

MICHIGAN CITY, INDIANA
ORDINANCE NO. **4809**

FILED
JUL 16 2026
GALE A. HENNING
CITY CLERK
CITY OF MICHIGAN CITY

AMENDING THE SCHEDULE OF RATES AND CHARGES COLLECTED BY THE CITY OF MICHIGAN CITY, INDIANA FROM THE OWNERS OF PROPERTY SERVED BY THE MICHIGAN CITY SANITARY DISTRICT AND OTHER MATTERS CONNECTED THEREWITH

WHEREAS, the City of Michigan City, Indiana ("City") has heretofore constructed and has in operation its municipal sanitary district ("District") for the collection, treatment, and disposal of sewage under the provisions of IC 36-9-25; and

WHEREAS, the City Council previously adopted Ordinance No. 2837, 5-23-1985; Ordinance No. 3187, 10-2-1990; and Ordinance No. 3941, 12-21-2004, as codified in Section 98-343, et. seq. of the Code of Ordinances of the City (collectively, "Rate Ordinance") establishing the sewer rates and charges for the use and services rendered by the District; and

WHEREAS, the District, in cooperation with the City, has caused a rate study that was completed on December 16, 2025 by the firm of O.W. Krohn & Associates, LLP., Westfield, Indiana, in connection with the proposed construction of additions and improvements to its sewage works system; and

WHEREAS, on July 9, 2026, the District held a public hearing regarding this proposed Amendment to the Schedule of Rates and Charges Collected by the City of Michigan City, Indiana from the Owners of Property Served by the Michigan City Sanitary District and Other Matters Connected Therewith; and

WHEREAS, following the public hearing the District adopted Resolution #2026-71 entitled "A Resolution Authorizing an Amended Schedule of Rates and Charges Collected by the City of Michigan City, Indiana, From the Owners of Property Served by the Michigan City Sanitary District and Other Matters Connected Therewith" approving the amendment to the schedule of rates and charges and recommending this matter to the Common Council (A copy of the Districts Resolution is attached hereto and incorporated herein as **Exhibit D**); and

WHEREAS, based upon such rate study, the City Council finds that the rates and charges established by the existing Rate Ordinance are insufficient to enable the City to properly operate the Sanitary District's Sewer System in a sound physical and financial manner, to service its outstanding and proposed bonds needed to finance additions and improvements to its sewage works system and to provide adequate working capital and reserves.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA:

Section 1. The following rates established in the City's existing Rate Ordinance are hereby amended and the new rates are hereby established in **Exhibit A**, **Exhibit B**, and **Exhibit C**, which are attached hereto and incorporated herein.

Section 2. The rates established in **Exhibit A** herein shall take effect in two (2) phases. The initial phase becoming effective on September 1, 2026 and the secondary phase becoming effective on January 1, 2028. The non-recurring charges in **Exhibits B & Exhibit C** shall become effective upon passage.

Section 3. The Phase 1 rates set forth in **Exhibit A** shall become due beginning with the first billing cycle of the District in October 2026. The Phase 2 rates set forth in **Exhibit A** shall become due beginning with the first billing cycle of the District in February, 2028.

Section 4. All other provisions of, and all other rates and charges established by, the Rate Ordinance not specifically referenced herein shall remain in full force and effect.

Section 5. This Ordinance shall be in full force and effect from and after its passage.

INTRODUCED BY:

Don Przybylinski
Don Przybylinski, Member
Michigan City Common Council

Bryant Dabney
Bryant Dabney, Member
Michigan City Common Council

Greg Coulter
Greg Coulter, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this 18th day of August, 2026 by a vote of 6 to 0.

Don Przybylinski Tracie Tillman
Tracie Tillman, President
Michigan City Common Council

Approved (circle appropriate action) by me, this 19 day of August, 2026.

