

ORDINANCE NO. 15, 2022

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LAWRENCE,  
INDIANA ADOPTING A NEW SCHEDULE OF RATES AND CHARGES FOR  
SERVICES RENDERED BY THE CITY OF LAWRENCE WATER UTILITY TO  
REFLECT THE REPEAL OF THE UTILITY RECEIPTS TAX,  
EFFECTIVE JULY 1, 2022

WHEREAS, the City of Lawrence, Indiana ("City") owns and operates its own water utility ("Water Utility"), which is controlled, operated, and supervised by the City's Utility Service Board ("USB") established pursuant to Ind. Code § 8-1.5-3;

WHEREAS, on March 15, 2022, Governor Eric Holcomb signed House Bill 1002 ("HB 1002"), which effective July 1, 2022, repeals the Utility Receipts Tax (found at Indiana Code § 6-2.3 *et seq.*) ("URT"), a tax that is built into the Water Utility's rates;

WHEREAS, HB 1002 requires that the Water Utility adjust its rates and charges to reflect the repeal of the URT, with such adjustment to operate on a prospective basis;

WHEREAS, the USB and its advisors believe that this Common Council should adopt a Rate Ordinance approving a new schedule of rates and charges for services provided by the Water Utility that: (i) replace existing rates and decrease water operating revenues by approximately \$160,800 per year and net revenue by approximately \$0 as a result of the URT repeal; and (ii) are still designed so that they are nondiscriminatory, reasonable, and just charges for service within the meaning of Ind. Code § 8-1.5-3-8; and the rate design should be modified accordingly;

WHEREAS, on May 31, 2022 the USB adopted Resolution No. 5, 2022, which requested and recommended that the Common Council approve the schedule of rates and charges attached hereto as Exhibit A as a Rate Ordinance, to fully comply with the terms of HB 1002;

WHEREAS, such adjustment of Water Utility rates and charges will effectuate lower customer rates as a result of the URT repeal;

WHEREAS, the Common Council has, after publication and notice therefore as required by Indiana law, held a public hearing on the 15th day of June, 2022, with regard to the proposed schedule of rates and charges (Exhibit A); and

WHEREAS, based upon the recommendations of the USB, the Common Council desires to adopt a new schedule of rates and charges for the City's Water Utility.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of Lawrence, Indiana that:

**SECTION 1.** The above recitals are incorporated herein by reference.

**SECTION 2.** Based on upon the foregoing, the Common Council of the City of Lawrence, Indiana now finds that (i) the City's Water Utility annual operating revenue from rates and charges should be decreased by approximately \$160,800 per year and the net revenue by approximately \$0 to effectuate the repeal of the URT; and (ii) the proposed rates attached hereto as Exhibit A are nondiscriminatory, reasonable, and just charges for services under Ind. Code § 8-1.5-3-8.

**SECTION 3.** The Water Utility rates and charges attached hereto as Exhibit A are hereby approved and adopted by the Common Council.

**SECTION 4.** In the event any one or more of the provisions contained in this Ordinance should be held invalid, illegal, or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions contained herein shall not in any way be affected or impaired and shall remain in full force and effect, and in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision will be added as a part of this Ordinance that is as similar to the illegal, invalid, or unenforceable provision as may be possible and be legal, valid, and enforceable.

**SECTION 5.** Prior Ordinances and sections of the Code are repealed only to the extent inconsistent with the terms of this Ordinance. Provisions consistent with this Ordinance and not repealed remain in full force and effect.

**SECTION 6.** This Ordinance shall be in full force and effect from and after its adoption by the Common Council, approval by the Mayor, and publication as required by law.

ADOPTED this 15<sup>th</sup> day of June, 2022.

Attest: Kathleen A. Walton  
Kathleen A. Walton,  
City Clerk

[Signature]  
Lisa Chavis,  
Presiding Officer

Presented by me to the Mayor of the City of Lawrence, Indiana, this 15<sup>th</sup> day of June, 2022.

Kathleen A. Walton  
Kathleen A. Walton, City Clerk

Presented to me and signed this 16 day of June, 2022.

[Signature]  
Steven K. Collier, Mayor

EXHIBIT A

LAWRENCE (INDIANA) MUNICIPAL WATER UTILITY

SCHEDULE OF PRESENT AND PROPOSED WATER RATES AND CHARGES

I. Monthly Service Charge:

Meter Size (Per Month):	Present (1)	Proposed (2)
3/8 inch meter	\$15.01	\$14.78
1/2 inch meter	19.81	19.51
1 1/2 inch meter	24.63	24.26
2 inch meter	38.35	37.76
3 inch meter	137.99	135.90
4 inch meter	175.03	172.38
6 inch meter	260.32	256.37
8 inch meter	358.36	353.94
10 inch meter	501.74	494.13
12 inch meter	702.44	691.79

II. Monthly Consumption (Per 1,000 Gallons):

First 15,000 gallons	\$7.41	\$7.30
Next 985,000 gallons	4.46	4.40
Over 1,000,000 gallons	3.72	3.65

III. Minimum Users

Monthly Usage (0 - 1,200 gallons)	\$14.93	\$14.93
Monthly Usage (1,201 - 2,000 gallons)	24.30	24.30

IV. Fire Protection Services (Per Annum):

Private Hydrant	\$1,185.37	\$1,167.39
Sprinkler Connection		
4 inch line	\$1,343.73	\$1,323.34
6 inch line	2,924.69	2,880.31
8 inch line	3,138.07	3,060.13
10 inch line	7,904.77	7,784.86
12 inch line	11,857.16	11,677.28

(1) Present rates and charges per Ordinance No. 7, 2019.

(2) Proposed rates and charges includes the elimination of the utility receipts tax per House Enrolled Act 1002-2021.

Note: No change in the remaining fees per Amended Ordinance No. 7, 2017.