

CALL

Terre Haute, Indiana
September 22, 1961

To the Members of the Common Council
of the City of Terre Haute, Indiana:

Notice is hereby given that a Special Meeting of said Council is hereby called to be held in the Council Chamber of said City at 7:30 o'clock p.m., on Monday, September 25, 1961, for the purpose of considering:

General Ordinance No. 4, 1961 (Sewage Disposal Works Bond Ordinance).

General Ordinance No. 5, 1961 (Sewage Disposal Rate Ordinance).

General Ordinance No. 6, 1961 (Sewer Use Ordinance).

Also for holding a Public Hearing on General Ordinance No. 5, 1961.

RALPH TUCKER
Mayor

RETURN

Served the within and foregoing notice by leaving a true and complete copy of same at last and usual place of residence of, and reading to and within the hearing of, all members of the Common Council of the City of Terre Haute, Indiana, this 22nd day of September, 1961.

COUNCILMAN
LAWRENCE R. JONES
ROBERT X. KELLY
M. E. BOONE
OREN J. MYRTLE
HOWARD O. GLADDEN
GEORGE D. KINTZ
WM BUTTS
MYRON J. BUSBY
RAYMAND STEWART

SERVING OFFICERS
SMITH AND CURLEY
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COMMITTEE REPORT

Terre Haute, Indiana
September 14, 1961

To the Mayor and Common Council
of the City of Terre Haute, Indiana:

Gentlemen:

Your committee of the Council as a Whole, to whom was referred the GENERAL ORDINANCE No. 5, 1961, wishes to report favorable.

Respectfully submitted,

MYRON J. BUSBY
RAYMOND STEWART
ROBERT X. KELLY
WM. BUTTS
OREN J. MYRTLE
HOWARD O. GLADDEN
GEORGE D. KINTZ
M. E. BOONE
LAWRENCE R. JONES

Motion by Kintz seconded by Gladden that the Committee Report be accepted. Motion carried unanimously.

GENERAL ORDINANCE NO. 5, 1961

An Ordinance establishing a schedule of rates and charges to be collected by the City of Terre Haute from the owners of property served by the sewage works of said City, and other matters connected therewith.

WHEREAS, the City of Terre Haute owns and operates a sanitary sewer system for the collection of sewage and conveying the same away from the premises where produced; and

WHEREAS, the City has authorized the construction of sewage works for the treatment and disposal of sewage in a sanitary manner pursuant to Chapter 61 of the Acts of the Indiana General Assembly for the year 1932 (Special Session), and the acts amendatory thereof and supplemental thereto, in order to comply with a final order of the Stream Pollution Control Board of Indiana directing the City to cease and abate the pollution of streams and watercourses in and about the City, and to that end the Common Council has authorized the issuance of bonds payable from the revenues of said works in order to pay the cost of said project; and

WHEREAS, said Chapter 61 of the Acts of 1932, and the acts amendatory thereof and supplemental thereto, requires that the rates and charges to be collected for the use of and the service rendered by such sewage works be fixed by ordinance, finally adopted after due notice and public hearing, and authorizes the collection of rates and charges when construction of such works has been commenced; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF TERRE HAUTE, INDIANA:

Section 1. For the use of and the service rendered by said sewage works of the City of Terre Haute 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 City's sanitary sewerage system or otherwise discharges sanitary sewage, industrial wastes, water or other liquids either directly or indirectly into the sanitary sewerage system of the City, which rates and charges shall be payable as hereinafter provided and shall be in an amount determinable as follows:

(a) Except as herein otherwise provided, the sewage rates and charges shall be based on the quantity of water used on or in the property or premises subject to such rates and charges, as the same is measured by the water meter there in use and shown by the consumption records of the water utility serving the City of Terre Haute and its inhabitants.

(b) The water usage schedule and the applicable sewage rates and charges based thereon shall be as follows:

Step	Volume of water, cu. ft.	Sewage rate or charge, per 100 cu. ft. of water used
1	For the first 300 cu. ft. or less per month or 900 cu. ft. or less per quarter	\$0.52
2	For the next 1,700 cu. ft. or less per month or 5,100 cu. ft. or less per quarter or any part thereof	0.33
3	For the next 10,000 cu. ft. or less per month or 30,000 cu. ft. or less per quarter or any part thereof	0.28
4	For the next 18,000 cu. ft. or less per month or 54,000 cu. ft. or less per quarter or any part thereof	0.21
5	For the next 20,000 cu. ft. or less per month or 60,000 cu. ft. or less per quarter or any part thereof	0.17
6	For the next 50,000 cu. ft. or less per month or 150,000 cu. ft. or less per quarter or any part thereof	\$0.13
7	For all that quantity in excess of 100,000 cu. ft. per month or 300,000 cu. ft. per quarter	0.09

The minimum charge for any user shall be \$1.56 per month or \$4.68 per quarter, except that where the user is not a metered water consumer,

the minimum charge shall be determined by means and methods satisfactory to the City.

