

## LEGAL NOTICE

### NOTICE OF PUBLIC HEARING ON PROPOSED INCREASE IN SEWER RATES AND CHARGES FOR THE TOWN OF LA PAZ, INDIANA

Property owners and other interested parties in the Town of La Paz, Indiana, are hereby notified that the Rate Ordinance Number 2023-09, increasing the rates and charges for services to be rendered by the sewer works and adding certain penalties for delinquent accounts, was introduced at a meeting of the Town Council held on October 12, 2023.

A public hearing of the Town Council will be held at 6:00 PM, local time, on December 14, 2023 at the La Paz Town Hall at 108 Randolph Street, La Paz, Indiana, on the matter of the rates and charges and certain penalties for delinquent accounts. The Council will convene and may consider the adoption of said ordinance at the meeting to be held on December 14, 2023. The Rate Ordinance provides for an increase in rates as set forth in the text of the Rate Ordinance which is included in this Notice. At such public hearing and prior to final adoption of the Rate Ordinance, all interested parties may appear and be heard. The complete text of proposed Rate Ordinance and the Rate Report prepared by the financial advisor are on file and available for examination and copying at the office of the Clerk Treasurer, at 108 Randolph Street, La Paz, Indiana during regular business hours, and will be available at the public hearing.

Public comments and input will also be accepted in writing via mail or email. Copies of all written comments received in advance of the hearing will be distributed to the members of the town council for their review and consideration. Letters concerning Ordinance Number 2023-09 may be submitted by mail to the Clerk-Treasurer's Office the La Paz Town Hall at 108 Randolph Street, La Paz, Indiana.

#### **Ordinance 2023-09**

**WHEREAS**, the Town of La Paz operates the La Paz Wastewater utility for the purpose of maintaining public health and property by ensuring the sanitary disposal of waste through its sewage works;

**WHEREAS**, it is necessary to amend the established schedule of rates and charges so as to produce sufficient revenue to pay expenses of maintenance and operation, and to provide funds for necessary replacements and improvements to the sewage works, all in a manner in accordance with the guidelines of U.S. Environmental Protection Agency; now, therefore,

#### **BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LA PAZ:**

The town sewage rates shall be established as follows and the following portions of the Town Code pertaining to sewage rates shall be amended as follows:

**Section 3.** For the use of the service rendered by 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 Town sanitary system or otherwise discharges sanitary sewage, industrial wastes, water or other liquids, either directly or indirectly, into the sanitary sewage system of the Town. Such rates and charges include user charges, debt service costs, capital improvement costs, excessive strength surcharges and other service charges, which rates and charges shall be payable as hereinafter provided and shall be in an amount determined as follows:

a) **All Class I Users**

The sewage rates and charges shall be determined by equivalent single family dwelling units (ESFDUs). Sewage service bills shall be rendered once each month (or period equaling a month). The schedule on which said rates and charges shall be determined are as follows and shall be applied in accordance with Appendix “A”.

**Per Equivalent Single Family Dwelling Unit**

	<b><u>Billing Charge Per Month</u></b>	<b><u>Collection and Treatment Charge</u></b>	<b><u>Capital Improvement Charge</u></b>	<b><u>Total</u></b>
Single family dwelling unit	\$2.63	\$31.31	\$6.86	\$40.80

b) **Optional Metered Users – Class I**

The Town of La Paz does not own or operate a municipal water utility and, therefore, water meters and meter readings are not available for determining the sewage flow for individual users. However, all industrial users with industrial process flow discharged to the sanitary sewers shall and any other Class I user, at the owner or other interested party’s expense, may install and maintain meters, weirs, volumetric measuring devices or any adequate and approved method of measurement acceptable to the Town for the determination of sewage discharge.

The metered sewage rates and charges shall be determined by equivalent single family connection size (ESFC) and the sewage discharge in 1,000 gallons. Sewage service bills shall be rendered once each month (or period equaling a month). The schedule on which said rates and charges shall be determined is as follows and shall be applied in accordance with Appendix “B”.

<b><u>Charge Per Bill</u></b>	<b><u>Charge Per ESFC Per Month</u></b>	<b>(Plus)</b>	<b><u>Charge Per 1,000 Gallons</u></b>
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User Charge	\$2.63	\$16.02	+	\$2.98
<u>Capital Improvement Charge</u>		<u>4.27</u>	+	<u>0.55</u>
 Total	 <b>\$2.63</b>	 <b>\$20.29</b>		 <b>\$3.53</b>

**Section 12.** All accounts with rates and charges delinquent for more than forty-five (45) days are subject to collection and termination of service. Termination of Service is a revocation of the User 's privilege to discharge wastewater into the sewer system. This may be accomplished by physical separation of the User 's connection to the collection system, through the installation of a shut-off device.

Before a shut-off device may be installed, the Clerk-Treasurer will cause to be served upon the customer a notice stating the Town of La Paz’s intent to discontinue sewer service by installing the shut-off device if the account’s delinquent rates and charges are not paid within ten (10) days of the date of the notice. This notice will be mailed not less than fourteen (14) days prior to the disconnection date, and will be addressed to the customer at the customer’s last known address. The Clerk-Treasurer will also cause to be served upon the customer a notice that the customer has a right to a hearing before the Town Council of the Town of La Paz, Indiana, prior to the disconnection date. If a customer desires to request a hearing contesting the fairness of disconnection for nonpayment of delinquent rates and charges on their account, the customer must request such hearing in writing at the office of the Clerk-Treasurer at 108 East Randolph Street, P.O. Box 820, La Paz, Indiana, 46537.

The Town of La Paz, Indiana, its departments, officials, employees, agents, and contractors shall not be responsible for any damages to any real or personal property caused by installation of the shut-off device due to nonpayment of any rates and charges.

The rates and charges as herein set forth shall become effective immediately upon adoption of this Ordinance. This ordinance shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.