

RATE RESOLUTION OF THE
BOARD OF DIRECTORS OF THE
BEN DAVIS CONSERVANCY

WHEREAS, the Ben Davis Conservancy (“BDCD”) has petitioned the Marion County Circuit Court in Cause No. 49C01-1906-PL-023150 (formerly Cause No. 0000006448) for authority to implement a flat rate user fee as an additional tool to finance the works of the Conservancy and said petition was granted on October 19, 2017. After notice and public hearing, Ordinance 2017-1 was subsequently adopted by the BDCD Board; and

WHEREAS, the BDCD has petitioned the Marion County Circuit Court to change the nature of the sewer charges to an Equivalent Dwelling Unit (“EDU”) basis in accordance with 327 IAC 3-6-11 and said petition was granted on August 30, 2019 and proposed Ordinance 2019-1 was provisionally approved in its entirety subject to a public hearing. After notice and public hearing, Ordinance 2019-1 was subsequently adopted by the BDCD Board; and

WHEREAS, pursuant to Paragraph 13 of Ordinance 2019-1, the BDCD Board may changes rates from time to time; “If this ordinance is approved by the Circuit Court, it shall not be necessary to request approval of any new rates or charges implemented from time to time . . .”; and

WHEREAS, the Board has conducted a public hearing on September 21, 2020 and has considered the matters presented from the public; and

WHEREAS, the Board has taken into consideration the need for additional funds aside from the *ad valorem* property tax and the concerns of the freeholders and others appropriately appearing at the public hearing and has considered the advice of its accountants, engineers, and other experts; and

WHEREAS, the Board has considered the 2021 Rate Tariff attached to this resolution and made a part of this resolution by this reference; and

It is hereby RESOLVED by the Board of Directors of the Ben Davis Conservancy as follows:

That the 2021 Rate Tariff hereafter detailed implementing a schedule of rates and charges to be collected by the Ben Davis Conservancy District from the owners of property served by the Sanitary Sewer System of the Ben Davis Conservancy District and other matters connected herewith is hereby incorporated by reference in this Resolution are hereby ADOPTED. It is further resolved that the owner of the property as of the first day of each calendar month shall be responsible for the user fee for that calendar month. In the even of a transfer on the first day of the calendar month, the first owner shall be responsible for the user fee for the calendar month.

Dated

FRED F. BUCKINGHAM

BEVERLY A. MATTHEW

JEFFREY T. WOOD

ATTEST:

Angela Wirth, Secretary
Davis Conservancy District

Ben Davis Conservancy District
Sewer Works
Sewage Treatment Rate Tariff - 2021

I Sanitary Sewer Rates

| | | |
|---|---|----------|
| A | <u>Unmetered Residential and Unmetered Small Commercial [1] [2] [3]</u> - Per EDU Per Month | \$ 28.00 |
| B | <u>Metered Non Residential [1] [2] [3]</u> - Per 1000 Gallons Per Month | \$ 2.59 |
| C | <u>Airport Contract [1] [2] [3]</u> - Per Airport EDU numbers times EDU rate | \$ - |
| D | <u>Mobile Home Parks [1] [2] [3]</u> <u>Calculated at 4,500 Gallons Per Home Per Month</u> - Per 1000 Gallons Per Month | \$ 2.59 |

II Other Rates and Charges

| | | |
|---|--|---|
| A | <u>Sewer Deposit</u> Late Payment Deposit - Per EDU | \$ 50.00 |
| B | <u>Impact Fee for Sewer</u> Per EDU | \$ 1,500.00 |
| C | <u>Unpaid Bills By Renters</u> | Owners Shall Be Responsible For Any Unpaid Bills By Renters |
| D | <u>Returned Check Charge</u> | \$ 30.00 |
| E | <u>Late Charge Penalty</u> All Bills 30 days or more delinquent | 10% Of Bill |
| F | <u>Permit Fee and Connection Fee</u> Residential Property Non Residential Property | \$ 100.00 250.00 |
| G | <u>Dye Test (Requested by Customer)</u> | 100.00 |

Note: This tariff references 327 IAC 3-6-11 in respect to the EDU evaluation of various non commercial customer types. For customer types not shown in 327 IAC 167 3-6-11, the District will determine an EDU evaluation for each customer based on that customer's individual usage characteristics.

[1] Plus tax assessment.

[2] Plus a 15% surcharge for any customers located outside of the District's service territory.

[3] The District reserves the right to determine an EDU for a customer and to bill that customer on an EDU basis based on an evaluation of a customer's estimated discharge volume and waste strength.