

**ORDINANCE NO. 2025-16**

**AN ORDINANCE OF THE CITY OF AUBURN AMENDING ORDINANCE NO. 2021-17  
SET FORTH IN CHAPTER 50 OF THE AUBURN CITY CODE OF ORDINANCES  
RELATING TO SEWER RATES AND CHARGES**

**SUMMARY**

This Ordinance amends the rates and charges associated with sanitary sewer and wastewater services for the City of Auburn, Indiana ("City") for both customers within the City and those customers who are served by the sanitary sewer and wastewater system outside the City.

_____ Recorder's Office	_____ <u>X</u> _____ Publish Public Hearing
_____ Auditor's Office	_____
_____ <u>X</u> _____ Clerk's Office	_____ Publish O/R after adoption
_____ Other:	_____
_____	
_____	
_____	

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SET FORTH IN CHAPTER 50 OF THE AUBURN CITY CODE OF ORDINANCES  
RELATING TO SEWER RATES AND CHARGES**

WHEREAS, the City of Auburn, Indiana (the "City") has previously established, constructed, and financed a municipal sewage works system for the purpose of providing for the collection, treatment, and disposal of sewage in the City (the "System" or "Sewage Works"), and has previously authorized construction improvements to the System financed by the sale of bonds of the City; and

WHEREAS, the City desires to issue and sell additional bonds on parity with its outstanding bonds in order to finance the cost of additional improvements to the System; and

WHEREAS, it is necessary to establish a revised schedule of rates and charges to produce sufficient revenue to pay expenses of maintenance and operation of the System, to provide funds for necessary replacements and improvements to the System, and to pay the principal of and interest on outstanding bonds and such proposed bonds in accordance with the ordinance authorizing such bonds; and

WHEREAS, the City's municipal advisor has prepared and presented to the Common Council of the City a rate study with various options for the City to increase the rates for the System; and

WHEREAS, in order to fund operations and maintenance and have adequate bond coverage and to undertake the necessary replacements and improvements to the System, it will be necessary to increase the sewer rates and charges to the amounts as set forth in **Exhibit A** attached hereto and incorporated herein by reference; and

WHEREAS, the City has previously adopted different rates for outside City users compared to inside City users; and

WHEREAS, the revised schedule of rates and charges as set forth in **Exhibit A** describe the percentage difference between rates and charges imposed on users of the sewage works for service to property located outside the City's corporate boundaries compared to property located within the City's corporate boundaries and explains such calculations; and

WHEREAS, the City will review the revised schedule of rates and charges as part of the City's annual budgeting process; and

WHEREAS, the City has previously established a sewage works system and sewer rates, as set forth in Chapter 50, Sections 50.175 through 50.999 of the Code of Ordinances of the City; and

WHEREAS, the Common Council now desires that Chapter 50, Sections 50.175 through 50.999 of the Code of Ordinances of the City be amended with the rates and charges as set forth in **Exhibit A**.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF AUBURN, INDIANA, AS FOLLOWS:**

Section 1. The foregoing Recitals are fully incorporated herein by reference.

Section 2. Chapter 50, Sections 50.175 through 50.999 of the Code of Ordinances of the City are hereby amended and replaced with the rates and charges as set forth in **Exhibit A**, attached hereto and incorporated herein by reference.

Section 3. To the extent of any conflict between the provisions of this Ordinance and any prior ordinances, the provisions of this Ordinance shall control and supersede those provisions.

Section 4. If any provision, paragraph, word, section, or article in this Ordinance is deemed invalid or unenforceable by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and articles shall not be affected and shall continue in full force and effect.

Section 5. The amendments set forth in **Exhibit A** shall be used to replace the current sections on sewer rates and charges on the Code of Ordinances of the City on the City's website and a copy of this Ordinance shall be available for inspection and copying at the Office of the Clerk-Treasurer during regular business hours in accordance with Indiana law.