Angie Nelson Deutch
Angie Nelson Deutch, Mayor
City of Michigan City, Indiana

ATTEST:

Gale A. Neulieb
Gale A. Neulieb, Clerk
City of Michigan City, Indiana

Prepared by Harris Law Firm, P.C. Upon Request

EXHIBIT A

CITY OF MICHIGAN CITY - SANITARY DISTRICT

EXHIBIT A

SCHEDULE OF WASTEWATER RATES AND CHARGES
MONTHLY METERED & NON-METERED USER CHARGES

MONTHLY METERED RATES (PER 100 CUBIC FEET - CCF):	Phase 1		Phase 2	
	INSIDE CITY	OUTSIDE CITY 14.5% SURCHARGE	INSIDE CITY	OUTSIDE CITY 14.5% SURCHARGE
TIER 1: INSIDE CITY FIRST 1,200 CCF OF USAGE / MO.	\$ 3.59	\$ 4.11	\$ 4.48	\$ 5.13
TIER 2: INSIDE CITY OVER 1,200 CCF OF USAGE / MO.	\$ 10.17	\$ 11.64	\$ 12.70	\$ 14.54
MONTHLY BASE CHARGES:	Phase 1		Phase 2	
METER SIZE:	INSIDE CITY	OUTSIDE CITY 14.5% SURCHARGE	INSIDE CITY	OUTSIDE CITY 14.5% SURCHARGE
5/8 INCH METER	\$ 20.92	\$ 23.95	\$ 26.11	\$ 29.90
3/4 INCH METER	31.39	35.94	39.18	44.86
1 INCH METER	52.31	59.89	65.29	74.76
1 1/2 INCH METER	121.34	138.93	151.44	173.40
2 INCH METER	209.21	239.55	261.12	298.98
3 INCH METER	481.18	550.95	600.57	687.65
4 INCH METER	836.84	958.18	1,044.47	1,195.92
6 INCH METER	1,903.80	2,179.85	2,376.17	2,720.71
8 INCH METER	3,389.19	3,880.62	4,230.11	4,843.48
12 INCH METER	7,636.13	8,743.37	9,530.81	10,912.78
MINIMUM CHARGES:	Phase 1		Phase 2	
EQUAL TO MONTHLY BASE CHARGE PLUS 270 CU. FT. USAGE	\$ 30.61	\$ 35.05	\$ 38.21	\$ 43.75
FLAT FEES - WELL CUSTOMERS (5/8 BASE + 750 CU. FT.):	Phase 1		Phase 2	
CUSTOMER CHARGE	INSIDE CITY	OUTSIDE CITY 14.5% SURCHARGE	INSIDE CITY	OUTSIDE CITY 14.5% SURCHARGE
	\$ 46.05	\$ 52.73	\$ 57.47	\$ 65.80
SEPTAGE HAULERS (PER GALLON):	INSIDE CITY	OUTSIDE CITY	INSIDE CITY	OUTSIDE CITY
REGULAR	\$ 0.113	\$ 0.113	\$ 0.113	\$ 0.113
HOLDING TANK	0.057	0.057	0.057	0.057
EXCESSIVE STRENGTH CHARGES (PER POUND):	Phase 1		Phase 2	
CBOD (IN EXCESS OF 250 MG/L)	INSIDE CITY	OUTSIDE CITY 14.5% SURCHARGE	INSIDE CITY	OUTSIDE CITY 14.5% SURCHARGE
	\$ 0.55	\$ 0.63	\$ 0.68	\$ 0.78
SUSPENDED SOLIDS (IN EXCESS OF 250 MG/L)	0.57	0.65	0.71	0.81
PHOSPHORUS (IN EXCESS OF 6 MG/L)	0.56	0.64	0.70	0.80
AMMONIA NITROGEN (IN EXCESS OF 20 MG/L)	0.67	0.77	0.83	0.95

The monthly user fees above apply to all users of the Michigan City Sanitary District's wastewater customers. The monthly User Charges include a 14.5% outside city surcharge for customers of the District that are located outside of the corporate limits of the City of Michigan City.

