

**ORDINANCE #6-2015  
AMENDING ORDINANCE # 5-2005**

**AN ORDINANCE ESTABLISHING A USER FEE TO BE  
COLLECTED BY THE CITY OF BATESVILLE, INDIANA, FROM  
USERS AND OWNERS OF PROPERTY SERVED BY THE STORM WATER  
UTILITY OF SAID CITY AND OTHER MATTERS CONNECTED THEREWITH**

WHEREAS, the City of Batesville, Indiana ("City") has heretofore constructed and has in operation a wastewater collection system and treatment plant for the purpose of collecting and treating sewage wastewater and conveying the same away from the premises where produced; and

WHEREAS, the City also collects and treats storm water and the costs of collecting and treating storm water are not presently being paid; and

WHEREAS, the City finds that a storm water user fee needs to be enacted to pay for the costs of collecting and treating such storm water; and

WHEREAS, the City intends to enact a storm water user fee for the costs of collecting and treating such storm water pursuant to IC 36-9-23-25 which authorizes the Common Council of the City ("Common Council") to enact such a fee; and

WHEREAS, the Board of Works acting as the Department of Storm Water Management of the City ("Board") has adopted a resolution recommending to the Common Council the enactment of a storm water user fee; and

WHEREAS, the Common Council finds, based upon the Reports and the recommendation of the Board, that a storm water user fee should be enacted to pay for the costs of collecting and treating storm water pursuant to the provisions of IC 36-9-23 which storm water user fee should be administered pursuant to the provisions of the Policy Manual; and

WHEREAS, the Common Council finds that due notice and the appropriate public hearing have been given and conducted in accordance with IC 36-9-23;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Batesville, Indiana, as follows:

1. There is hereby established a monthly storm water utility fee for the use of and services provided by the storm water utility of the City.
2. The monthly fee will be uniform for all residential properties which will be \$3.50 per billing cycle per residential property. This allocates that all residents of the City place demands on the storm water utility of the City and benefit from the storm water management activities of the City.
3. The monthly fee for commercial, government, and interdepartmental properties will be \$10.51 per billing cycle per property. This allocates that all commercial, governmental, and interdepartmental properties of the City place demands on the storm water utility of the City and benefit from the storm water management activities of the City.
4. The monthly user fee for industrial properties will be \$21.01 per billing cycle per commercial property. This allocates that all industrial properties of the City place demands on the storm water utility of the City and benefit from the storm water management activities of the City.

5. 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.

6. The monthly storm water utility fee as herein set forth shall become effective for the billing cycle of September, 2015.

7. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Passed and adopted by the Common Council of the City of Batesville, Indiana, on the 13th day of July, 2015.

COMMON COUNCIL

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Gene Lambert-Presiding Of

Attest:

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Ronald C. Weigel- Clerk-Treasurer

Presented by me to the Mayor of the City of Batesville, Indiana, this 13th, day of July, 2015 at 7:00 P.M.

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Ronald C. Weigel-Clerk-Treasurer

Signed and approved by me, the Mayor of the City of Batesville, Indiana, this 13th day of July, 2015, at 7:00 P.M..

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Richard Fledderman, Mayor