Section 6. This Ordinance shall be in full force and effect immediately upon its passage and approval and following any publications required by Indiana law.

[Remainder of Page Intentionally Left Blank]

First Reading: 09/02/2025\_\_

Second Reading: 09/16/2025\_\_

**PASSED AND ADOPTED** by the Common Council of the City of Auburn, Indiana this 16<sup>th</sup>  
day of September, 2025.

By:   
**JAMES FINCHUM**, Councilmember

ATTESTED BY:

  
**LORRIE K. PONTIUS**, Clerk-Treasurer

Presented by me to the Mayor of the City of Auburn, Indiana this 16<sup>th</sup> day of September,  
2025.

  
**LORRIE K. PONTIUS**, Clerk-Treasurer

**APPROVED AND SIGNED** by me this 16<sup>th</sup> day of September, 2025.

  
**DAVID E. CLARK JR.**, Mayor

VOTING:

AYE

NAY

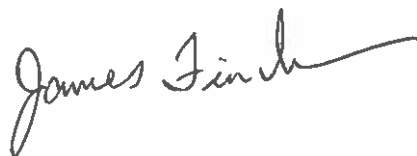
Natalie DeWitt



Rod Williams



James Finchum

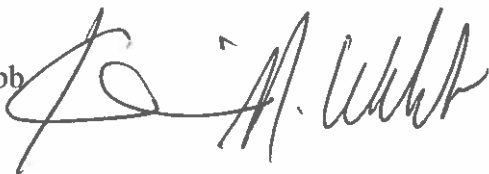


Dan Braun

David Bundy



Kevin Webb



Emily Prosser



**EXHIBIT A**  
**SCHEDULE OF NEW RATES AND CHARGES**

**ARTICLE X**  
**SEWER CHARGES, SURCHARGES AND SERVICE FEES**

**10.1 Persons Subject to Fees and Sewer Charges.**

For the use and service rendered by the publicly owned treatment works, sewer charges shall be collected from the respective owner(s) of each and every parcel of real estate that is connected directly or indirectly to the City's wastewater system or otherwise discharges wastewater either directly or indirectly into the municipal wastewater system of the City, which sewer charges shall be payable as provided in this article.

**10.2 Effective Date: Extension to Additional Property.**

The sewer charges fixed by this article shall become effective at the time the user first discharges to the municipal wastewater system following the effective date of this ordinance. These sewer charges shall be extended to and cover any additional premises thereafter served, without the necessity of any hearing or notice.

**10.3 Rate Basis.**

The sewer flow charges shall be based on the quantity of water as measured by the water meter used on or in the premises or other method of measuring approved by the City subject to such sewer charges, except as otherwise provided in this article.

**10.4 Schedule of Meter Reading.**

Water meters shall be read once each month or, at the option of the City, at other intervals.

**10.5 Procedure When Water is Obtained Partially or Wholly from Sources Other Than City.**

In the event a user obtains water partially or wholly from sources other than the City, the total water used must be measured or determined by this Code, or by other reasonable means as the Board may direct.

10.6 Portion of Water Not Entering Municipal Wastewater System.

In the case of a user utilizing more than 1,000 gallons of water per average workday, who can substantiate to the City that a portion of said water does not and cannot enter the municipal wastewater system, the Board shall either determine the portion of the measured water to be used in determining the appropriate sewer charges, or approve the manner and technique of flow measurement provided by the user for determining wastewater discharged to the municipal wastewater system. Facilities utilized to accomplish this shall be installed and maintained in a serviceable condition by the User at his expense but shall be under the exclusive control of the City.

10.7 Billing Procedure Generally.

Sewer billings and invoices shall be rendered and collected approximately monthly. The Board shall, on proper cause being shown by the applicant that in a singular occurrence, metered water did not reach the municipal wastewater system, adjust the user's sewer charge with respect to such occurrence.

In the event there is a difference in analytical results that is not explainable by normal variation in the testing procedure, the User may, within thirty (30) days of billing, appeal to the Board.