(c) The rates and charges set forth in paragraph (b) hereof shall be applied to the water consumed and billed upon the completion of construction and placing in operation of the sewage treatment plant and pumping station as certified by the Consulting Engineers on the project, but in no event later than July 1, 1963.

(d) To provide for payment of interest on the sewage works revenue bonds during the construction period of the sewage works and other expenses necessary to be met prior to the completion of the works, the water usage schedule and the applicable sewage rates and charges based thereon during such construction period shall be as follows:

Step	Volume of water, cu. ft.	Sewage rate or charge, per 100 cu. ft. of water used
1	For the first 300 cu. ft. or less per month or 900 cu. ft. or less per quarter	\$0.35
2	For the next 1,700 cu. ft. or less per month or 5,100 cu. ft. or less per quarter or any part thereof	0.23
3	For the next 10,000 cu. ft. or less per month or 30,000 cu. ft. or less per quarter or any part thereof	0.19
4	For the next 18,000 cu. ft. or less per month or 54,000 cu. ft. or less per quarter or any part thereof	\$0.14
5	For the next 20,000 cu. ft. or less per month or 60,000 cu. ft. or less per quarter or any part thereof	0.11
6	For the next 50,000 cu. ft. or less per month or 150,000 cu. ft. or less per quarter or any part thereof	0.09
7	For all that quantity in excess of 100,000 cu. ft. per month or 300,000 cu. ft. per quarter	0.06

The minimum charge for any user shall be 1.05 per month or \$3.15 per quarter, except that where the user is not a metered water consumer, the minimum charge shall be determined by means and methods satisfactory to the City.

The interim rates and charges during the construction period provided by this paragraph shall become effective as of the first day of the month next following the commencement of actual work under the contract for construction of the work and shall continue in effect until the placing into effect of the full rates and charges provided in paragraph (b) hereof.

(e) In the event a lot, parcel of real estate or building discharging sanitary sewage, industrial wastes, water or other liquids into the City's sanitary sewage system, either directly or indirectly, is not a user of water supplied by the water utility serving the City, and the water used thereon or therein is not measured by a water meter, or is measured by a water meter not acceptable to the City, then the amount of water used shall be otherwise measured or determined by the City, in order to ascertain the rate or charge provided in this ordinance, or the owner or other interested party, at his expense, may install and maintain a meter acceptable to the City for said purpose.

(f) In the event a lot, parcel of real estate or building discharging sanitary sewage, industrial wastes, water or other liquids into the City's sanitary sewage system, either directly or indirectly, is a user of water supplied by the water utility serving the City, and in addition, uses water from another source which is not measured by a water meter or is measured by a water meter not acceptable to the City, then the amount of water used shall be otherwise measured or determined by the City in order to ascertain the rate or charge provided in this ordinance, or the owner or other interested party, at his expense, may install and maintain a meter or meters acceptable to the City for said purpose.

(g) In the event a lot, parcel or real estate or building discharging sanitary sewage, industrial wastes, water or other liquids into the City's sanitary sewage system, either directly or indirectly, and it can be shown, to the satisfaction of the City, that a portion of the water as measured by the water meter or meters does not and cannot enter the sanitary sewage system, then the City may determine in such manner and by such method as it may deem practicable the percentage of metered water entering the sanitary sewage system. Such percentage, when so determined, shall then constitute the basis of sewage rate or charge, provided, however, that the City in its discretion may require or permit the installation of suitable equipment at the expense of the owner or other interested party in such a manner as to determine the quantity of water actually entering the sewage system, in which case the quantity of water used to determine the sewage rate or charge shall be the quantity of water actually entering the sanitary sewage system as so determined, and in such event the following sewage rates and charges shall apply to the quantity of water actually entering the sanitary sewage system:

Step	Volume of water, cu. ft.	Sewage rate or charge, per 100 cu. ft. of water used
1	For the first 300 cu. ft. or less per month or 900 cu. ft. or less per quarter	\$0.64
2	For the next 1,700 cu. ft. or less per month or 5,100 cu. ft. or less per quarter or any part thereof	0.41
3	For the next 10,000 cu. ft. or less per month or 30,000 cu. ft. or less per quarter or any part thereof	0.35
4	For the next 18,000 cu. ft. or less per month or 54,000 cu. ft. or less per quarter or any part thereof	0.26
5	For the next 20,000 cu. ft. or less per month or 60,000 cu. ft. or less per quarter or any part thereof	0.21
6	For the next 50,000 cu. ft. or less per month or 150,000 cu. ft. or less per quarter or any part thereof	0.16
7	For all that quantity in excess of 100,000 cu. ft. per month or 300,000 cu. ft. per quarter	0.11