EXHIBIT B

CITY OF MICHIGAN CITY - SANITARY DISTRICT

EXHIBIT B

SCHEDULE OF WASTEWATER RATES AND CHARGES
FEES FOR NEW DEVELOPMENT AND SERVICE UPGRADES

SDC = System Development Charge - Payable at Time of Building Permit Issuance

PPR = Preliminary Plan Review Fee - Payable by Developer at Time Plans are Filed with City

IF = Inspection Fee - Payable by the Builder prior to backfilling the pipe connections

<u>METER SIZE</u>	<u>EDU RATIO</u>	<u>SDC FEE \$10 PER GPD</u>	<u>PPR FEE PER CONNECTION</u>	<u>INSPECT FEE PER CONNECTION</u>
		(1)	(2)	(3)
5/8 INCH METER	1.0	\$ 3,000.00	\$ 40.00	\$ 250.00
3/4 INCH METER	1.5	4,500.00	60.00	380.00
1 INCH METER	2.5	7,500.00	100.00	630.00
1 1/2 INCH METER	5.8	17,400.00	230.00	1,450.00
2 INCH METER	10.0	30,000.00	400.00	2,500.00
3 INCH METER	23.0	69,000.00	920.00	2,500.00
4 INCH METER	40.0	120,000.00	1,600.00	2,500.00
6 INCH METER	91.0	273,000.00	3,640.00	2,500.00
8 INCH METER	162.0	486,000.00	5,000.00	2,500.00
12 INCH METER	365.0	1,095,000.00	5,000.00	2,500.00

(1) Based up \$10 per GPD (gallons / day) - 300 GPD per EDU (equivalent dwelling unit)
Oversized meters proportional to area ratio indexing

(2) Based up \$40 per EDU (i.e. 100 unit subdivision would pay \$2,500 PPR Fee)
Oversized meters proportional to area ratio indexing maximum fee of \$5,000.

(3) Based upon \$250 per EDU, indexed up to \$2,500 maximum fee.
Re-inspection Fees due to contractor errors will increase 25% for each re-inspection

The one-time fees for new development and service upgrades above apply to developers and builders requesting new services for new construction and / or expansion and upgrades to existing services and connections. The System Development Charges require new development to pay for the capacity allocation attributable to their respective new developments. While meter size is a primary determinant for determining the number of EDUs, 327 IAC delineates minimum flow standards for various uses and can be utilized for determining EDUs for apartment buildings, commercial buildings and other mixed use building connections. The District may apply the greater of the two techniques in determining System Development Charges. Preliminary Plan Review Fees will also apply to new developments in order to cover the District's costs associated with engineering review of proposed plans to ensure that the new development complies with the District's standards for new construction and connection to the sanitary sewage works system.

Similarly, Connection Inspection Fees are designed to cover the District's cost of inspection and review of the actual construction / connection.

EXHIBIT C

CITY OF MICHIGAN CITY - SANITARY DISTRICT

EXHIBIT C

SCHEDULE OF WASTEWATER RATES AND CHARGES
PERMIT & INSPECTION FEES

1. Sanitary Sewer Related Class 1 Residential

a. Permit Type 1A - Single Family Residence	\$250.00
b. Permit Type 1B - Multiple Unit Residence (Per Unit)	\$187.50
c. Permit Type 1C - Residential Sewer Repair (Clean Out or Lateral)	\$250.00

2. Sanitary Sewer Related Class 2 Non-Residential

a. Permit Type 2A - Commercial Establishment (Per EDU)	\$250.00
b. Permit Type 2B - Industrial Establishment (Per EDU)	\$250.00
c. Permit Type 2C - Institutional Establishment (Per EDU)	\$250.00
d. Permit Type 2D - Miscellaneous Non-Residential (Per EDU)	\$250.00
e. Permit Type 2E - Non-Residential Sewer Repair (Per EDU)	\$250.00
f. Application Fee 2F Fats, Oil & Grease Dischargers	\$250.00
g. Fats, Oil & Grease - Monthly Monitoring Fee (Annual Inspections)	\$25.00

3. Sanitary Sewer Related Class 3 Sewer Mains, Pumping Station, Other

a. Permit Type 3A - Sewer Extension involving Gravity Sewer Mains, Pressure (Force) Mains, Pumping Stations	Actual Cost but Not Less Than \$1,000
b. Application Fee 3B - Waste Hauler Bi-Annual Permits (per Hauler)	\$125.00
c. Striebel Pond Rental Fees 3C - Gazebo or Shelters per Weekend Day	\$50.00