10.8 Tenants May Be Billed: Right of Owners to Examine Records.

The sewer charges may be billed to the tenants occupying the premises served, unless otherwise instructed in writing by the person who owns the premises. Such billings shall in no way relieve the owner of liability in the event payment is not made as herein required. This liability only relates to the portion of the past due account that is attributable to sewer services and does not apply to electric or water services. The owners of the premises 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 sewer charges have been paid by such tenants; provided that such examination shall be made at the office at which the records are kept and during the hours that such office is open for business.

10.9 Liability of City for Charges.

For the service rendered to any department or agency of the City, except the POTW, the City shall be subject to the sewer charges provided herein.

10.10 Surcharge Based on Flow and Concentration of Wastewater.

All wastewater discharged shall meet the admissibility standards of this Ordinance. Wastewater, from any User, beyond the limits of admissibility set forth in this Ordinance may be accepted and surcharged in accordance with the schedule set forth herein.

Surcharges shall be based on actual quantities discharged for treatment as determined from measured concentration and flow. Surcharge rates for wastewater characteristics not provided for herein may be set at the reasonable discretion of the Board, taking into account all of the Wastewater Treatment Plant's (POTW's) significant cost factors, relating to treatment, handling, and disposal.

10.11 Rates of Surcharge.

The rates of surcharge, in addition to volumetric charge, for the following constituents shall be as follows:

- (a) For biochemical oxygen demand (BOD) in excess of 250 milligrams per pound.

Phase I (effective 1/1/2026) \$0.50 per pound.

Phase II (effective 1/1/2027) \$0.51 per pound.

Phase III (effective 1/1/2028) \$0.52 per pound.

- (b) For suspended solids (SS) in excess of 250 milligrams per pound.

Phase I (effective 1/1/2026) \$0.38 per pound.

Phase II (effective 1/1/2027) \$0.39 per pound.

Phase III (effective 1/1/2028) \$0.40 per pound.

#### 10.12 Rates of Surcharge.

The rates of surcharge, in addition to volumetric charges, for the following constituents shall be as follows:

##### A) Metered Service

##### 1) Base Rate Charge Per Month

<b>Base Rate</b>	<b>In-City Phase I</b>	<b>In-City Phase II</b>	<b>In-City Phase III</b>	<b>Out-of-City Phase I</b>	<b>Out-of-City Phase II</b>	<b>Out-of-City Phase III</b>
<i>Date Effective</i>	<i>1/1/2026</i>	<i>1/1/2027</i>	<i>1/1/2028</i>	<i>1/1/2026</i>	<i>1/1/2027</i>	<i>1/1/2028</i>
<b>Meter Size</b>						
5/8 - 3/4"	\$10.38	\$10.59	\$10.80	\$12.98	\$13.24	\$13.50
1"	25.97	26.49	27.02	32.46	33.11	33.78
1 - 1/2"	43.03	43.89	44.77	53.79	54.86	55.96
2"	103.86	105.94	108.06	129.83	132.43	135.08
3"	238.88	243.66	248.53	298.60	304.58	310.66
4" & 6"	415.43	423.74	432.21	519.29	529.68	540.26

(Outside corporate City boundaries rates and charges are approximately 25% higher than the rates and charges for customers inside corporate City boundaries)

Plus:

##### 2) Flow Rate - 1,000 Gallons

<b>Flow Rate</b>	<b>In-City Phase I</b>	<b>In-City Phase II</b>	<b>In-City Phase III</b>	<b>Out-of-City Phase I</b>	<b>Out-of-City Phase II</b>	<b>Out-of-City Phase III</b>
<i>Date Effective</i>	<i>1/1/2026</i>	<i>1/1/2027</i>	<i>1/1/2028</i>	<i>1/1/2026</i>	<i>1/1/2027</i>	<i>1/1/2028</i>
Operation, Maintenance & Replacement	\$5.84	\$5.96	\$6.08	\$7.30	\$7.45	\$7.60
Local Capital Charge	4.37	4.46	4.55	5.46	5.58	5.69
<b>Total</b>	<b>\$10.21</b>	<b>\$10.42</b>	<b>\$10.63</b>	<b>\$12.76</b>	<b>\$13.03</b>	<b>\$13.29</b>

