

**FRANKLIN COUNTY SEWER BOARD  
ORDINANCE NO. 2026-01**

**AN ORDINANCE ESTABLISHING THE RATES AND CHARGES  
FOR THE USE OF AND SERVICES RENDERED BY THE  
FRANKLIN COUNTY SEWER DEPARTMENT**

WHEREAS, Franklin County, Indiana (the "County") has established the Franklin County Sewer Department (the "Department") and the Franklin County Sewer Board (the "Board") for purposes of providing for the collection, treatment, and disposal of sewage in portions of Franklin County; and

WHEREAS, the County has previously secured and is currently using certain funding to provide for the construction of facilities to extend sewer service within a portion of the County generally known as the Reservoir Hill Territory, in part through grant funds awarded by the State of Indiana's Regional Economic Acceleration and Development Initiative ("READI"); and

WHEREAS, the County has further entered into a Wholesale Treatment Agreement with the Town of Brookville to provide for the treatment of sewage collected by the County; and

WHEREAS, the Board has been established by the County, pursuant to an Interlocal Agreement Concerning Sewer Territory and Service by and between the County and Brookville Lake Regional Waste District, and acts as the governing body and trustees of the Department, to be exercised consistent with Indiana Code § 13-26 (the "Act"); and

WHEREAS, in order to operate and maintain the Department, and provide for the collection and treatment of sewage, the Board must establish rates and charges to produce sufficient revenue to pay all expenses incident to the operation of the works, including but not limited to maintenance cost, operating charges, upkeep, repairs, and interest; produce sufficient revenue to provide adequate money to pay treatment costs and obligations, be used as working capital, and for making improvements, additions, extensions, and replacements; and also give due consideration to the interest of ratepayers; and

WHEREAS, it is unlawful for the Department to maintain rates and charges too low to meet the financial requirements of the Department; and

WHEREAS, Reedy Financial Group, P.C., certified public accountants, has performed a rate analysis to evaluate just and equitable rates, charges, and fees, for the use and service provided by the Department; and

WHEREAS, based upon the rate analysis, the Board wishes to establish initial monthly rates and other charges consistent with Indiana law and the Act; and

WHEREAS, the Board finds that the rates and charges set forth herein are necessary to maintain the sewage works in a sound physical and financial condition in order to render adequate and efficient sewage collection and treatment service.

NOW THEREFORE, BE IT ORDAINED BY THE FRANKLIN COUNTY SEWER BOARD, AS FOLLOWS:

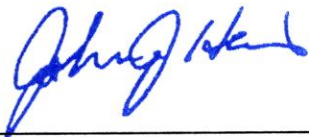
Section 1. The rates, charges, fees, and regulations set forth in Exhibit A, attached hereto and incorporated herein by reference, are hereby adopted.

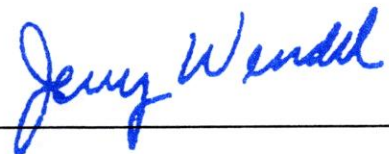
Section 2. The rates, charges, and fees assessed by the Department constitute a lien against the applicable lot, parcel of land, or building to which the rates, charges, and fees are assessed. Liens attach at the time of filing notice of the lien in the Franklin County Recorder's Office, and the lien will be superior to all other liens, except a lien for taxes.


Section 3. The provisions, rates, and charges of this Ordinance are severable. In the event that any one or more of the provisions contained in this Ordinance should be held invalid, illegal, or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions contained herein shall not in any way be affected or impaired and shall remain in full force and effect. Furthermore, to the extent a rate or charge in this Ordinance is declared invalid, the higher of a valid rate or charge or the original rate or charge shall be effective. Nothing in this Ordinance shall be interpreted as restricting the Board's rights or authority as provided by applicable law, including but not limited to its rights and authority under the Act.

Section 4. This Ordinance shall be in full force and effect from and after its passage.

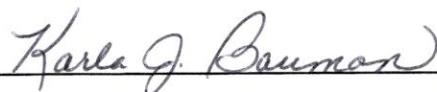
Passed and adopted by the Franklin County Sewer Board this 13<sup>th</sup> day of April, 2026.

  
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ATTEST:

  
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The Board reserves the right to adjust the EDU calculation and monthly rate equivalency for any customer, including single-family dwellings, that is determined to be utilizing more capacity than originally estimated or anticipated.

