

ORDINANCE NO. 34-15

A FIRE PROTECTION ORDINANCE PROVIDING FOR PAYMENT OF FIRE HYDRANT RENTAL COSTS BY INDIANA AMERICAN WATER COMPANY RATEPAYERS

WHEREAS, Indiana American Water Company owns and operates fire hydrants in the City of West Lafayette which serve and protect from fire threats resident, business, and city owned property in the City limits; and,

WHEREAS, the rental cost of the fire hydrants in the City limits are currently paid by the City with revenue from City taxpayers; and,

WHEREAS, the cost to the City taxpayers for fire hydrant rentals will be in excess of \$400,000 in the year 2016; and

WHEREAS, State-mandated circuit breaker limits have significantly reduced the funds available for city services including, primarily, public safety services; and,

WHEREAS, Indiana Code subsection 8-1-2-103(d) provides for the payment of fire hydrant rental costs imposed by Indiana American Water Company and approved by the Indiana Utility Regulatory Commission from the ratepayers of Indiana American Water Company rather than City taxpayers; and,

WHEREAS, the majority of Indiana cities operate under Indiana Code subsection 8-1-2-103(d) which provides that the cost of fire hydrant rentals is paid by ratepayers instead of taxpayers; and

WHEREAS, paying fire hydrant rental costs from ratepayers is prudent and necessary to allow tax funds to be used for maintaining city services, including, primarily, public safety services to the public; and,

WHEREAS, paying fire hydrant rental costs from ratepayers who directly benefit from the fire hydrants is a fair and reasonable method of paying for such costs.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE that the provisions of Indiana Code subsection 8-1-2-103(d) are hereby adopted such that the charges for production, storage, transmission, sale and delivery, or furnishing of water for public fire protection purposes shall be added to the basic rates of all customers of Indiana American Water Company and its successors and assigns as regulated by the Indiana Utility Regulatory Commission, and as detailed in the attached Exhibit "A," which is made a part hereof. Irrigation meters for lawn watering purposes shall be excluded from the charge.

A person who qualifies for low income relief shall receive a fifty percent (50%) reduction in fire hydrant rental costs. Low income relief under this paragraph is only available for residential property. To qualify for low income relief, requests shall be made to the Controller

who shall have the authority to determine procedures to verify the eligibility of the requestor who shows that the requestor:

- (1) is the head of the household; and
- (2) is either:
 - (A) permanently and totally disabled as determined by the Social Security Administration; or
 - (B) has a total annual income which is at or below one hundred fifty percent (150%) of the Federal Poverty Guidelines as determined by the United States Health and Human Services Guidelines.

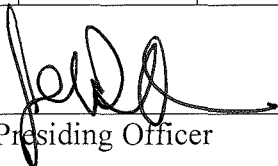
The effective date for addition of these changes in the basic rate shall be January 1, 2016 and that after said date, the cost of any fire hydrant installed at the request of the City shall be paid by or on behalf of the City.

INTRODUCED ON FIRST READING ON THE 8 DAY OF September, 2015.

MOTION TO ADOPT MADE BY COUNCILOR Keen, AND SECONDED BY COUNCILOR Burch.

DULY ORDAINED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, ON THE 5 DAY OF October, 2015, HAVING BEEN PASSED BY A VOTE OF 7 IN FAVOR AND 0 OPPOSED, THE ROLL CALL VOTE BEING:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
DeBoer	✓			
Dietrich	✓			
Hunt	✓			
Keen	✓			
Thomas	✓			



Presiding Officer

Attest:

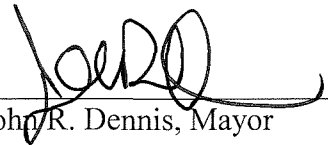


Judith C. Rhodes, Clerk-Treasurer

PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA
ON THE 8 DAY OF October, 2015, AT THE HOUR OF
9:00 A.M.


Judith C. Rhodes, Clerk-Treasurer

THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE 8 DAY OF
October, 2015, AT THE HOUR OF 10:10 A.M.


John R. Dennis, Mayor

Attest:


Judith C. Rhodes, Clerk-Treasurer

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Exhibit "A"

Public Fire Service Rate ESTIMATES

<u>Meter Size</u>	<u>Monthly Charge</u>
5/8"	\$3.32
1"	\$8.29
1 1/2"	\$16.58
2"	\$26.52
3"	\$49.73
4"	\$82.89
6"	\$165.78
8"	\$265.24
10"	\$431.02