

1st Reading 9/22/25  
2nd Reading 11/17/25  
Passed 11/17/25  
Failed  
Continued To

Deborah S. Block, IAC, MMC

OCT 28 2025

City Clerk  
Mishawaka, IN

**PROPOSED ORDINANCE NO. 2025-26**

**ORDINANCE NO. 5954  
AS AMENDED**

**AN ORDINANCE AMENDING PART I, CHAPTER 62, OF  
THE MUNICIPAL CODE OF THE CITY OF MISHAWAKA,  
INDIANA, AS FROM TIME TO TIME AMENDED.**

**WHEREAS**, the City of Mishawaka, Indiana, has heretofore constructed and has in operation a sewage works for the purpose of collecting sewage and waste and conveying the same away from the premises where produced and disposing of the same in a sanitary manner; and

**WHEREAS**, the Common Council believes that it is necessary to amend the schedule of rates and charges in three phases so as to produce sufficient revenue to pay expenses of maintenance and operation, to provide funds for necessary replacements and improvements to the sewage works, to provide adequate money for working capital, and to pay the principal and interest on the outstanding and proposed revenue bonds in accordance with the applicable bond ordinances; and

**WHEREAS**, Indiana Code 36-9-23-1 et seq., requires that the rates and charges to be collected for the use of and the service rendered by such sewage works be fixed by Ordinance, finally adopted after due notice and public hearing; and

**WHEREAS**, the Common Council held a public hearing after due notice at which users of the sewage works, owners of property served or to be served by the works, and other interested persons were heard concerning the proposed fees set forth below;

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, THAT:**

**Section 1.** Section 62-147 WASTEWATER DISCHARGE LIMITATIONS, Section 62-183 RATES BASED ON WATER USAGE, STRENGTH OF DISCHARGE, Section 62-184 SCHEDULE OF RATES: MISHAWAKA WASTEWATER UTILITY and Sections 62-243 and 62-362 TIF CREDIT shall be amended as follows:

**62-147 WASTEWATER DISCHARGE LIMITATIONS**

Any waters or wastes containing metallic ions, or other toxic ions as determined and established from time to time by the board of public works and safety. Chemical constituents shall not exceed the following concentrations for grab or composite samples:

Mercury	0.0003 mg/l
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**62-183 RATES BASED ON WATER USAGE, STRENGTH OF DISCHARGE.**

The surcharges to be charged for the treatment of extra strength sewage shall be determined by the following table. The surcharge shall become effective should the concentration of Carbonaceous BOD5 (Biochemical Oxygen Demand), TSS (Total Suspend Solids), P (Phosphorus) or N-NH3 (Ammonia Nitrogen) exceed the concentrations listed in 62-147 (8). The surcharge shall be charged for each pound of the particular pollutant in excess of these concentrations –

Phase One effective January 1, 2026; Phase Two effective January 1, 2027; Phase Three effective January 1, 2028; Phase Four effective January 1, 2029; Phase Five effective January 1, 2030 in the amounts as follows:

<u>Pollutant</u>	<u>Phase One</u>	<u>Phase Two</u>	<u>Phase Three</u>	<u>Phase Four</u>	<u>Phase Five</u>
cBOD5	\$0.559	\$0.580	\$0.602	\$0.625	\$0.648
TSS	0.480	0.498	0.517	0.536	0.556
P	13.449	13.953	14.476	15.019	15.582
N-NH <sub>3</sub>	1.628	1.689	1.752	1.818	1.886

**62-184 SCHEDULE OF RATES**

(A) Every person whose premises are served by the Wastewater Utility shall be charged for the service provided. Notwithstanding the provisions of 62-181, the sewage rates and charges shall be based on the quantity of water used on or in the property or premises subject to such rates and charges as the same is measured by the water meter there in use plus a customer charge, and plus a base charge based on the size of water meter installed as adjusted by the Meter Equivalency Factor, except as herein otherwise provided. For the purpose of billing and collecting the charges for sewage service, the water meters shall be read monthly and the users shall be billed each month (or period equaling a month). If for any reason the monthly meter reading is not available, a bill will be prepared, based on the estimated usage, and a correction will be made when meter readings are available. The water usage schedule on which the amount of said rates and charges shall be determined is as follows:

(1) Flow charges – Phase One effective January 1, 2026; Phase Two effective January 1, 2027; Phase Three effective January 1, 2028; Phase Four effective January 1, 2029; Phase Five effective January 1, 2030 in the amounts as follows:

<u>Flow rate per month</u>	<u>Phase One</u>	<u>Phase Two</u>	<u>Phase Three</u>	<u>Phase Four</u>	<u>Phase Five</u>
Rate per 100 cubic feet	\$2.13	\$2.21	\$2.23	\$2.32	\$2.40

(2) Customer charges – Phase One effective January 1, 2026; Phase Two effective January 1, 2027; Phase Three effective January 1, 2028; Phase Four effective January 1, 2029; Phase Five effective January 1, 2030 in the amounts as follows:

<u>Customer Charge</u>	<u>Phase One</u>	<u>Phase Two</u>	<u>Phase Three</u>	<u>Phase Four</u>	<u>Phase Five</u>
Per month	\$2.45	\$2.55	\$2.65	\$2.75	\$2.86

(3) Base charges – Phase One effective January 1, 2026; Phase Two effective January 1, 2027; Phase Three effective January 1, 2028; Phase Four effective January 1, 2029; Phase Five effective January 1, 2030 in the amounts as follows:

