

ORDINANCE NO. 18-2012

AN ORDINANCE PROVIDING FOR THE CONTROL OF ANY OR ALL OF THE CITY OF BEDFORD STORM WATER FACILITIES BY THE BOARD OF PUBLIC WORKS AND SAFETY AND ESTABLISHING RATES AND CHARGES FOR THE USE OF AND SERVICES

WHEREAS, Indiana Code 36-9-1-8 defines "Sewage works" to mean sewage treatment plants, intercepting sewers, main sewers, submain sewers, local sewers, lateral sewers, outfall sewers, storm sewers, force mains, pumping stations, ejector stations, and any other structures necessary or useful for the collection, treatment, purification, and sanitary disposal of the liquid waste, solid waste, sewage, storm drainage, and other drainage of a municipality; and

WHEREAS, Indiana Code 8-1.5-3-3 gives the legislative body of a municipality the authority by ordinance to provide for the control of any or all of storm water facilities in third class cities by the municipal works board;

WHEREAS, storm water and surface water control and management is an important function for the City of Bedford; and

WHEREAS, it is necessary for public health and welfare of the citizens of the City of Bedford that a monthly storm water fee be imposed on all parcels within the corporate boundaries of the City of Bedford, Indiana for the purpose of funding necessary changes and improvements in the storm water system within the City to meet federal and state clean water standards and to insure that both public and private property is protected, to the greatest extent possible, from flooding as the result of surface water.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BEDFORD, INDIANA:

Section 1. The Board of Public Works and Safety is the governing body of the Storm Water facilities of the City of Bedford.

Section 2. For the purposes of establishing storm water service fees pursuant to I.C. 8-1.5-5-7, the following rates shall apply:

The minimum Equivalent Residential Unit (ERU) for a property is one (1.0). One ERU is equivalent to 3,000 square feet.

- a. The Residential user fee for one ERU shall be five dollars (\$5.00) per month
- b. ERU factors for all other types of customers are calculated based upon the total amount of square footage of the parcel divided by the ERU factor of 3,000 square feet. The ERU factor is rounded up to the next higher unit in the case of a decimal calculation.
- c. No parcel shall incur a user fee greater than \$250.00 per month, regardless of the number of ERU'S computed for such parcel.
- d. Service rates shall be effective February 1, 2013 and shall be included in the bill issued by Bedford City Utilities on or about January 20, 2012 and shall be designated as the Storm water Fee, or wording to that effect. Bedford City Utilities is hereby authorized to include the applicable Storm water Fee on the monthly bill of each customer without the necessity of the customer authorizing the charge. Bedford City Utilities is also authorized to collect the fee in the same manner and with the same remedies, including legal actions and liens, with which it is authorized to collect fees sewer services.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor in the manner provided by law.

NAY

AYE

Julie J. Hewetson

Byron L. Baker

Paul S. Baker, Sr.

Judy Carlisle

Michele Murphy

Allen Guider, Jr.

Passed and adopted by the Common Council of the City of Bedford, Indiana, on this 9th day of October, 2012.

ATTEST:

Julie L. Chase
Julie L. Chase, Clerk-Treasurer



[Signature]
Presiding Officer

Presented by me to the Mayor of the City of Bedford, Indiana, on the 9th day of October, 2012.

Julie L. Chase
Julie L. Chase, Clerk-Treasurer

This ordinance approved and signed by me this 9th day of October, 2012.

[Signature]
Shawna M. Girgis, Mayor

ATTEST:

Julie L. Chase
Julie L. Chase, Clerk-Treasurer

