ACRWSD
-  SERVICED BY OTHERS
-  SERVICED BY AQUA
-  SERVICED BY HUNTERTOWN

Notes

- ACFs apply to the parcel(s) of land shown here in the amount shown.
- Parcels of land beyond what is shown on this map shall be assessed the same ACF area and amount.
- ACFs are required within all areas "SERVICED BY ACRWSD" and "SERVICED BY OTHERS" in the ACF amount of the respective connection point of the ACRWSD or OTHER service provider. The ACRWSD and OTHER service providers may have their own additional sewer connection fees.