<b>Meter Size</b>	<b>Equivalency Factors</b>	<b>Phase One</b>	<b>Phase Two</b>	<b>Phase Three</b>	<b>Phase Four</b>	<b>Phase Five</b>
Residential	1.0	\$54.63	\$56.47	\$55.98	\$57.97	\$60.04
5/8"	1.0	54.63	56.47	55.98	57.97	60.04
1"	2.5	136.56	141.16	139.94	144.92	150.09
1 1/4"	4.0	218.49	225.86	223.91	231.87	240.15
1 1/2"	5.8	316.81	327.50	324.66	336.21	348.22
2"	10.0	546.24	564.67	559.77	579.69	600.40
3"	23.0	1,256.35	1,298.73	1,287.47	1,333.28	1,380.91
4"	41.0	2,239.62	2,315.16	2,295.09	2,376.75	2,461.66
6"	92.0	5,025.47	5,194.98	5,149.94	5,333.18	5,523.69
8"	164.0	8,958.43	9,260.61	9,180.32	9,506.96	9,846.57
10"	256.0	13,983.88	14,455.56	14,330.24	14,840.12	15,370.24

- (4) Single family residential properties served by a water meter smaller than 1 1/4" shall be billed based on a Meter Equivalency Factor of 1.
- (5) The Base Charge shall be based on a meter size of not more than one size smaller than the service line in which the meter is installed.
- (6) The monthly sewer bill for any service where the user is not a metered water customer shall be estimated and determined by means and methods satisfactory to the Authority.

**62-243 SEWER INSURANCE FUND AND CHARGES**

- (A) The sum of \$3.76 per month shall be added for all single-family residential use sewer customers within the corporate city limits of the city (not including commercial, industrial, or bulk water customers) on January 1, 2026. All sums of money so collected shall be deposited in a separate fund of the city's wastewater utility, entitled "Sewer Insurance Fund".
- (B) All collected under section 62-246 shall also be deposited into this fund.
- (C) All sums of money so collected shall be used solely to repair or replace failing private sewer connections, and for administrative and inspection costs associated with the program, including material, labor, and equipment for sewer lateral repairs or inspection.

**62-362 TIF CREDIT**

- (A) Wastewater Utility customers whose premises are served by the utility and are located within the City limits shall receive a credit applied towards their monthly sewer bill in recognition of the portion of the principal and interest on Wastewater Utility bonds paid by the City from TIF revenues.
- (B) Monthly credits – Phase One effective January 1, 2026; Phase Two effective January 1, 2028 in the amounts as follows:

<u>Flow credit rate per month</u>	<u>Phase One</u>	<u>Phase Two</u>	<u>Phase Three</u>	<u>Phase Four</u>	<u>Phase Five</u>
Credit per 100 cubic feet	\$0.191	\$0.191	\$0.135	\$0.135	\$0.135

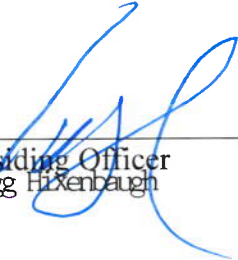
- (1) Base Rate Monthly Credit

<u>Meter Size</u>	<u>Equivalency Factors</u>	<u>Phase One</u>	<u>Phase Two</u>	<u>Phase Three</u>	<u>Phase Four</u>	<u>Phase Five</u>
Residential	1.0	\$8.21	\$8.21	\$5.81	\$5.81	\$5.81
5/8"	1.0	8.21	8.21	5.81	5.81	5.81
1"	2.5	20.54	20.54	14.52	14.52	14.52
1 1/4"	4.0	32.86	32.86	23.24	23.24	23.24
1 1/2"	5.8	47.64	47.64	33.69	33.69	33.69
2"	10.0	82.14	82.14	58.09	58.09	58.09
3"	23.0	188.93	188.93	133.61	133.61	133.61
4"	41.0	336.79	336.79	238.17	238.17	238.17
6"	92.0	755.71	755.71	534.42	534.42	534.42
8"	164.0	1,347.14	1,347.14	952.66	952.66	952.66
10"	256.0	2,102.86	2,102.86	1,487.09	1,487.09	1,487.09

- (C) Single family residential properties serviced by a water meter smaller than 1 1/4" shall receive a Base Charge TIF Credit based on a Meter Equivalency Factor of 1.
- (D) The TIF Credit shall be in effect upon passage of the amending rate ordinance.

**Section 2.** This ordinance shall be in full force and effect from and after its passage, signing by the Mayor, and legal publication as provided by law.

PASSED and adopted by the Common Council of the City of Mishawaka on the 17 day of November, 2025, at 7:22 o'clock p.m.

  
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Presiding Officer  
Gregg Hixenbaugh

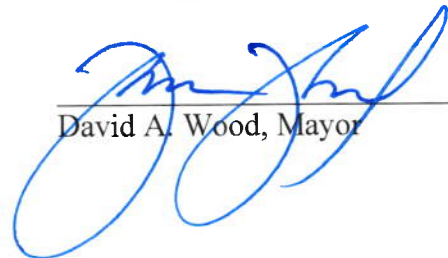
ATTEST:

  
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Deborah S. Block, City Clerk

PRESENTED by me to the Mayor of the City of Mishawaka on the 18 day of November, 2025, at 8:28 o'clock a.m.

  
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Deborah S. Block, City Clerk

APPROVED by me this 18<sup>th</sup> day of November, 2025, at 9:56 o'clock a.m.

  
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David A. Wood, Mayor