The Department may also impose its rates and charges on a customer or property owner who has failed and/or refused to connect to the Department's system when: (a) the Department has provided written notice to the affected customer or property owner that the Department has an available sanitary sewer to which the Department may require connection pursuant to Ind. Code § 13-26 or other applicable law; and (b) provided a specific date in the written notice on which the customer must connect to the Department's system under applicable law ("Connection Date"). The Department's rates shall begin to accrue on the Connection Date.

### **Section 3. Non-Domestic Strength Sewage**

Only domestic wastewater shall be discharged into the sewer system. "Domestic wastewater" shall mean the normal domestic-strength sewage wastes from a dwelling unit or other non-industrial user such as wastes from kitchens, water closets, lavatories, and laundry facilities. No floor drain, downspouts, sump pumps, or other surface water, rainwater, or drainage water shall be connected to or discharged into the sewer system. Normal domestic sewage waste strength should not have biochemical oxygen demand in excess of 240 milligrams per liter of fluid; total suspended solids in excess of 250 milligrams per liter of fluid; ammonia in excess of 30 milligrams per liter of fluid; phosphorus in excess of 4 milligrams per liter of fluid; or fats, wax, grease, or oils, collectively, whether emulsified or not, in excess of 100 milligrams per liter of fluid. Any user discharging excessive strength waste shall be responsible for all costs and expenses incurred by the Department related to such waste, including but not limited to all surcharges or fees of the Town of Brookville charged to the Department and any costs associated with testing or monitoring such customer's waste.

### **Section 4. Tap and Capacity Fees**

#### **A. Tap Fee**

1. The tap fee reflects the costs associated with establishing a tap for a customer to connect to the Department's system, and includes the Department's cost to establish a tap into the sewer system up to the curb stop. Where a single customer makes multiple connections, an appropriate multiple of the tap fee will be charged. The customer will separately be responsible for purchasing and installing a grinder system (grinder unit, control panel, electric connection, etc.), installing a service lateral and connecting to the building, and decommissioning the existing septic. Grinder units shall be an E-one system or other grinder system approved by the Board, and shall be sized as required by the Board. No tap fee will be charged for customers that provided a Utility Easement and are connected as a part of the initial project for construction of the Department's sewer system using READI funds.

2. The tap fee for each new customer connection shall be \$7,500.

**B. Capacity Fee**

1. Each customer shall be responsible for all capacity fees charged by the Town of Brookville to Franklin County for such customers.
2. The Town of Brookville capacity fee is currently \$3,565 per EDU for all new connections or new construction or remodeling of existing construction producing additional wastewater flow and discharged to the sewer system. The customer may request and agree to pay the capacity fee over a period of sixty (60) months in equal installments of \$59.42 per month. Absent such agreement, the capacity fee shall be paid in full prior to connection or allocation of capacity. Failure to timely pay any monthly installment shall also cause the full capacity fee to be immediately due. The capacity fee shall be adjusted in the event the Town of Brookville adjusts the capacity fee charge to Franklin County.

**Section 5. Non-Recurring Charges and Service Charges**

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| A. | Account Start Up Fee:  | \$50.00                                |
| B. | Charge for reconnection of service after disconnection of the same Customer:   | \$850.00 per hour, or actual costs     |
| C. | Reprocessing of Customer account due to check not being honored (matter may also be referred to prosecuting attorney of county): | Greater of \$35.00 or 5% of amount due |
| D. | Grinder/Non-Routine Inspection fee:  | Greater of actual costs or \$150.00    |

**Section 6. Inspection Fees**

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| Lateral inspection fee (per trip): | Greater of actual costs or \$150.00 per EDU |
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**Section 7. Collection and Payment Policies, Charges and Disconnection**

**A. Late Payment Charges**

Bills for sewer service will be rendered monthly. Bills which remain unpaid for a period of more than seventeen (17) days following the mailing of the bill by the utility shall be delinquent, and a late payment charge in the amount of ten percent (10%) shall be added to the bill and owed by the customer. In addition, interest at a

rate of one and one-half percent (1½%) per month shall accrue on amounts unpaid after thirty (30) days.

**B. Over Payment**

Over payments by the customer will be applied to the customer's account as a credit towards future rates, charges, and fees, until such credits are fully depleted. Upon termination of the customer's account, any credits remaining after satisfaction of all applicable rates, charges, and fees will be refunded to the customer.

