

ORDINANCE NO. 2006-2

ORDINANCE AMENDING AND SUPPLEMENTING
ORDINANCE NOS. 1-1996, 1998-2 and 2003-2

WHEREAS, the South Henry Regional Waste District ("District") has heretofore constructed and has in operation a sewage works facilities; and

WHEREAS, the existing sewage rates and charges of the District are set forth in Ordinance No. 1-1996, which was adopted on October 8, 1996, Ordinance No. 1998-2, which was adopted on December 8, 1998, and Ordinance No. 2003-2, which was adopted on February 7, 2003 (collectively, "Existing Rate Ordinances"); and

WHEREAS, the District has determined that the current rates are not sufficient to fund the reasonable and necessary costs of operation and maintenance, debt service and replacement costs; and

WHEREAS, IC 13-26-11-8 provides that the Board of Trustees of the District shall, by ordinance, establish just and equitable fees for the services rendered by the sewage works; and

WHEREAS, the District finds that, based upon advice of its financial advisor, existing rates and charges are insufficient to enable the District to repay the sewage works revenue bonds for the Project and that it will be necessary to establish a new schedule of rates and charges as here in after described;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE SOUTH HENRY REGIONAL WASTE DISTRICT THAT:

Section 1. The Board of Trustees hereby establishes the rates and charges to be paid by the ratepayers of the Original Territory and the Mays Territory as attached as follows:

APPENDIX A	PHASE I	EFFECTIVE JANUARY 1, 2007
APPENDIX B	PHASE II	EFFECTIVE JANUARY 1, 2008
APPENDIX C	PHASE III	EFFECTIVE JANUARY 1, 2009

FOR OTHER USERS THAT DO NOT MEET THE ABOVE CATEGORIES, THEIR TREATMENT RATE WILL BE BASED ON APPLYING THE METERED RATES TO THE ESTIMATED USAGE AS DETERMINED BY THE BOARD OF TRUSTEES ON AN INDIVIDUAL BASIS.

Section 2. All provisions of the Existing Rate Ordinances shall remain in full force and effect.

Section 3. The District shall charge a returned check fee in the amount of Twenty-Five Dollars (\$25.00) for all checks accepted as payment and subsequently dishonored by the issuing bank.

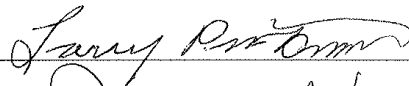
Section 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed. The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

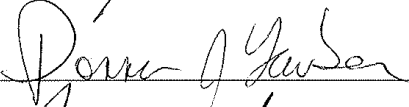
Section 5. The proposed Rates and Charges set forth herein are subject to existing Rates, Capacity and Tap Fee Ordinances and any amendments thereto.

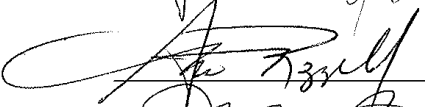
Section 6. This ordinance shall be in full force and effect upon passage and the rates and charges established herein shall be billed and collected on the earliest date allowed by law.


Passed and adopted by the Board of Trustees of the South Henry Regional Waste District on this the 12th day of December, 2006.

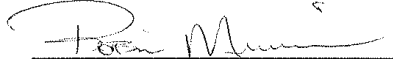
SOUTH HENRY REGIONAL WASTE DISTRICT









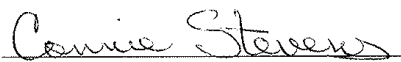








Attest:



Secretary