

ORDINANCE NO. 2004-6

AN ORDINANCE AMENDING THE SCHEDULE OF WATER RATES AND CHARGES  
TO BE COLLECTED BY JENNINGS NORTHWEST REGIONAL UTILITIES  
FROM THE OWNERS OF PROPERTY SERVED BY THE WATER WORKS  
THEREOF AND OTHER MATTERS CONNECTED THEREWITH

WHEREAS, Jennings Northwest Regional Utilities, a regional district under Indiana Code 13-26 ("District"), has heretofore acquired, improved and has in operation a water works for the purpose of providing water pursuant to Indiana Code 13-26 ("Act") and other applicable laws; and,

WHEREAS, the District has, pursuant to Ordinance No. 2000-1, adopted by the Board of Trustees of the District on August 23, 2000, established the current rates and charges for the water works of the District; and,

WHEREAS, the Act requires that the Board of Trustees shall, by ordinance, establish just and equitable rates and charges for the use of and service rendered by the water works, payable by the owner of each lot, parcel of land or building that is connected with and uses the water works, or that in any way uses or is served by the works; and,

WHEREAS, just and equitable rates and charges are those that produce sufficient revenue to pay all expenses incident to the operation of the works, including maintenance costs, operating charges, upkeep, repairs and interest charges on bonds or other obligations; provide the sinking fund for the liquidation of bonds or other evidence of indebtedness and reserves against default in the payment of interest and principal bonds; and provide adequate funds to be used as working capital, as well as funds for making improvements, additions, extensions and replacements; and,

WHEREAS, the Board of Trustees has caused a financial study to be made of its water works by its financial advisor, H.J. Umbaugh & Associates, Certified Public Accountants; and,

WHEREAS, based upon the advice of its financial advisor, the Board of Trustees finds that the current rates and charges of the water works are not sufficient to enable the District to meet the requirements of the Act and that the rates and charges for the use of and service rendered by the water works of the District should be increased to enable the District to meet the requirements of the Act; and,

WHEREAS, the Act requires that the rates and charges to be collected shall be fixed by ordinance after due notice and public hearing, which notice and hearing have been properly conducted; therefore, said Board of Trustees hereby authorizes the establishment and collection of the rates and charges as set forth in this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of Jennings Northwest Regional Utilities:

Section 1. Section 2A of Ordinance No. 2000-1 is hereby amended and restated as follows:

**A. Monthly Water Rates**

<u>Metered Water Usage Per Month</u>	<u>Rate Per 1,000 Gallons</u>
First 2,000 gallons	\$10.14
Next 5,000 gallons	8.16
Over 7,000 gallons	6.78 <del>5.65</del>
Monthly Minimum Charge for up to 2,000 Gallons of Water Usage	\$20.28

Section 2. All provisions of Ordinance No. 2000-1 not amended by this ordinance shall remain in full force and effect.

Section 3. The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

Section 4. This ordinance shall be in full force and effect from and after its date of passage and the rates and charges set forth herein shall apply to the next billing period of the District following adoption of this ordinance.

SO ORDAINED this 17 day of January, 2005.

JENNINGS NORTHWEST REGIONAL UTILITIES,

By: Edwin Whitaker  
EDWIN WHITAKER, President

Thomas K. Trulock  
THOMAS TRULOCK, Member

David A. Brinkman  
DAVID BRINKMAN, Member

Mary Kuntz, Member

Kent Cardinal  
KENT CARDINAL, Member

William Collins, Member

Delbert Vincent  
DELBERT VINCENT, Member

ATTEST:

Delbert Vincent, Secretary