**C. Partial Payment**

In the event that the customer tenders only partial payment or any amount less than the total amount of all rates, charges, and fees outstanding, payments from the customer shall be applied in the following manner:

1. First, payments shall be applied against any and all fees and other non-recurring charges (i.e., late payment charges, capacity fees, reconnection fees, etc.), until all such fees and charges are fully satisfied.
2. Second, payments remaining after full satisfaction of rates, charges, and fees due and owing under Paragraph 1 shall be applied to the remaining portion of the customer's account owed for monthly sewer service.

**D. Collection Policies**

The Department may recover all of its costs associated with collecting delinquent rates and charges, including, but not limited to, any and all attorneys' fees and expenses incurred by the Department in the collection process, and court costs. The Department reserves the right at all times, notwithstanding any waiver, whether express or implied, to pursue any and all available actions it deems necessary, as permitted by law, to collect outstanding or delinquent rates, fees, and charges, including, but not limited to, filing legal actions in a court of competent jurisdiction and/or filing liens against the Customer's property.

**E. Disconnection of Service**

The Department shall have the right to disconnect a customer for nonpayment of service to the customer's property, including providing for the discontinuance of water service where applicable. Prior to discontinuance of service, the Department shall provide the Customer, by mail, with at least ten (10) days prior written notice of its determination to discontinue service if the unpaid charges are not paid before a date specified in the notice. Disconnected service cannot be continued until all fees are paid, including the actual cost for disconnecting/terminating and reconnecting the sewer and/or water service.

## **Section 8. Customer Deposits**

Customers who are late with their payments more than three (3) times in any calendar year may be required to pay a deposit to the Department in an amount equal to the estimated average payment due from the property served by the sewage works for a three (3) month period (as determined by the Department). The Department may hold the deposit and apply the deposit as a total or partial payment toward the customer's future or last bills. If the total of the deposit is not used, the remainder of the deposit will be refunded to the customer after their service has been discontinued. Any deposits not returned or applied to the customer's bills within twelve months will accrue interest at a rate equal to the interest rate earned by the Department on the deposit of such funds at the Department's approved financial institution.

## EXHIBIT A

### Rates and Charges for the Franklin County Sanitary Sewer System

#### Section 1. Applicability

This Schedule applies to service of the Franklin County Sanitary Sewer Service System, under the operation of the Franklin County Sewer Department.

#### Section 2. Monthly Sewer Rates and Charges

All users or customers that are a single-family dwelling shall pay a monthly rate of **\$85.00 per month**.

All other users or customers shall pay \$85.00 per month for each Equivalent Dwelling Unit ("EDU") of anticipated wastewater flow. For example, a customer who produces an estimated three (3) EDU's of wastewater shall incur a monthly sewer charge of \$255.00. In no event shall any single connection be less than one (1) EDU.

In determining EDUs for all users other than single-family dwellings, the estimated flows for the property/user/customer shall be converted to EDUs on the basis of the anticipated sewage from such real estate as compared to the anticipated sewage usage for residential dwelling units. Where available, the Department will calculate the estimated flow in accordance with the flow calculation factors in 327 IAC 3-6-11 and equated to EDUs by dividing the estimated daily flow in the heaviest usage month by 310 gallons per day. However, where actual usage of the property or similar property is instead utilized for determining sewage usage of the property, the EDUs will be determined by dividing the estimated daily flow in the heaviest usage month by 200 gallons per day (i.e., the actual anticipated average usage of a dwelling unit used in the design of the system) in order to determine the property's equivalency to a typical single-family dwelling. When calculations of EDUs result in a fraction, the result shall be rounded up to the next whole number. The estimated flows include domestic type wasteload estimates only and do not include processed water used in industrial or commercial operations, or excessive strength wastes. The Board shall have the right to reevaluate wasteloads at any time and take corrective action to assess for actual usage levels. Upon request, all users or customers shall provide the Department all water usage and water billing data for the property/connection.

The Department initially anticipates two commercial connections to the sewer system: one for the Brook Hill Clubhouse, and one for the Brook Hill Maintenance Building. Based on the available water usage data for the connections, the monthly rates for each are as follows:

- Maintenance Building - \$85 month (1 EDU)
- Clubhouse - \$255 month (3 EDUs)