

ORDINANCE 2026-21

AN ORDINANCE AMENDING CHAPTER 34 ENTITLED “BOARDS, COMMISSIONS, AND DEPARTMENTS” OF THE CITY OF AUBURN CODE OF ORDINANCES

SUMMARY

This ordinance amends and restates Chapter 34 entitled “Boards, Commissions, and Departments” of the City of Auburn Code of Ordinances to add Sub-Chapter 34.200 entitled “Utility Rate Advisory Board”.

____ Recorder’s Office

____ Auditor’s Office

 x Clerk’s Office

____ Other

____ Publish Public Hearing

____ Publish O/R after adoption

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AN ORDINANCE AMENDING CHAPTER 34 ENTITLED "BOARDS, COMMISSIONS, AND DEPARTMENTS" OF THE CITY OF AUBURN CODE OF ORDINANCES

WHEREAS, the Common Council of the City of Auburn, Indiana, ("Council") finds it proper to create a non-voting advisory board for purposes of advising on the rates charged for municipally owned utilities;

WHEREAS, the Council finds that the creation of a Utility Rate Advisory Board to be a valuable resource and tool for the residents of the City of Auburn, Indiana ("City");

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF AUBURN, INDIANA, as follows:

SECTION 1. That Chapter 34 entitled "Boards, Commission, and Departments" of the City of Auburn Code of Ordinances is hereby amended to add Sub-Chapter 34.200, *et seq.* as follows:

34.200 ESTABLISHMENT

There is hereby created an advisory board to be known as the Utility Rate Advisory Board, ("Board").

34.201 MEMBERSHIP

The Board shall consist of five members: two of the members shall be appointed by the Mayor and must be City utility users who are property owners or tenants within the City limits and three of the members shall be appointed by the Council, of which two must be City utility users who are property owners within the City limits and one of the members must be a City utility user who is a property owner or tenant who property or leased premises is located outside of the City limits. Members shall serve for four year terms each; provided that of the individuals first selected to serve, two members will serve an initial term of one year, one member will serve an initial term of 2 years, one member will serve an initial term of three years, and one member will serve an initial term of four years. Any vacancy occurring on the Board shall be filled for the remainder of the term by the appointing authority. The first year term shall expire on December 31 of the year this sub-chapter becomes effective and members will continue to serve until their successor is appointed and qualified.

34.202 MEETINGS

The Board shall select one of its members as Chairman and one of its members as Secretary. The Board shall meet upon the call of the Chairman or upon the call of any three of its members. Meetings shall be open to the public and subject to the Indiana Open Door Law pursuant to Ind. Code § 5-14-1.5-1, *et seq.*

34.203 RESPONSIBILITIES

(A) The Board shall have the responsibility of investigating, gathering information, deliberating, and advising the Common Council and Board of Public Works and Safety of the City with regard to any future proposed changes to the general rates and charges for the use of and services rendered by the municipal-owned electric, sewage, and water utilities, and with regard to any future proposed capital improvements, the costs of which would be required to be financed by the issuance of a debt instrument by the City. The Board's capacity shall be advisory only, and the Common Council or the Board of Public Works and Safety shall not be bound by any recommendations or advice received from the Board. The Board shall not be required to investigate, deliberate, or advise the Council with regard to any rate increases or decreases which are implemented solely for the purpose of tracking increases or decreases in the cost of fuel or electricity from the City's wholesale supplier.

(B) The Board shall, in its investigation, deliberation and advice, strive to advise the Common Council on rates and charges for the use of any services rendered by the municipal-owned electric, sewage, and water utilities, which are nondiscriminatory, reasonable and just, and which will produce sufficient revenue to maintain the utility property in a sound physical and financial condition and to render adequate and efficient service, all in accordance with the standards set out in Ind. Code § 8-1.5-3-8. The Board shall have access to all books, records, financial statements, accounting reports, operating reports, and other documents which are relevant to their investigation, deliberation, and advice as to rates and charges meeting the foregoing standards.

34.204 COMPENSATION

Members of the Board shall receive no compensation for their services, nor for their time expended, nor time lost from work.

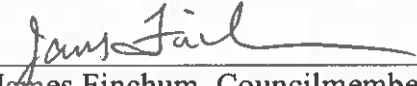
34.205 REMOVAL FROM UTILITY RATE ADVISORY BOARD

The members of the Board may be removed at any time by the appointing authority for cause.

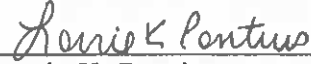
SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

First Reading _____
Second Reading _____

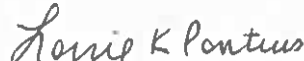
PASSED AND ADOPTED by the Common Council of the City of Auburn, Indiana, this 21st day of July, 2026.


James Finchum, Councilmember

ATTEST:


Lorrie K. Pontius
Clerk-Treasurer

Presented by me to the Mayor of the City of Auburn, Indiana, this me this 21st day of July, 2026.


Lorrie K. Pontius, Clerk-Treasurer

APPROVED AND SIGNED by me this 21st day of July, 2026.


David E. Clark, Jr., Mayor

VOTING:

AYE

NAY

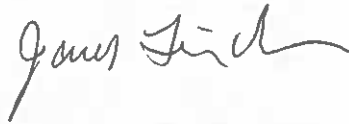
Natalie DeWitt



Rod Williams



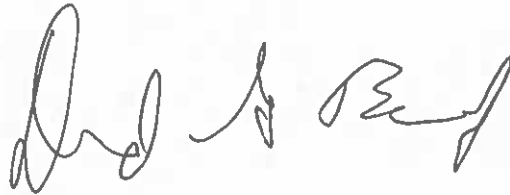
James Finchum



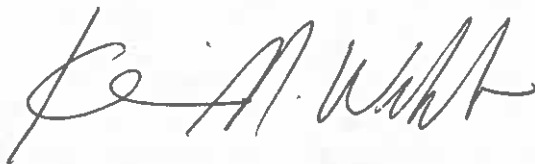
Dan Braun



David Bundy



Kevin Webb



Emily Prosser