(Outside corporate City boundaries rates and charges are approximately 25% higher than the rates and charges for customers inside corporate City boundaries)

Plus

##### 3) Billing Charge – Charge Per Month

<b>Billing Charge</b>	<b>In-City Phase I</b>	<b>In-City Phase II</b>	<b>In-City Phase III</b>	<b>Out-of-City Phase I</b>	<b>Out-of-City Phase II</b>	<b>Out-of-City Phase III</b>
<i>Date Effective</i>	<i>1/1/2026</i>	<i>1/1/2027</i>	<i>1/1/2028</i>	<i>1/1/2026</i>	<i>1/1/2027</i>	<i>1/1/2028</i>
Billing Charge	\$4.02	\$4.10	\$4.18	\$5.03	\$5.13	5.23

(Outside corporate City boundaries rates and charges are approximately 25% higher than the rates and charges for customers inside corporate City boundaries)

B) Unmetered Users

1) Flat Monthly Bill

	In-City Phase I	In-City Phase II	In-City Phase III	Out-of-City Phase I	Out-of-City Phase II	Out-of-City Phase III
<i>Date Effective</i>	<i>1/1/2026</i>	<i>1/1/2027</i>	<i>1/1/2028</i>	<i>1/1/2026</i>	<i>1/1/2027</i>	<i>1/1/2028</i>
Residential Single Family	\$65.47	\$66.78	\$68.12	\$81.84	\$83.48	\$85.15

(Outside corporate City boundaries rates and charges are approximately 25% higher than the rates and charges for customers inside corporate City boundaries)

10.12.1 Sewer Connection Fees.

- (a) The fee or charge that shall be paid to the City for the right to connect to any City sanitary sewer shall be as follows:
- (i) Residential Connection: (a) In-City: \$2,600.00 per dwelling unit; (b) Out-of-City: \$3,250 per dwelling unit, which is one-hundred and twenty-five percent (125%) of the In-City charge. In all cases where multiple dwelling units share a physical connection the connection fee shall be equal to the connection fee per dwelling unit times each separately numbered unit for postal services.
- (ii) Non-Residential Connection: (a) In-City: \$2,600.00 per Equivalent Dwelling Unit (EDU); (b) Out-of-City: \$3,250 per EDU, which is one-hundred and twenty-five percent (125%) of the In-City charge. In all cases the number of EDU's shall be determined by dividing the estimated monthly water usage by the number of gallons of water that equals one (1) EDU, as EDU is defined herein. The estimated water usage shall be determined by a licensed engineer for the intended use and level of use of the proposed development and shall be provided to the City by and at the expense of the party requesting a service connection.
- (b) Inspection Fee. In addition to the connection fee in (A) above, the fee or charge that shall be paid to the City for inspection of the physical connection to the City's sanitary sewer

main shall be \$30.00 for a single-family residential inspection, \$50.00 for a multi-family residential inspection, and \$120.00 for a commercial or industrial inspection.

#### 10.12.2 Basic Sewer Charges.

For the use and the service rendered by said sewage works, volumetric sewer charges shall be paid as hereinafter provided and shall be in an amount determined as follows:

##### A) Minimum Charge per month for Metered Service

The appropriate Base Monthly Rate for the meter size, plus 1,000 gallons of monthly flow rate charges, plus the billing charge. For example, a customer with a 5/8 – 3/4 –inch meter will pay a minimum charge of:

	In-City Phase I	In-City Phase II	In-City Phase III	Out-of-City Phase I	Out-of-City Phase II	Out-of-City Phase III
<i>Date Effective</i>	<i>1/1/2026</i>	<i>1/1/2027</i>	<i>1/1/2028</i>	<i>1/1/2026</i>	<i>1/1/2027</i>	<i>1/1/2028</i>
Minimum Charge	\$24.61	\$25.11	\$25.61	\$30.77	\$31.40	\$32.02

(Outside corporate City boundaries rates and charges are approximately 25% higher than the rates and charges for customers inside corporate City boundaries)

##### B) Minimum charge per month for unmetered service

The minimum charge shall be the rate established in 50.186 “Rates of surcharge.”

