

ORDINANCE NO. 2023-09
HENDRICKS COUNTY REGIONAL SEWER DISTRICT
ORDINANCE FOR COLLECTION OF FEES AND CHARGES
I-74 and RONALD REAGAN INTERCHANGE SERVICE AREA

WHEREAS, the Hendricks County Regional Sewer District (the "District") is a duly created and existing independent municipal corporation pursuant to I.C. 13-26-2, *et. seq.*

WHEREAS, the District entered into an Agreement with the Town of Brownsburg regarding sewer service in the area around the I-74 and Ronald Reagan Parkway Interchange under Case Number 1:12-CV-0307-WTL-MJD.

WHEREAS, the District has adopted rules and regulations to effect the purposes for which the District was created and operates.

WHEREAS, the District rules and regulations provide for and require adoption of certain rates and charges and the Agreement between the District and the Town of Brownsburg establishes how certain rates and charges are to be determined

WHEREAS, I.C. 13-26-11, *et seq.*, grants certain powers to the District dealing with the collection of rates and charges.

WHEREAS, the Board of Trustees of the District finds and determines that is to the best interest of the District to adopt these rates and charges, specifically for the I-74 and Ronald Reagan Parkway Interchange Service Area, and such rates and charges are believed to be just and equitable and meet the requirements of the Agreement between the District and the Town of Brownsburg.

NOW THEREFORE, be it ordained by the Board of Trustees of the District that the District rates and charges schedule Ordinance entitled "Hendricks County Regional Sewer District Ordinance for Collecting Rates and Charges I-74 and Ronald Reagan Parkway Interchange Service Area," Ordinance No. 2023- 9 be adopted as follows:

1. The statements in the preamble hereof are true and correct and are findings of fact hereby.
2. The I-74 and Ronald Reagan Interchange Service Area is defined in Exhibit A.
3. The rates and charges included herein are adopted for all effects and purposes as the District's rates and charges regarding wastewater service in the I-74 and Ronald Reagan Parkway Interchange Service Area.
4. These rates amend and supersede the rates and charges adopted in Ordinance 2015-44 and Ordinance No. 2017-41 for the I-74 and Ronald Reagan Parkway Interchange Service Area.
4. All rates and charges adopted hereby become of full force and effect as described.

The rates and charges and other specific provisions thereof enacted by the Board of Trustees of the District are as follows:

HENDRICKS COUNTY REGIONAL SEWER DISTRICT FEES

<u>Application Fees:</u>	
Wasteload Allocation	\$100.00/Application
Wastewater Facility Construction Permit	\$100.00/Application
Lateral Construction Permit	\$100.00/Application
<u>Capacity (Sewer Availability) Fees:</u>	
The Capacity Fee for all industrial, commercial and residential connection is based on water meter size as listed below:	
The entire Capacity Fee is due and payable prior to the issuance of a wasteload allocation letter.	
Meter Size	Fee
3/4	\$5,600.00
1	\$10,000.00
1-1/4	\$16,000
1-1/2	\$23,200.00
2	\$40,000.00
3	92,000.00
4	\$160,000.00
6	\$364,000.00
8	\$648,000.00
<u>Monthly Service Fees:</u>	
Monthly Service Fee:	\$45.00 per EDU
Vacant Premise Credit per policy dated June 1, 2010	\$20.00/EDU/Month
<u>Inspection Fees:</u>	
Wastewater Facility (Sewer) Construction:	\$175.00/Hour
Acceptance of Facilities (post construction):	\$175.00/Hour
Lateral Construction:	\$425.00/Lateral
<u>Plan Review Fees:</u>	
Wasteload Allocation and Plan Review	\$165.00/hour
Lateral Plan Review	\$165.00/Hour
<u>Miscellaneous Fees:</u>	
Late Payment Penalty Fee:	10% of unpaid current charges
Returned Check Fee:	\$25.00 /occurrence
Disconnect Fee for nonpayment:	\$125.00 per event
Lien Charges:	Cost of attachment of lien plus the amount of fees owed.

Industrial Waste Discharge Permit (Non-Domestic)¹:

Annual Discharge Permit Fee	\$50.00
Laboratory Testing Charges	Actual Charge plus 15% handling for samples collected and processed by the District

Industrial waste, for purposes of this Ordinance, pertains to those non-domestic waste streams discharged as defined by SIC codes as registered under the Code of Federal Regulations CFR 403 Pretreatment guidelines set forth by the United States of America Environmental Protection Agency and includes significant users who discharge greater than 25,000-gallons/day of flow or contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW Treatment plant; or is designated as such by the Control Authority on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or requirement (in accordance with 40 CFR 403.8(f)(6)) or by categorical classification.

¹The Industrial Waste Discharge Permit does not apply to restaurants, but does not exempt restaurants from Excessive Strength Surcharge fees for excess waste strength, or any required laboratory testing, or the need to install and maintain grease traps as outlined in the District's rules and regulations.

Excessive Strength Surcharge Rates

Excessive Strength Surcharge Rates shall be applicable to all industrial and commercial users who generate wastewater which contains any nonconventional pollutants or strengths of Carbonaceous Biochemical Oxygen Demand (CBOD₅), Total Suspended Solids (TSS), Ammonia (NH₃), or Total Phosphorus that exceed the system average strengths listed in the table below, as determined by special laboratory analysis by a certified laboratory. Other special service rates shall be charged on a case-by-case basis for toxic pollutant discharges, with the charges being based on the difficulty of treating the toxic pollutant as well as sampling, testing, and disposal charges. Strength charges are to be computed on actual measured strengths and volumes on monthly basis.

Excessive Strength Surcharge rates shall be calculated from the number of pounds delivered to the treatment plant in excess of the concentrations and at the cost per pound listed below:

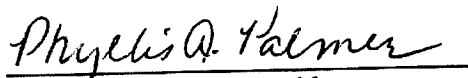
Constituent	Concentration Limit	Surcharge cost per pound
BOD ₅	300 mg/l	\$0.52
TSS	265 mg/l	\$0.45
NH ₃ -N	30 mg/l	\$2.06
Total Phosphorus	10 mg/l	\$2.00

Constituent	Concentration Limit	Surcharge cost per pound
Fats, Oil, Grease	100 mg/l	\$1.05

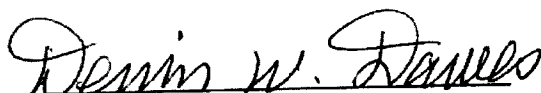
All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed, and this ordinance shall be in full force and effect upon its adoption and its publication as provided by law.

Passed and adopted by the Hendricks County Regional Sewer Board of Hendricks County, State of Indiana, on this 11 day of April, 2023.

HENDRICKS COUNTY REGIONAL SEWER DISTRICT
BOARD OF DIRECTORS


Phyllis A. Palmer, President


Bob Gentry, Vice President


Dennis Dawes, Member

ATTEST:

