

ORDINANCE NO. 11-02-2023-24

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN
OF BRISTOL, INDIANA AMENDING CHAPTER 51 OF THE
TOWN OF BRISTOL, INDIANA CODE OF ORDINANCES TO
AUTHORIZE A NEW WATER UTILITY RATE FOR CERTAIN
SPRINKLER SYSTEM SERVICES

WHEREAS, the Town of Bristol, Indiana (the “Town”) is a duly formed municipal corporation within the State of Indiana governed by its duly elected Town Council (the “Council”); and

WHEREAS, Indiana Code authorizes the Town to exercise powers to regulate the furnishing of water to the public; establish, maintain, and operate waterworks; and regulate the furnishing of such service within four (4) miles of the Town’s corporate boundaries; and

WHEREAS, the Town owns and operates a municipal waterworks system for the treatment and distribution of potable water to the inhabitants of the Town of Bristol (the “Water Utility”); and

WHEREAS, Indiana Code authorizes the Council to adopt by ordinance nondiscriminatory, reasonable, and just rates and charges for water services rendered by the Town’s utilities; and

WHEREAS, by Ordinance No. 6-15-2023-12, the Town Council has established rates and charges for the Water Utility for customers connected to the Town’s municipal water system; and

WHEREAS, pursuant to Indiana Code, the Council may modify or adjust its existing schedule of fees by ordinance after providing notice and conducting a public hearing; and

WHEREAS, it has been determined by the Council that to meet the demands of increasing economic growth in the Town, a rate for building sprinkler systems serviced by ten (10) inch diameter water service lines should be established, at such rate as advised by Baker Tilly Municipal Advisors, LLC following a recent rate study; and

WHEREAS, the Council now determines that proper notice has been duly given as required by Indiana Code § 8-1.5-3-8.1, and that a public hearing on the proposed schedule of rates and charges has been duly held on November 2, 2023;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Bristol, Indiana, meeting in regular session, and after considering the needs of the Town’s Water Utility, determines it is necessary to make changes and amend the water rates and charges in the Town of Bristol, Elkhart County, Indiana in the following manner:

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

Section 2. As of the effective date of this Ordinance, Section 51.06 of the Code, entitled “Rates for Sprinkler Systems and Public Drinking Fountains,” shall

be amended and replaced in its entirety with the new Section 51.06 attached as Exhibit A hereto and incorporated herein.

Section 3. All ordinances and parts of ordinances, and all Titles, Chapters and/or Sections of the Bristol Code of Ordinances that conflict with the provisions contained herein are hereby specifically repealed as of the effective date of this Ordinance.

Section 4. If any portion on this Ordinance is for any reason declared to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance so long as enforcement of the same can be given the same effect.

Section 5. The rates and charges herein set forth shall be in full force and effect for all billings of Water Utility services at the first full monthly billing therefor following the final passage and adoption of this Ordinance. All other provisions of this Ordinance shall be in full force and effect from and after its adoption and publication as required by law. All acts pursuant to the adoption of this Ordinance are hereby ratified.

* * * * *

ADOPTED THIS ____ DAY OF _____, 2023.

TOWN COUNCIL OF THE
TOWN OF BRISTOL, INDIANA

Jeff Beachy, President

Cathy Burke

Andrew Medford

Gregg Tuholski

Doug DeSmith

ATTEST:

Cathy Antonelli, Clerk-Treasurer

EXHIBIT A

§ 51.06 RATES FOR SPRINKLER SYSTEMS AND PUBLIC DRINKING FOUNTAINS.

(A) The rates for sprinkler systems and public drinking fountains shall be determined by the town.

(B) Until otherwise modified, the rate for building sprinkler systems as determined by the diameter of the service line for the system is as follows:

Size of Line	Annual Fee	
	Inside Town	Outside Town ¹
4 inch	\$130.29	\$148.53
6 inch	\$378.45	\$431.43
8 inch	\$806.51	\$919.42
10 inch	\$1,450.37	\$1,655.13

¹ Represents a 14% increase from Inside Town rates.

('97 Code, § 9-15) (Ord. 5-21-1966, passed 5-2-66; Amended by Ord. 12-11-97(A), passed 12-11-97; Ord. 10-21-99(A), passed 10-21-99; Ord. 2-21-13, passed 2-21-13; Ord. 6-15-2023-12, passed 6-15-23; Ord. 11-02-2023-24, passed 11-02-23.)