

EXHIBIT A
to
City of Hobart Ordinance No. 2016-25

CITY OF HOBART STORM WATER MANAGEMENT BOARD OF DIRECTORS
SCHEDULE OF USER FEE RATES AND CHARGES

JANUARY 1, 2017 until further notice

Section 1. Application. This schedule shall apply to every parcel of real estate within the boundaries of the City of Hobart which is improved by a residence, other building, structure or appurtenance which results in an adjusted impervious area. An adjusted impervious area of not more than 1650 square feet shall constitute 1 (one) Equivalent Runoff Unit (“ERU”).

Section 2. Definitions. For the purposes of this schedule, the terms following shall have the specified meaning:

a. **Residential Customer.** An owner of a parcel of real estate within the City improved by a single family dwelling.

b. **Non Residential Customer.** An owner of a parcel of real estate within the City which is improved by a building, structure or appurtenance other than a single family dwelling.

c. **Adjusted Impervious Area.** The area of a parcel of real estate covered by buildings, roadways, walks and structures which prevent the free absorption of rain water by the soil. An Adjusted Impervious Area of 1650 square feet equals one ERU. For the purposes of this schedule, a single family dwelling (residential customer) is assumed to have 1 ERU, irrespective of size.

Section 3. Establishment of Rates. The Department shall assign each owner of a parcel of real estate a classification as to whether such owner is a residential or non-residential customer as to that parcel. Non-residential customers, for each parcel, shall have that parcel further classified as to the number of ERUs for the parcel based on the adjusted impervious area of the parcel. The non-residential classes of parcels for rate purposes are established as those having up to five (5) ERUs, those having from five (5) to ten (10) ERUs, those having from ten (10) to twenty five (25) ERUs, those having from twenty five (25) to fifty (50) ERUs, and those having more than fifty (50) ERUs. The owner of each parcel of real estate in the City of Hobart, commencing January 1, 2017, and increasing each year thereafter on January 1, shall pay a storm water fee, annually, as follows:

	Calendar Year 2017	Calendar Year 2018	Calendar Year 2019	Calendar Year 2020	January 1, 2021 and thereafter
Residential Customers:					
Customer Charge	\$ 36.00	\$36.00	\$36.00	\$36.00	\$ 36.00
ERU Charge	81.95	86.50	91.10	95.65	100.20
Total	\$117.95	122.50	127.10	131.65	\$136.20
Non-Residential Customers:					
Customer Charge	\$36.00	\$36.00	\$36.00	\$36.00	\$ 36.00
Charge per ERU:					
First 2 ERUs	\$81.95	\$86.50	\$91.10	\$95.65	\$100.20
Next 68 ERUs	54.67	57.71	60.75	63.79	66.83
Over 70 ERUs	27.29	28.81	30.33	31.85	33.37

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Section 4. Payment of User Fees. The user fees prescribed in this schedule shall be collected through a charge appearing on the semiannual property tax statement of each affected property owner of the City. The amount to be charged on each semiannual property tax statement shall be an amount equal to the applicable annual rate for the property owner in each year as stated above divided by two (2).

Section 5. Enforcement. The Storm Water Management Department of the City of Hobart may impose a lien on the real estate of a person or organization who, for a period of more than sixty (60) days, fails to pay the full rates and charges prescribed herein when due, and may foreclose upon the lien when necessary or desirable. This paragraph is not intended to limit the legal and equitable rights of the Department to obtain appropriate enforcement of the sums due by any other lawful means.

1 resolution making the Board’s adoption of such rates and charges, and recommending final
2 action by the Common Council (“Council”) of the City to give effect to such system of rates and
3 charges by ordinance; and
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5 WHEREAS, the Board, having considered all of the matters referenced above adopted its
6 Resolution Number 2016-03 on July 5, 2016 which proposed a newly revised user fee system of
7 rates and charges to take effect on January 1, 2017 and to remain in effect until further notice, to
8 continue to collect said fees through the property tax statements of affected property owners, and
9 scheduled public hearing upon said matters for August 10, 2016 at the Board’s regular meeting
10 scheduled for that date and authorized publication of notice of same in the manner required by
11 law; and
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13 WHEREAS, the Board gave notice of such hearing by publication in two newspapers of
14 general circulation in the City, namely *The Post-Tribune* and *The Times*, both on July 20, 2016
15 and July 27, 2016, in the manner required by I.C. §5-3-1-2(b), and such hearing was conducted
16 as scheduled on August 10, 2016; and
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18 WHEREAS, the Board, at the conclusion of said public hearing, adopted and approved its
19 Resolution No. 2016-03 confirming its final action on the newly revised system of rates and
20 charges for said user fees effective January 1, 2017, their collection by a charge appearing on the
21 semiannual property tax statements of affected property owners in the City, and recommending
22 the adoption and enactment of these actions by the Council; and
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24 WHEREAS, the Council has carefully evaluated the materials prepared by the Board in
25 connection with the proposed rate system, and has had the opportunity to ask questions
26 concerning the proposed adoption of the newly revised rate system; and
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28 WHEREAS, the Council has concluded that the adoption of the proposed newly revised
29 system of Storm Water rates and charges proposed is in the best interest of all of the residents of
30 the City, that the expense of proper maintenance, planning and development for the Storm Water
31 system require adequate resources which are not otherwise obtainable, and that failure to address
32 the storm water management needs of the City will expose it to worsening overflows,
33 inundations, legal challenges by governmental authorities and even higher costs to its residents;
34 and
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36 WHEREAS, the Council desires to approve said newly revised system of rates and
37 charges and their collection through a charge appearing on the semiannual property tax
38 statements of affected property owners in the City.
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40 THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart,
41 Indiana that:
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43 *SECTION ONE.* The User Fee system of Rates and Charges for the
44 City Storm Water Department which is proposed to take effect on January 1,
45 2017, and remain in effect until further notice, as described and set out on Exhibit
46 “A,” attached, is hereby adopted and approved in every respect.

SECTION TWO. The Council hereby authorizes and directs that collection of said user fees and charges continue to be accomplished through a charge appearing on the semiannual property tax statement of each affected property owner of the City, commencing with the first installment of 2016 real estate taxes payable in 2017.

SECTION THREE. The Clerk-Treasurer is directed to give notice of the enactment of this Ordinance to the officials of Lake County administering the property tax billing and collection system, and to those officials of the State of Indiana required by law.

SECTION FOUR. All ordinances or portions thereof in effect prior to the effective date and in conflict with the provisions of this ordinance are hereby repealed.

ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 7th day of September, 2016.

[Signature]
PRESIDING OFFICER

ATTEST: [Signature]
DEBORAH A. LONGER, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 7th day of September, 2016 at the hour of 7:45 p.m.

[Signature]
DEBORAH A. LONGER, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 7th day of September, 2016.

[Signature]
BRIAN K. SNEDECOR, Mayor

ATTEST: [Signature]
DEBORAH A. LONGER, Clerk-Treasurer