

TOWN OF MORGANTOWN, INDIANA

ORDINANCE 2025-6

ORDINANCE AMENDING YARD SPRINKLING CREDIT AGAINST SEWER FEES

WHEREAS, the Town of Morgantown, Indiana owns and operates Sewage Works;

WHEREAS, the Town Council for the Town of Morgantown, Indiana (the "Council") is the governing board of the Town's Sewage Works and as such sets just and equitable fees as required to maintain the Sewage Works in the sound physical and financial condition necessary to render adequate and efficient service and sufficient to:

(1) pay all expenses incidental to the operation of the works, including legal expenses, maintenance costs, operating charges, repairs, lease rentals, and interest charges on bonds or other obligations;

(2) provide the sinking fund required by IC 39-9-23-21;

(3) provide adequate money to be used as working capital; and

(4) provide adequate money for improving and replacing the works.

The fees are payable by the owner of each lot, parcel of real property, or building that:

(1) is connected with the Sewage Works by or through any part of the Town's sewer system;

or

(2) uses or is served by the Sewage Works. IC 36-9-23-25;

WHEREAS, fees charged to customers of the Town's Sewage Works are based on water consumption as metered by the Town's water utility;

WHEREAS, the Town Council, on August 8, 2012, adopted Ordinance 2012-05 to, among other things, provide for credits against fees owed by customers of the Town's Sewage Works for metered water that is not discharged into the Town's Sewage Works, including a yard sprinkling credit, which reads, in pertinent part, as follows:

(a.) Yard Sprinkling Credit.

- i. The current owner or occupant of real estate served by the Town's Sewage Works must apply for a Sprinkling Credit prior to May 1st of the calendar year for which the credit is sought. If application for the Sprinkling Credit is not made prior to May 1st, the credit

will not apply until the following calendar year. **Applications for subsequent years will not be required unless ownership or possession of the property changes.** (emphasis added).

- ii. For those customers who apply for a Sprinkling Credit (Eligible Customers), the monthly water usage recorded for their property for the prior months of October through April will be averaged (the Winter Average). For Eligible Customers who have not owned or occupied their property beginning with the prior October 1, the Winter Average shall be deemed to be 6000 gallons for the following year.
- iii. Then, for the months of May through September (bills for which are printed and mailed in June through October), Eligible Customers will be billed for water usage equal to their Winter Average plus 2,000 gallons.
- iv. New or existing Sewage Works customers may apply for a "Sod Credit" against their monthly sewer charge. The Sod Credit shall be for a maximum of sixty (60) days or two (2) billing cycles. To be eligible for the Sod Credit, customers must apply in writing, and the customer must state they are installing new sod for a new home or are replacing their entire yard with new sod. Credit can be made for usage in excess of 9,000 gallons during a sixty-day (60) period or two (2) billing cycles, unless customer history supports a normal usage greater than 9,000 gallons during such billing cycle, in which event, no credit shall be given.

WHEREAS, the Council, after careful consideration and a thorough discussion, has decided to amend Ordinance 2012-05 by deleting the last sentence of Paragraph i of the Yard Sprinkling Credit to require that the credit be applied for each year.

ACCORDINGLY, be it ordained by the Morgantown Town Council that Ordinance 2012-05 is hereby amended by striking the last sentence of Paragraph i of the Yard Sprinkling Credit, which reads as follows: *Applications for subsequent years will not be required unless ownership or possession of the property changes.*


As a result of the amendment, the Yard Sprinkling Credit must be applied for by May 1 of each year, beginning in 2026.

All prior ordinances and parts of prior ordinances, including Ordinance 2021-05, in conflict herewith are repealed as of the effective date of this Ordinance.

Introduced and adopted on October 13, 2025, by unanimous consent and the affirmative vote of at least four members of the Town Council of the Town of Morgantown.



Joe Belvins, President of the Town Council


Sharon McIntosh, Clerk-Treasurer