

1 WHEREAS, the Board has implemented the process to make said system of fees and
2 charges effective in the City as required by I.C. §8-1.5-5-7 (b), which requires the Board to
3 conduct a public hearing upon same after due notice to the public is published in the manner
4 required by §5-3-1-2 (b), and then to obtain the approval of such system of fees and charges by
5 the Common Council (“Council”) of the City; and
6

7 WHEREAS, the Board adopted its Resolution No. 2015-01 on October 14, 2015
8 proposing such extension of the system of rates and charges, authorizing collection of same
9 through the property tax bills of affected property owners, and set same for public hearing on
10 November 16, 2015; and
11

12 WHEREAS, the Board gave notice of such hearing by publication in the manner required
13 by I.C. §5-3-1-2(b), and such hearing was conducted as scheduled on November 16, 2015; and
14

15 WHEREAS, the Board, at the conclusion of said public hearing, adopted and approved its
16 Resolution No. 2015-02 confirming its final action on the extension of the system of rates and
17 charges for said user fees for 2016, their collection by a charge appearing on the semiannual
18 property tax statements of affected property owners in the City, and recommending the adoption
19 and enactment of these actions by the Council; and
20

21 WHEREAS, the Council has carefully evaluated the materials prepared by the Board in
22 connection with the proposed rate system, and has had the opportunity to ask questions
23 concerning the proposed extension of the rate system; and
24

25 WHEREAS, the Council has concluded that the adoption of the extension of the existing
26 system of Storm Water rates and charges proposed is in the best interest of all of the residents of
27 the City, that the expense of proper maintenance, planning and development for the Storm Water
28 system require adequate resources which are not otherwise obtainable, and that failure to address
29 the storm water management needs of the City will expose it to worsening overflows,
30 inundations, legal challenges by governmental authorities and even higher costs to its residents;
31 and
32

33 WHEREAS, the Council desires to approve said proposed extension of the existing
34 system of rates and charges and their collection through a charge appearing on the semiannual
35 property tax statements of affected property owners in the City.
36

37 THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart,
38 Indiana that:
39

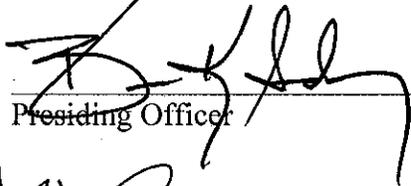
40 *SECTION ONE.* The User Fee system of Rates and Charges for the
41 City Storm Water Department which is in effect for the period from January 1,
42 2015 through December 31, 2015 is hereby extended to appear upon the property
43 tax billing for 2015 payable in 2016, first installment and second installment, and
44 which is attached hereto as Exhibit “A.” Said system is hereby enacted and
45 approved in all respects, and shall be given effect immediately upon the passage
46 and execution of this Ordinance.

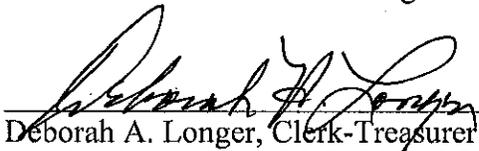
1 SECTION TWO. The Council hereby authorizes and directs that
2 collection of said user fees continue to be accomplished through a charge
3 appearing on the semiannual property tax statement of each affected property
4 owner of the City, commencing with the first installment of 2015 taxes payable in
5 2016 referred to above in Section One, and continuing through the second
6 installment...

7
8 SECTION THREE. The Clerk-Treasurer is directed to give notice of the
9 enactment of this Ordinance to the officials of Lake County administering the
10 property tax billing and collection system, and to those officials of the State of
11 Indiana required by law.

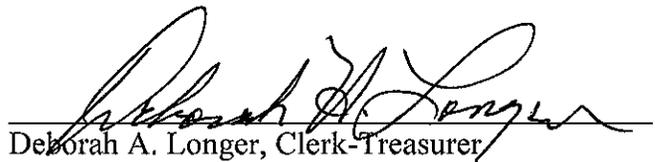
12
13 SECTION FOUR. All ordinances or portions thereof in effect prior to the
14 effective date and in conflict with the provisions of this ordinance are hereby repealed.

