

Petitioner's Exhibit 18

TOWN OF WINFIELD, LAKE COUNTY, INDIANA

ORDINANCE NO.: 143-G

AN ORDINANCE AMENDING TOWN ORDINANCE NO. 143, AS AMENDED BY TOWN ORDINANCE Nos. 143-A, 143-B, 143-C 143-D, 143-E, and 143-F, THE SAME BEING THE TOWN SEWER RATE ORDINANCE, REPEALING ALL ORDINANCES, OR PARTS THEREOF, IN CONFLICT HERewith, AND ALL MATTERS RELATED THERETO.

WHEREAS, the Town of Winfield, Lake County, Indiana (hereinafter, the "Town"), pursuant to the applicable provisions of I.C. § 36-9-23-1, et seq., (hereinafter the "Act"), owns, operates, manages and controls a Sewage Works Collection System (hereinafter, the "Sewage Works System"); and

WHEREAS, the capital costs of the Town Sewage Works System have been paid for by existing ratepayers and customers through rates and charges, as set forth in Town Sewer Rate Ordinance No. 143, as adopted, and thereafter, amended from time to time; and

WHEREAS, pursuant to the Town Sewer Rate Ordinance No. 143, passed and adopted by the then-Town Council of the Town March 21, 2006, there is a current System Development Charge to new customers of the Town Sewage Works System to pay for such new customer's proportionate share of the historical capital costs of the Sewage Works System, all pursuant to said Town Sewer Rate Ordinance No. 143, as amended; and

WHEREAS, the Town Council has reviewed the existing and current System Development Charge, and has engaged the Town Municipal Financial Advisor Firm, London Witte Group, for review and analysis of the adequacy and sufficiency of the current System Development Charge rate schedule for the appropriate and proportionate share of new customers' responsibilities for historical capital costs of the Town Sewage Works System, as well as for the proper and lawful operation and maintenance of the Town Sewage Works System; and

WHEREAS, the Town Council has been informed and advised by its Municipal Financial Advisor Firm, London Witte Group, that it is appropriate and advisable for new customers to pay, upon connection, an increased fee by which they can pay their proportionate share paid by or on behalf of existing customers so as to finance further improvements and extensions to the Sewage Works System, and meet all lawful revenue requirements; and

WHEREAS, the Town Council, having reviewed the circumstances and present current System Development Charge, as well as being duly advised by its Municipal Financial Advisor Firm, London Witte Group, now concurs and agrees that it is necessary and advisable to amend Town Sewer Rate Ordinance No. 143, as same has been amended thereafter, to increase the amount of said System Development Charge by new customers of the Sewage Works System based upon historical costs incurred as well as anticipated costs for improvements and additions to the Sewage Works System necessitated by new and future customers anticipated to connect to said Town Sewage Works System; and

WHEREAS, the Town Council has specifically relied upon the advise and recommendation of its Municipal Financial Consultant Firm, London Witte Group (hereinafter, the "Financial Advisor"), which has recommended the appropriate level of amended System Development Charge; and

WHEREAS, the proposed Amended System Development Charge recommended to the Town Council by its Financial Advisor Firm is computed pursuant to a methodology which is widely accepted in the industry for purposes of computing rates and charges which are non-discriminatory, reasonable, just and equitable; and

WHEREAS, the Act authorizes the Town Council to adopt by Ordinance a just and equitable schedule of rates and charges for sewer service; and

WHEREAS, a Notice of Public Hearing has been published giving notice to present and future customers of the Town Sewage Works System of a Public Hearing held regarding the proposed schedule of amended rates and charges, and specifically those pertaining to Sewer System Development Charges; and

WHEREAS, the Town Council has held a Public Hearing as noticed and published in conformance with applicable law, whereby present and future customers of the Sewage Works System were given an opportunity to be heard concerning such proposed schedule of amended rates and charges; and

WHEREAS, the Town Council, being duly advised, including by and through its Municipal Financial Advisor Firm, London Witte Group, has determined that the recommended schedule of amended rates and charges adopted herein, and specifically for System Development Charges, is non-discriminatory, reasonable, just and equitable.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WINFIELD, LAKE COUNTY, INDIANA:

SECTION ONE: That **Section 4.**, entitled System Development Charge, of Town Sewer Rate Ordinance No. 143, as amended, is hereby currently again amended to read and provide hereafter for System Development Charges to be charged and collected from new and future customers of the Town Sewage Works System as set forth, namely:

"Section 4. System Development Charge

A System Development Charge will be collected from new customers of the Town Sewage Works System in accordance with the following schedule:

Meter Size	5/8" - 3/4"	1"	1 1/4"	1 1/2"	2"	3"	4"	6"	8"
Ratio	1.0	2.5	4.0	5.8	10.0	23.0	40.0	91.0	162.1
Charge	\$3,190	\$7,975	\$12,760	\$18,502	\$31,900	\$73,370	\$127,600	\$290,290	\$517,099

SECTION TWO: That the Amended System Development Charge Rate established hereby shall be charged and collected by the Town at the same time and in the same manner as the collection of Building Permit Fees in the Town.

SECTION THREE: That all remaining terms and provisions of Town Sewer Rate Ordinance No. 143, as amended by each of Town Ordinance Nos. 143-A, 143-B, 143-C, and 143-D, 143-E, and 143-F, not amended hereby, shall remain in full force and effect and are hereby ratified.

SECTION FOUR. That all existing Ordinances and Town Code Sections, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

SECTION FIVE. If any Section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other Section, clause, provision or portion of this Ordinance.

SECTION SIX: That this Ordinance shall take effect, and be in full force and effect upon passage and adoption by the Town Council of the Town of Winfield after publication of notice of said adoption in conformance with applicable law.

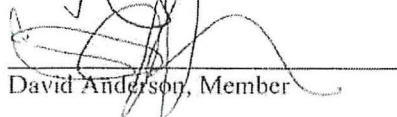
ALL OF WHICH IS PASSED AND ADOPTED THIS 12TH DAY OF MARCH, 2019, BY THE TOWN COUNCIL OF THE TOWN OF WINFIELD, LAKE COUNTY, INDIANA.

**TOWN COUNCIL
TOWN OF WINFIELD, LAKE COUNTY, INDIANA**

AYES


Gerald T. Stiener, President


Timothy Clayton, Vice President


David Anderson, Member

Bridget Baird, Member

James R. Simmons, Member

NAYES

Gerald T. Stiener, President

Timothy Clayton, Vice President

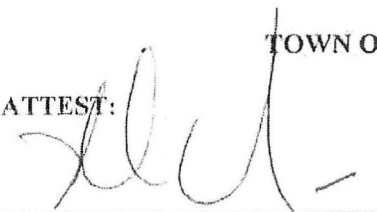
David Anderson, Member

Bridget Baird, Member

James R. Simmons, Member

**TOWN COUNCIL
TOWN OF WINFIELD, LAKE COUNTY, INDIANA**

ATTEST:


Richard C. Anderson Jr., MBA,
Clerk-Treasurer