4. Stormwater/Drainage Related Class 4

a. Permit Type 4A - Stormwater Management Permit (Reference: Municipal Code Section 46-316)	Actual Cost but Not Less Than \$500
b. Permit Type 4B - Individual Lot Plot Plan Permit (Reference: Municipal Code Section 46-318)	Actual Cost but Not Less Than \$250
c. Permit Type 4C - Connection to Storm Sewer System	Actual Cost but Not Less Than \$250
d. Permit Type 4D - Building Sump Pump Drain	Actual Cost but Not Less Than \$250

5. Inspection Fees Class 5

a. Permit Type 5A - Reinspection of failed inspection for Class 1 through 4 Permit Types	125% of Permit Fee
b. Permit Type 5B - Reinspection of Corrective Actions Associated with Erosion & Sediment Control Violations	125% of Permit Fee
c. Permit Type 5C - Reinspection of Corrective Actions Associated with Illicit Discharge Violations	125% of Permit Fee
d. Permit Type 5D - Reinspection of Corrective Actions Associated with Fats, Oil, Grease Discharge Violations - Per Violation	125% of Permit Fee

EXHIBIT D- Sanitary District Resolution #2026-71

COPY

**BOARD OF COMMISSIONERS OF THE
MICHIGAN CITY SANITARY DISTRICT**

RESOLUTION # 2026-71

FILED

JUL 10 2026

**GALE A. NEULIEB
CITY CLERK
CITY OF MICHIGAN CITY**

**A RESOLUTION AUTHORIZING AN AMENDED SCHEDULE OF RATES AND
CHARGES COLLECTED BY THE CITY OF MICHIGAN CITY, INDIANA, FROM
THE OWNERS OF PROPERTY SERVED BY THE MICHIGAN CITY SANITARY
DISTRICT AND OTHER MATTERS CONNECTED THEREWITH**

WHEREAS, Michigan City Sanitary District ("MCSD" or "District") is established as an executive department of the City of Michigan City pursuant to Indiana Code 36-9-25 and manages the district's wastewater and stormwater through municipal ordinances, including Ordinance No. 4770; and

WHEREAS, MCSD manages the sewer systems, stormwater and water quality within its district in accordance with the regulations of the State of Indiana, namely 327 IAC 1, et seq., and the federal Clean Water Act, as amended in 1972 (33 U.S.C. §§1251-1387); and

WHEREAS, the City of Michigan City, Indiana ("City") has heretofore constructed and has in operation its municipal sanitary district ("District") for the collection, treatment, and disposal of sewage under the provisions of IC 36-9-25; and

WHEREAS, the City Council previously adopted Ordinance No. 2837, 5-23-1985; Ordinance No. 3187, 10-2-1990; and Ordinance No. 3941, 12-21-2004, as codified in Section 98-343, et. seq. of the Code of Ordinances of the City (collectively, "Rate Ordinance") establishing the sewer rates and charges for the use and services rendered by the District; and

WHEREAS, the District, in cooperation with the City, has caused a rate study that was completed on December 16, 2025 by the firm of O.W. Krohn & Associates, LLP., Westfield, Indiana, in connection with the proposed construction of additions and improvements to its sewage works system; and

WHEREAS, based upon such rate study, the District finds that the rates and charges established by the existing Rate Ordinance are insufficient to enable the City to properly operate the Sanitary District's Sewer System in a sound physical and financial manner, to service its outstanding and proposed bonds needed to finance additions and improvements to its sewage works system and to provide adequate working capital and reserves.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE MICHIGAN CITY SANITARY DISTRICT, THAT:

Section 1. The following rates established in the City's existing Rate Ordinance are hereby amended by Resolution of this Board and recommended for final amendment by Ordinance of the City Council to be restated as follows in Exhibit A, Exhibit B and Exhibit C. Exhibit A applies to

existing customers of the District. Exhibit B and portions of Exhibit C apply to new construction from builders and developers to cover the cost of capacity allocations due to customer growth. Exhibit C includes application and permit fees for new development and for other customers that require periodic monitoring and inspection services from the District.

