

ORDINANCE NO. 2024 - 26

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF JASPER,
INDIANA AMENDING THE RULES AND REGULATIONS FOR THE OPERATION
OF A NATURAL GAS SYSTEM OWNED BY THE CITY OF JASPER, INDIANA
AND FIXING A SCHEDULE OF REVISED RATES AND CHARGES
FOR THE SALE OF GAS BY THE JASPER MUNICIPAL GAS UTILITY**

WHEREAS, the City of Jasper, Indiana ("City") has heretofore constructed, owns and has in operation a gas utility system for the purpose of providing natural gas service to certain residents residing within the corporate limits of the City; and

WHEREAS, the Common Council of the City of Jasper, Indiana ("Council") passed and adopted an Ordinance providing for the operation of a natural gas system owned by the City of Jasper, Indiana and fixing a schedule of rates and charges for the sale of gas by the Jasper Municipal Gas Utility, commonly known as Jasper Municipal Code Chapter 11.12 "Gas," Section 11.12.030 "Rates and Charges for Service;" and

WHEREAS, the City extended its gas utility services to certain owners of property located outside the corporate limits of the City within areas known as the Whoderville Area, (hereinafter referred to as the "2014 Whoderville Extension"); and

WHEREAS, pursuant to recommendation from the Utility Service Board in Res. USB 2014-4, the City funded the cost associated with the 2014 Whoderville Extension; and

WHEREAS, in order to recover the project costs, the Council passed and adopted Ordinance No. 2014 – 22, adjusting the schedule of rates and charges for those users served by the 2014 Whoderville Extension, to include an additional rate ("Whoderville Extension Fee"), commonly known as Jasper Municipal Code Section 11.12.033 "Rates and charges for 2014 Whoderville Extension;" and

WHEREAS, the Whoderville Extension fee was established to be charged for 120 months from the date of the program inception and has now expired; and

WHEREAS, the Utility Service Board recommended that the language of Section 11.12.033 be amended to clarify the expiration date; and

WHEREAS, the Council now finds that it is in the best interest of the citizens of the City of Jasper, Indiana to amend the language contained in the Jasper Municipal Code Section 11.12.033, to accurately reflect the status of the 2014 Whoderville Extension Program

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF JASPER, INDIANA, as follows:

SECTION 1. Chapter 11.12.033(2) of the Jasper Municipal Code, shall be amended by **replacing** the existing language with the following:

- (2) For use of and the services rendered by the gas utility to users of the 2014 Whoderville Extension, the Monthly Installation Fee Surcharge shall be equal to the estimated installation cost including applicable taxes divided by the number of Original Extension Participants of the 2014 Whoderville Extension. Said cost shall be apportioned equally over a period of one hundred twenty (120) months, **to and including November 2024**, regardless of the date of participation. The monthly Installation Fee Surcharge shall be Twenty-two Dollars and 26/100 (\$22.26).

SECTION 2. Prior Ordinances. All ordinances and/or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. Separability. If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance shall for any reason be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereunder.

SECTION 4. Effective date. This Ordinance shall be in full force and effect from and after its passage by the Common Council, its approval by the Mayor, and completion of any notice requirements, all in the manner as provided by law; but in no event shall this Ordinance apply to billings before December 1, 2024.

PASSED AND ADOPTED by the Common Council of the City of Jasper, Indiana, this 18th day of December, 2024.

Dean Vonderheide
Dean Vonderheide, Presiding Officer

ATTEST:

Kiersten Knies
Kiersten Knies, Clerk Treasurer

PRESENTED by me to the Mayor of the City of Jasper on this 18th day of December, 2024, at the hour of 6:43 o'clock a.m./p.m.

Kiersten Knies
Kiersten Knies, Clerk Treasurer

This Ordinance approved and signed by me as the Mayor of the City of Jasper, Indiana, this 18th day of December 2024, at the hour of 6:44 o'clock a.m./p.m.

Dean Vonderheide
Dean Vonderheide, Mayor

ATTEST:

Kiersten Knies
Kiersten Knies, Clerk Treasurer