#### 10.12.3 Pretreatment Program Charges.

- (a) Permit Fee
  - 1. new \$500
  - 2. renewal \$250

(Every 5 years unless required sooner by State or Federal Agencies)
- (b) Annual Permit Review \$50 (1 time per year)  
(none on years of permit renewal)
- (c) Program Administration Charge \$0.020/1000 gal for  
(Subject to Annual Review) Significant Industrial Users only
- (d) Monitoring Setup/Teardown Fee \$60 per event  
(minimum 2/year)
- (e) Site Inspection Fee \$30 per visit  
(minimum 1/year)

(f) Sample Analysis & Reporting Fees (minimum 2 samplings per year)

Charges based on cost per sample per parameter analyzed. A Fee Schedule shall be maintained and established by the Water Pollution Control Department for the following categories:

**Test Group Fees to be Established by the WPC**

Test Name:

AMMONIA-N  
ARSENIC  
CADMIUM  
cBOD  
CHROMIUM  
COD  
COPPER  
CYANIDE  
CYANIDE AMENABLE TO CHLORINE  
E.COLI  
FECAL COLIFORM  
LEAD  
MOLYBDENUM  
NICKEL  
OIL & GREASE  
PH  
PHOSPHORUS  
SELENIUM  
SILVER  
TBOD  
TSS  
ZINC  
DISSOLVED SOLIDS  
PHENOL

The City Wastewater Utility reserves the right to require additional parameters at a unit charge to be based on the City's cost of providing the service. Additional monitoring and/or analytical costs to the City may be charged to the respective User. The City will only charge the actual cost of the lab analysis in an effort to recoup the costs of analysis.

10.12.4 Rates for Licensed, Commercial or Industrial Waste Hauling

The Board is empowered to determine rates, charges, and fees for septic tank, industrial wastes, and other disposable wastewater and wastes delivered to the wastewater treatment plant, as provided herein, and to collect such charges and fees.

10.12.5 Charges for Special Agreements

The Board is empowered to determine and to collect such charges as it may reasonably provide for under special agreements and arrangements entered into by the Board, on behalf of the City.

10.12.6 Governmental Exemption to Surcharge

Local, State and Federal government entities and their subdivisions shall pay fees and charges listed in Article X as if they are located within the City limits of the City whether or not the connection is located within the City limits.

10.13 Delinquent Accounts.

Charges for wastewater service levied pursuant to this Ordinance shall be due and payable on or before the due dates shown on the bills. Any service charge not paid by the due date (approximately seventeen (17) days after the bill is rendered) shall be considered delinquent. The delinquent charge shall be ten (10%) percent of the delinquent amount and shall be added to the next statement rendered unless by then paid. Delinquent sewage charges together with delinquent penalties, costs and other expenses of collection may be collected by any lawful remedy, including, where applicable, the placing of and foreclosure of liens on real estate as provided by state law.

10.14 Budget Payments.

If and when the City installs and has operating appropriate software, any users of utilities furnished by the city may elect to pay their monthly statements for utilities at a flat, prearranged budget rate for 11 months. The twelfth month, which shall be July of each year, shall be the balancing month during which any overcharge shall be credited, and any undercharge shall be added to the user's July statement. The Clerk-Treasurer shall periodically

review budget accounts and shall have the responsibility to adjust budget rates during any of the 11 months upon a finding that the budget rate is either at a substantially excessive or deficient charge.