SECTION 1, EXHIBIT A

CITY OF MICHIGAN CITY - SANITARY DISTRICT						EXHIBIT A		
SCHEDULE OF WASTEWATER RATES AND CHARGES								
MONTHLY METERED & NON-METERED USER CHARGES								
MONTHLY METERED RATES (PER 100 CUBIC FEET - CCF):			Phase 1		Phase 2			
			INSIDE CITY	OUTSIDE CITY	INSIDE CITY	OUTSIDE CITY		
TIER 1:	INSIDE CITY	FIRST 1,200 CCF OF USAGE / MO.	\$	3.59	\$	4.48	\$	5.13
TIER 2:	INSIDE CITY	OVER 1,200 CCF OF USAGE / MO.	\$	10.17	\$	11.64	\$	14.54
MONTHLY BASE CHARGES:			Phase 1		Phase 2			
			INSIDE CITY	OUTSIDE CITY	INSIDE CITY	OUTSIDE CITY		
METER SIZE:								
5/8 INCH METER			\$	20.92	\$	26.11	\$	29.90
3/4 INCH METER				31.39		39.18		44.86
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FLAT FEES - WELL CUSTOMERS (5/8 BASE + 750 CU. FT.):								
CUSTOMER CHARGE			Phase 1		Phase 2			
			INSIDE CITY	OUTSIDE CITY	INSIDE CITY	OUTSIDE CITY		
			\$	46.05	\$	57.47	\$	65.80
SEPTAGE HAULERS (PER GALLON):								
REGULAR			\$	0.150	\$	0.188	\$	0.188
HOLDING TANK				0.076		0.095		0.095
EXCESSIVE STRENGTH CHARGES (PER POUND):								
CBOD (IN EXCESS OF 250 MG/L)			Phase 1		Phase 2			
			INSIDE CITY	OUTSIDE CITY	INSIDE CITY	OUTSIDE CITY		
			\$	0.55	\$	0.68	\$	0.78
SUSPENDED SOLIDS (IN EXCESS OF 250 MG/L)				0.57		0.71		0.81
PHOSPHORUS (IN EXCESS OF 6 MG/L)				0.56		0.70		0.80
AMMONIA NITROGEN (IN EXCESS OF 20 MG/L)				0.67		0.83		0.95

The monthly user fees above apply to all users of the Michigan City Sanitary District's wastewater customers. The monthly User Charges include a 14.5% outside city surcharge for customers of the District that are located outside of the corporate limits of the City of Michigan City.

SECTION 1. EXHIBIT B

CITY OF MICHIGAN CITY - SANITARY DISTRICT

EXHIBIT B

SCHEDULE OF WASTEWATER RATES AND CHARGES
FEES FOR NEW DEVELOPMENT AND SERVICE UPGRADES

SDC = System Development Charge - Payable at Time of Building Permit Issuance
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IF = Inspection Fee - Payable by the Builder prior to backfilling the pipe connections

<u>METER SIZE</u>	<u>EDU RATIO</u>	<u>SDC FEE \$10 PER GPD</u>	<u>PPR FEE PER CONNECTION</u>	<u>INSPECT FEE PER CONNECTION</u>
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2 INCH METER	10.0	30,000.00	400.00	2,500.00
3 INCH METER	23.0	69,000.00	920.00	2,500.00
4 INCH METER	40.0	120,000.00	1,600.00	2,500.00
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(1) Based up \$10 per GPD (gallons / day) - 300 GPD per EDU (equivalent dwelling unit)
Oversized meters proportional to area ratio indexing

(2) Based up \$40 per EDU (i.e. 100 unit subdivision would pay \$2,500 PPR Fee)
Oversized meters proportional to area ratio indexing maximum fee of \$5,000.

(3) Based upon \$250 per EDU, indexed up to \$2,500 maximum fee.
Re-inspection Fees due to contractor errors will increase 25% for each re-inspection

The one-time fees for new development and service upgrades above apply to developers and builders requesting new services for new construction and / or expansion and upgrades to existing services and connections. The System Development Charges require new development to pay for the capacity allocation attributable to their respective new developments. While meter size is a primary determinant for determining the number of EDUs, 327 IAC delineates minimum flow standards for various uses and can be utilized for determining EDUs for apartment buildings, commercial buildings and other mixed

use building connections. The District may apply the greater of the two techniques in determining System Development Charges. Preliminary Plan Review Fees will also apply to new developments in order to cover the District's costs associated with engineering review of proposed plans to ensure that the new development complies with the District's standards for new construction and connection to the sanitary sewage works system. Similarly, Connection Inspection Fees are designed to cover the District's costs of inspection and review of the actual construction / connection.

