

## RESOLUTION NO. 2012 - 02

### **A RESOLUTION OF THE MUNCIE SANITARY DISTRICT TO AMEND RESOLUTION 2006-10 FOR THE PURPOSE OF ESTABLISHING NEW RATES AND CHARGES FOR THE USERS OF THE STORMWATER SYSTEM OF THE MUNCIE SANITARY DISTRICT**

**WHEREAS**, the Board of Sanitary Commissioners of the Muncie Sanitary District, of Muncie Indiana (the "Board") has heretofore enacted Resolution 2006-10 on December 19, 2006 which established a Stormwater Management Department within the Muncie Sanitary District (the "MSD") for the purpose of managing the stormwater collection and conveyance systems within the MSD and to manage the activities required to maintain and improve those systems and established the rates and the charges for the users of the stormwater systems within the MSD, and

**WHEREAS**, the existing rates and charges as are set forth in Section 1.5 of Resolution 2006-10 have continuously remained in effect through the date of this resolution, and

**WHEREAS**, the MSD has caused a financial study to be done by its financial advisors, H.J. Umbaugh & Associates, Certified Public Accountants, LLP, to determine rates that would provide sufficient funding to operate, manage, maintain, replace, improve and provide debt service for the stormwater collection and conveyance systems as is required under Indian Code 36-9-25, and

**WHEREAS**, based upon the advice of the MSD's financial advisors, the Board finds that it is necessary to increase the rates and charges for the operation, management, maintenance, replacement, improvement and debt service of the stormwater collection and conveyance systems within the MSD;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SANITARY COMMISSIONERS OF THE MUNCIE SANITARY DISTRICT:

Section 1. Resolution 2006-10, **SECTION 1.5: STORMWATER SERVICE CHARGE ESTABLISHMENT PROCEDURES** is amended to read as follows:

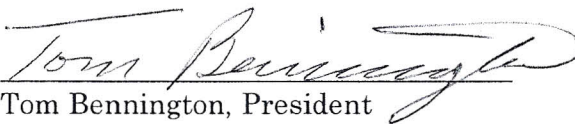
"(A) Stormwater Service Charge Per ERU: The Stormwater Service Charge shall be \$6.00 per ERU per month. For the purpose of this chapter, a month shall be considered 25 through 35 days. Any billings for stormwater service outside this time shall be on a per diem basis."

Section 2. Resolution 2006-10, **SECTION 1.6: SERVICE CHARGE STRUCTURE AND CALCULATION** is amended by replacing the Exhibit A referred to in SECTION (C) (1) and (C) (2) of **SECTION 1.6** with a new "Exhibit A Stormwater Management Rate Schedule", which shall read as the Exhibit A which is attached to this Resolution and incorporated as a part hereof as though set forth at length herein.

Section 3. This Resolution may be passed and adopted after public hearing in accordance with Indiana Code 36-9-25-11(c) and Indiana Code 5-3-1 as it is introduced or as it is amended. Upon being passed and adopted this Resolution shall become effective and shall remain in effect until changed or repealed by the Board.

**THIS RESOLUTION PASSED AND ADOPTED** by the Board of Sanitary Commissioners of the Muncie Sanitary District, Muncie Indiana this 6th day of March, 2012.

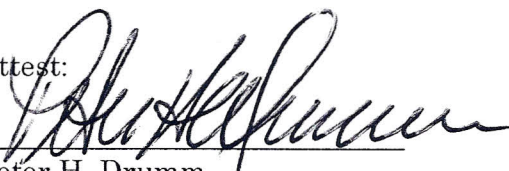
BOARD OF SANITARY COMMISSIONERS  
OF THE MUNCIE SANITARY DISTRICT,  
MUNCIE, INDINA

  
Tom Bennington, President

  
Steven Murphy, Vice-President

  
Teresa L. Ford, Secretary

Attest:

  
Peter H. Drumm  
Attorney for Muncie Sanitary District

## EXHIBIT A

### STORMWATER MANAGEMENT RATE

CLASSIFICATION	DESCRIPTION	MULTIPLIER	RATE PER MONTH	SEMIANNUAL RATE	ANNUAL RATE
R	Residential	1	\$6.00	\$36.00	\$72.00
1	Other ≤ 5,000 SF	1	\$6.00	\$36.00	\$72.00
2	Other 5,001 – 11,000 SF	3	\$18.00	\$108.00	\$216.00
3	Other 11,001 – 22,000 SF	6	\$36.00	\$216.00	\$432.00
4	Other 22,001 – 34,000 SF	11	\$66.00	\$396.00	\$792.00
5	Other 34,001 – 56,000 SF	17	\$102.00	\$612.00	\$1,224.00
6	Other 56,001 – 94,000 SF	28	\$168.00	\$1,008.00	\$2,016.00
7	Other 94,001 – 147,000 SF	47	\$282.00	\$1,692.00	\$3,384.00
8	Other 147,001 – 235,000 SF	75	\$450.00	\$2,700.00	\$5,400.00
9	Other 235,001 – 500,000 SF	133	\$798.00	\$4,788.00	\$9,576.00
10	Other > 500,000 SF	200	\$1,200.00	\$7,200.00	\$14,400.00