In instances of the application of the foregoing schedule of rates and charges, the minimum charge for the particular user shall be \$1.92 per month or \$5.76 per quarter. The rates and charges provided in this subparagraph shall become effective at the same date that the rates and charges provided in subparagraph (b) become effective.

(h) In order that the rates and charges may be justly and equitably adjusted to the service rendered, the City shall have the right to base its charges not only on volume but also on the strength and character of the sewage and wastes which it is required to treat and dispose of. The City shall have the right to measure and determine the strength and content of all sewage and wastes discharged, either directly or indirectly, into the City's sanitary sewage system, in such manner and by such method as it may deem practicable in the light of the conditions and attending circumstances of the case, in order to determine the proper charge.

(i) For the service rendered to the City of Terre Haute, said City shall be subject to the same rates and charges hereinabove provided, or to charges and rates established in harmony therewith.

(j) The rates and charges may be billed to the tenant or tenants occupying the properties served, unless otherwise requested in writing by the owners, but such billings shall in no wise relieve the owner from liability in the event payment is not made as herein required. The owners of the properties served, which are occupied by tenants, shall have the right to examine the collection records of the City for the purpose of determining whether such rates and charges have been paid by such tenants, provided that such examination shall be made at the office at which such records are kept and during the hours that such office is open for business.

(k) Where a metered water supply is used for fire protection as well as for other uses, the City, may, in its discretion, make adjustments in the charge or charges as may be equitable.

Sec. 2. The rates and charges established by this ordinance shall be collected by the City. The Board of Public Works and Safety shall make and enforce such by-laws and regulations as may be deemed necessary for the safe, economical and efficient management of the City's sewage system, regulator chambers, pumping stations and sewage treatment works, for the construction and use of house sewers and connections to the sewage system, and for the regulation, collection, rebating and refunding of such rates and charges.

Sec. 3 For the purpose of this ordinance, the terms "sanitary sewage" and "industrial wastes" shall be defined as follows:

(a) "Sanitary sewage" is hereby defined as the waste from water closets, urinals, lavatories, sinks, bath tubs, showers, household laundries, basement drains, garage floor drains, bars, soda fountains, cuspidors, refrigerator drips, drinking fountains and stable floor drains.

(b) "Industrial wastes" are hereby defined as being the liquid waste resulting from any commercial, manufacturing or industrial operation or process.

Sec. 4. The Board of Public Works and Safety is hereby authorized to prohibit dumping of wastes into the city sewage system which, in its discretion, are deemed harmful to the operation of the sewage works of said City, or to require methods effecting pre-treatment of said wastes to reduce the characteristics of the waste satisfactory to the Board of Public Works and Safety.

Sec. 5 All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Sec. 6. This ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

Presented by WM. BUTTS
Councilman

Passed in open council this 25th day of September, 1961.
WILLIAM BUTTS
President

Attest: JOSEPH P. PIPP
City Clerk

Presented by me to the Mayor this 26th day of September, 1961, at the hour of 10 A.M.

JOSEPH P. PIPP
City Clerk

Approved by me, the Mayor, this 26th day of September, 1961, at the hour of 10 A.M.

RALPH TUCKER
Mayor

At this time President Butts announced that a Public Hearing would be held so that interested citizens present could participate in the open discussion regarding this Ordinance.

After said Hearing a Motion was made by Kelly and seconded by Kintz that the General Ordinance No. 5, 1961 be engrossed and placed upon its passage. Motion carried by the unanimous vote of the Council Members.

COMMITTEE REPORT

Terre Haute, Indiana
September 14, 1961

To the Mayor and Common Council
of the City of Terre Haute, Indiana.

Gentlemen:

Your committee of the Council as a whole, to whom was referred the GENERAL ORDINANCE NO. 4, 1961, wishes to report favorable.

Respectfully submitted,
MYRON J. BUSBY
ROBERT X. KELLY
WM. BUTTS
OREN J. MYRTLE
HOWARD O. GLADDEN
RAYMOND STEWART
GEORGE D. KINTZ
LAWRENCE R. JONES
M. E. BOONE

Motion by Kintz seconded by Stewart that the Committee Report be accepted. Motion carried unanimously.