SECTION 1, EXHIBIT C

CITY OF MICHIGAN CITY - SANITARY DISTRICT		EXHIBIT C
<u>SCHEDULE OF WASTEWATER RATES AND CHARGES</u>		
PERMIT & INSPECTION FEES		
1. Sanitary Sewer Related Class 1 Residential		
a. Permit Type 1A - Single Family Residence		\$250.00
b. Permit Type 1B - Multiple Unit Residence (Per Unit)		\$187.50
c. Permit Type 1C - Residential Sewer Repair (Clean Out or Lateral)		\$250.00
2. Sanitary Sewer Related Class 2 Non-Residential		
a. Permit Type 2A - Commercial Establishment (Per EDU)		\$250.00
b. Permit Type 2B - Industrial Establishment (Per EDU)		\$250.00
c. Permit Type 2C - Institutional Establishment (Per EDU)		\$250.00
d. Permit Type 2D - Miscellaneous Non-Residential (Per EDU)		\$250.00
e. Permit Type 2E - Non-Residential Sewer Repair (Per EDU)		\$250.00
f. Application Fee 2F - Fats, Oil & Grease Dischargers		\$250.00
g. Fats, Oil & Grease - Monthly Monitoring Fee (Annual Inspections)		\$25.00
3. Sanitary Sewer Related Class 3 Sewer Mains, Pumping Station, Other		
a. Permit Type 3A - Sewer Extension involving Gravity Sewer Mains, Pressure (Force) Mains, Pumping Stations	Actual Cost but Not Less Than \$1,000	
b. Application Fee 3B - Waste Hauler Bi-Annual Permits (per Hauler)		\$125.00
c. Striebel Pond Rental Fees 3C - Gazebo or Shelters per Weekend Day		\$50.00
4. Stormwater/Drainage Related Class 4		
a. Permit Type 4A - Stormwater Management Permit (Reference: Municipal Code Section 46-316)	Actual Cost but Not Less Than \$500	
b. Permit Type 4B - Individual Lot Plot Plan Permit (Reference: Municipal Code Section 46-318)	Actual Cost but Not Less Than \$250	
c. Permit Type 4C - Connection to Storm Sewer System	Actual Cost but Not Less Than \$250	
d. Permit Type 4D - Building Sump Pump Drain	Actual Cost but Not Less Than \$250	
5. Inspection Fees Class 5		
a. Permit Type 5A - Reinspection of failed inspection for Class 1 through 4 Permit Types		125% of Permit Fee
b. Permit Type 5B - Reinspection of Corrective Actions Associated with Erosion & Sediment Control Violations		125% of Permit Fee
c. Permit Type 5C - Reinspection of Corrective Actions Associated with Illicit Discharge Violations		125% of Permit Fee
d. Permit Type 5D - Reinspection of Corrective Actions Associated with Fats, Oil, Grease Discharge Violations - Per Violation		125% of Permit Fee

Section 2. The rates established herein shall take effect in two (2) phases. The initial phase becoming effective on September 1, 2026 and the secondary phase becoming effective on January 1, 2028.

Section 3. The Phase 1 rates herein established shall become due beginning with the first billing cycle of the District in October, 2026. The Phase 2 rates herein established shall become due beginning with the first billing cycle of the District in February, 2028.

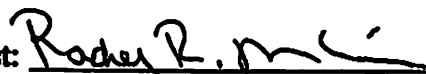
Section 4. All other provisions of, and all other rates and charges established by, the Rate Ordinance not specifically referenced herein shall remain in full force and effect.

Section 5. This Resolution shall be in full force and effect from and after its passage.

Approved by the Board of Sanitary Commissioners this 9th day of July, 2026.



Don Babcock, President

Attest: 

Secretary

Prepared by Harris Law Firm, P.C. Upon Request