

**CITY OF HOBART STORM WATER MANAGEMENT DEPARTMENT
BOARD OF DIRECTORS**

Resolution No. 2017-01

**A Resolution Expressing the Opposition of the Hobart Storm Water Management
Department Board of Directors to the enactment of Indiana State Senate Bill 502
which Proposes to Exempt Educational, Religious and Agricultural property
from Storm Water Management Fees**

WHEREAS, the Board of Directors (“Board”) of the City of Hobart (“City”) Department of Storm Water Management (“Department”), which is comprised of persons who are also the members of the City Board of Sanitary Commissioners pursuant to I.C. §8-1.5-5-4 (g), has been informed that the Indiana State Senate has under active consideration in the 2017 session of the Indiana General Assembly Senate Bill 502 (“SB502”); and

WHEREAS, SB502 proposes to forbid a municipality or county to assess storm water fees with respect to: (1) property where religious services are held regularly; (2) property that belongs to a school corporation and is used for educational purposes; or (3) property that is assessed as agricultural land for property tax purposes; and

WHEREAS, the Board, in accordance with law, has established a system of rates and charges applied to all properties in the City of Hobart based on the amount of impervious surface area for the purpose of defraying equitably the cost of the City’s required storm water management activities. Only six (6) months ago, the Board adopted, after a detailed cost study, a new system of rates and charges which include charges on the educational, religious and agricultural properties potentially affected by the Senate Bill. Enactment of this Bill would require the Department to replace the lost revenue while still providing storm water management services to those properties; and

WHEREAS, the loss of this revenue is not inconsiderable since some of the largest impervious areas in the City or owned by school corporations and religious institutions where active worship takes place regularly. It must also be observed that open tilled and untilled agricultural land is already not affected by storm water fees, but that the Bill will not allow fees to be imposed on the paved roads, buildings and other impervious areas that may be assessed as agricultural property, yet contribute to storm water management needs; and

WHEREAS, storm water fees are not taxes. They are in the nature of public utility fees for services necessary to convey and dispose of a property’s storm water in a lawful, environmentally responsible manner. In this regard they are no different from electrical, water or sanitary sewage fees, all of which apply equally to schools, religious organizations and agricultural uses; and

WHEREAS, the most serious effect of the enactment of SB502 would be to place yet another undue burden on homeowners and businesses who must be saddled with the additional fees necessary to provide services to the institutions exempted by the Bill.

THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Hobart Sanitary District that:

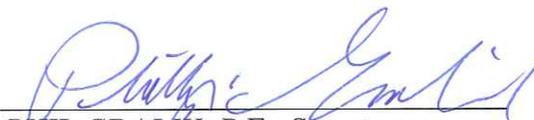
a. The Board finds that the enactment of SB502 would have a detrimental effect on the people and business community of the City of Hobart and the storm water management Department of the City for the reasons stated above.

b. The Board declares its opposition to SB502 and calls upon the members of the Indiana State Senate to defeat SB502. In the event it passes, the Board likewise appeals to the members of the Indiana House of Representatives and the Governor to prevent the Bill's enactment into law.

c. The Board directs that a copy of this Resolution be transmitted to State Senator Eddie Melton, forthwith.

ALL OF WHICH is adopted as the Resolution of the Board of Directors of the City of Hobart Storm Water Management Department on this 8th day of February, 2017.


ROBERT B. FULTON, President

ATTEST: 
PHIL GRALIK, P.E., Secretary