15
16 ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of
17 Hobart, Indiana on this 18th day of November, 2015.

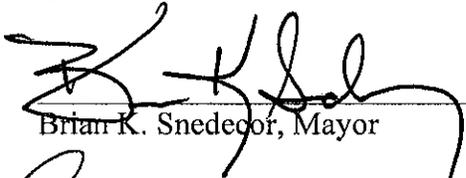
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19
20
21 
22 _____
23 Presiding Officer

24 ATTEST: 
25 _____
26 Deborah A. Longer, Clerk-Treasurer

27
28 PRESENTED by me to the Mayor of the City of Hobart on the 18th day of
29 November, 2015 at the hour of 7:00 pm

30
31
32
33 
34 _____
35 Deborah A. Longer, Clerk-Treasurer

36
37 APPROVED, EXECUTED and RETURNED by me to the Common Council of
38 the City of Hobart on this 18th day of November, 2015.

39
40
41 
42 _____
43 Brian K. Snedecor, Mayor

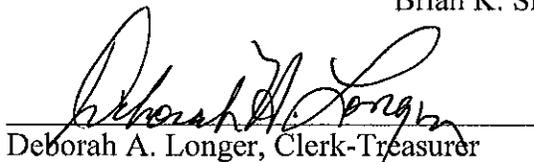
44
45 ATTEST: 
46 _____
47 Deborah A. Longer, Clerk-Treasurer

EXHIBIT A
to
City of Hobart Ordinance No. 2015-35

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

JANUARY 1, 2016 through DECEMBER 31, 2016

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 impervious area of not more than 1650 square feet shall constitute 1 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 solely residential building containing less than four (4) family dwelling units.

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 by a solely residential building comprising less than four (4) family dwelling units.

c. **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 Impervious Area of 1650 square feet equals one ERU. For the purposes of this schedule, a solely residential building comprising less than four (4) family dwelling units (residential customer) is assumed to have 1 ERU, irrespective of size.

d. **Customer Charge.** A component of the storm water annual fee consists solely of the customer’s share of the administrative and capital costs of the program. This charge is equal for all customers in each year. The total of the customer charge and the ERU charge for each customer is that customer’s total annual storm water fee.

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. The Department shall determine, for each non-residential parcel, the number of ERUs for the parcel based on the impervious area of the parcel. The owner of each

1 parcel of real estate in the City of Hobart, commencing January 1, 2016, shall pay a storm water
 2 fee for 2016, as follows:

3
 4 **(A) Residential Customers**
 5

	Annual Rates Effective January 1
Customer Charge	2016 \$ 45.60
ERU Charge	84.00
Totals	\$129.60

6
 7
 8 **(B) Non-Residential Customers**
 9

	Annual Rates Effective January 1
Customer Charge	2016 \$ 45.60
ERU Charge per ERU:	
First 2 ERUs	84.00
Next 68 ERUs	56.04
Over 70 ERUs	27.96

10
 11
 12 **Section 4. Payment of User Fees.** The user fees prescribed in this schedule shall
 13 be collected through a charge appearing on the semiannual property tax statement of each
 14 affected property owner of the City. One-half of the annual fee will appear on each semiannual
 15 property tax statement. The fees shall be imposed and collected through the semiannual property
 16 tax statement for tax year 2015 payable in 2016, first and second installments. The rate to be
 17 charged to each property owner on each property tax billing is specified in Section 3, divided in
 18 semiannual installments as authorized by law.

19
 20 **Section 5. Enforcement.** The Storm Water Management Department of the City of
 21 Hobart may impose a lien on the real estate of a person or organization who, for a period of more
 22 than sixty (60) days, fails to pay the full rates and charges prescribed herein when due, and may
 23 foreclose upon the lien when necessary or desirable. This paragraph is not intended to limit the
 24 legal and equitable rights of the Department to obtain appropriate enforcement of the sums due
 25 by any other lawful means.
 26
 27
 28
 29