

Avon Town Council

Ordinance 2017 – 25

Establishing a Storm Water User Fee

Whereas, on July 13, 2017 the Avon Town Council (“Council”) adopted Ordinance 2017 – 15 establishing the Town of Avon Department of Storm Water Management (“Department”) as well as establishing the Avon Storm Water Utility Board (“Board”) to conduct the operations of the Department; and

Whereas, the Department will provide storm water utility services to all property of the storm water district in the Town of Avon; and

Whereas, the Board requested Greg T. Guerrattaz of Financial Solution Group Inc. to conduct a study and analysis to determine the storm water user fee rates necessary and appropriate to operate and maintain the Department; and

Whereas, after conducting a study and analysis, Greg. T. Guerrattaz presented the Board with a rate study indicating the user fee should be \$6.00 for residential property per month, per Equivalent Residential Unit (“ERU”), \$4.00 for non-residential property per month, per ERU, and \$2.00 for railyard property per month, per ERU; and

Whereas, Ind. Code § 8-1.5-7-7(b) provides that the user fee must be the minimum amount necessary for the operation and maintenance of the storm water system; and

Whereas, the Board published notice of a public hearing and subsequently conducted the public hearing on October 25, 2017 at 5:30 p.m. to consider the appropriate rate and hear testimony from interested persons on the proposed rate; and

Whereas, after considering the rate study, testimony heard during the public hearing, and all statutory factors, the Board resolved that a rate of \$6.00 for residential property per month, per ERU, \$4.00 for non-residential property per month, per ERU, and \$2.00 for railyard property per month, per ERU is reasonable and just for the services provided by the Department. The Board further resolved a recommendation that the Council adopt an ordinance establishing a storm water utility user fee equal to the amount described herein; and

Whereas, after review of the rate study and the recommendation from the Board, the Council finds that is in the best interest of the Town, and its citizens, to establish the storm water user fee of \$6.00 for residential property per month, per ERU, \$4.00 for non-residential property per month, per ERU,

and \$2.00 for railyard property per month, per ERU, effective January 1, 2018.

Therefore it is Ordained that the Town of Avon storm water utility monthly rate, or monthly user fee, is hereby established in the amount of \$6.00 for residential property per month, per ERU, \$4.00 for non-residential property per month, per ERU, and \$2.00 for railyard property per month, per ERU, effective January 1, 2018.

It is further ordained that any provision of the Town of Avon Code of Ordinances which is not specifically amended by this ordinance shall remain in full force and effect.


It is further ordained that this ordinance shall become effective upon adoption and the rate shall become effective on January 1, 2018.

Ordained this 16th day of November, 2017

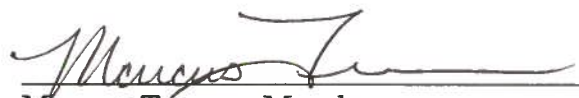
Avon Town Council:



Aaron Tevebaugh, President



Steve Eisenbarth, Vice President



Marcus Turner, Member

Beverley Stafford
Beverley Stafford, Member

Greg Zusan, Member

Attest:

Sharon Howell
Sharon Howell, Clerk-Treasurer