

TOWN OF GREENVILLE
ORDINANCE NO. 2013-WO-051

**ORDINANCE CONCERNING THE INCREASE OF CURRENT WATER UTILITY
RATES AND CHARGES FOR THE GREENVILLE WATER UTILITY OF
GREENVILLE, INDIANA**

WHEREAS, the Town of Greenville Water Utility Council for the Town of Greenville, Indiana, in the interest complying with the State of Indiana Code I.C.8-1.5-3-8 Rates and Charges, has deemed it necessary that the Water Council develop an Ordinance which increases Water Rates to reflect increased cost from suppliers and infrastructure requirements and;

WHEREAS, the Town of Greenville Water Utility Council for the Town of Greenville, Indiana, is the entity for fixing and approving rates and charges for the Greenville Water Utility pursuant to I.C. 8-1.5-3 et seq. and;

WHEREAS, after due consideration and discussion after receiving an analysis of current rates and charges and recommendations of O.W. Krohn and Associates {attached} at the Monthly Meeting held on September 9th, 2013 it was further agreed that the water rates and other charges be amended in accordance with appendix "A" attached and;

WHEREAS, Notice of a Public Hearing was published in the New Albany Tribune on October 24th, 2013, and;

WHEREAS, the Notice of the Public Hearing was mailed to all Greenville Water Utility Customers by L & D Mail Masters Inc. of New Albany, Indiana on October 24th, 2013, and;

WHEREAS, Notice of Public Hearing and Proposed Ordinance 2013-WO-051 was posted on the Town of Greenville Web-Site {www.visitgreenvillein.com}, and the Greenville Town Hall and Water Utility Offices on October 24th, 2013 and;

WHEREAS; The Public Hearing was held on November 11th, 2013 from 6:00 – 7:00 pm at The Greenville Town Hall located in Greenville, Indiana;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS:

1.The metered rates and charges shall be subject to a wholesale water cost tracking factor {WTCF} occasioned solely by changes in the cost of purchasing water for resale from Town's wholesale water providers. WCTF shall be amended from time to time whenever any of the Town's wholesale water providers amend their respective wholesale rate to the Greenville Water Utility. The WCTF will be based upon the total increase in the cost of purchased water, adjusted for the cost of water line losses and Utility Receipts Taxes.

TOWN OF GREENVILLE
ORDINANCE NO. 2013-WO-051

2. In accordance with I.C. 8-1.5-3-8.1 and after the introduction of this Ordinance at the Public Hearing on November 11th, 2013 at which customers of the Greenville Water Utility, owners of property served or to be served by the Greenville Water Utility, and other interested persons may be heard concerning the proposed rates and charges set forth herein. Notice of the hearing shall be published in accordance with I.C. 5-3-1 et. Seq. and mailed in accordance with I.C. 8-1.5-3.8.1. After the hearing the Greenville Water and Sewer Utility Council may at its next scheduled Monthly Meeting adopt this Ordinance, either as originally introduced or as modified. A copy of the schedule of rates and charges adopted herein shall be kept on file and available for public inspection at the offices of the Greenville Municipal Water and Sewer Utility and the Greenville Municipal Water and Sewer Utility Clerk / Treasurer Office.

3. This Ordinance shall be effective the first billing cycle of 2014 after it is adopted and published in the New Albany Tribune in accordance with I.C. 5-3-1 through I.C. 5-3-1-9 unless delayed in accordance with I.C. 8-1.5-3-8.2 which allows owners of property connected or to be connected to and served by the Greenville Water Utility to file a written petition objecting to the rates and charges set forth herein so long as {1} the petition contains the names and addresses of the petitioners; {2} the petitioners attended the Public Hearing provided under I.C. 8-1.5-3-8-1; {3} the written petition is filed with the Water and Sewer Utility Council within five {5} days after this Ordinance is adopted pursuant to I.C. 8-1.5-3-8.2; The signature of petitioners must appear on Public Hearing Sign-In Sheet {4} the written petition states specifically the ground or grounds of objection.

**TOWN OF GREENVILLE
ORDINANCE NO. 2013-WO-051**

**APPENDIX "A"
TOWN OF GREENVILLE WATER UTILITY
FLOYD COUNTY, INDIANA**

SCHEDULE OF WATER TARIFFS – RATES AND CHARGES

For the use of the service rendered by the Greenville Water Utility of the Town of Greenville, Indiana, the following rates and charges are based upon the amount of water supplied by the Greenville Water Utility

MONTHLY MINIMUM CHARGES*

MONTHLY METERED RATES {PER 1,000 GALLONS}	BASE RATE
First 30,000 gallons	\$9.64
Next 30,000 gallons	\$7.99
Over 60,000 gallons	\$7.13

MONTHLY MINIMUM CHARGES*

WATER METER SIZE	GALLONS	BASE RATES
5/8 or 3/4 inch meter	Min. 2,500	\$24.10
1 inch meter	10,000	\$96.40
1 1/2 inch meter	27,000	\$260.28
2 inch meter	46,000	\$417.04
3 inch meter	150,200	\$1,172.03

* Subject to a wholesale water cost tracking factor {WCTF}. The WCTF is occasioned solely by changes in the cost of purchasing water from the Greenville Water Utility wholesale water suppliers. The WCTF may be revised from time to time, based upon changes in the cost of purchasing water for resale from the Greenville Water Utility suppliers. The changes in wholesaler water cost to the Greenville Water Utility, including adjustments for line losses and utility receipts tax, may be adjusted automatically by the Greenville Water Utility.

TOWN OF GREENVILLE
ORDINANCE NO. 2013-WO-051

FIRE PROTECTION

	<u>RATE PER ANNUM</u>
<u>PRIVATE HYDRANTS</u>	\$263.24
	<u>RATE PER ANNUM</u>
<u>AUTOMATIC SPRINKLERS</u>	
1 inch connection	\$ 9.30
1 1/4 inch connection	\$ 13.94
1 1/2 inch connection	\$ 21.38
2 inch connection	\$ 37.17
3 inch connection	\$ 83.63
4 inch connection	\$148.69
6 inch connection	\$334.53
8 inch connection	\$590.08

HYDRANT RENTAL **HOME:** \$2.91 PER MONTH **BUSINESS:** \$2.91 PER MONTH

CONNECTION, DEPOSITS AND RENTAL CHARGES

Meter Deposit	\$100.00
Meter Fee Home and Business	\$1.00 Per Month
5/8 or 3/4 inch meter	\$900.00
Larger than 3/4 inch	Actual Cost
Reconnection Charge where service has been disconnected due to non-payment	\$50.00 Plus any water usage amounts due

NEW CONNECTION CAPACITY COST SURCHARGE

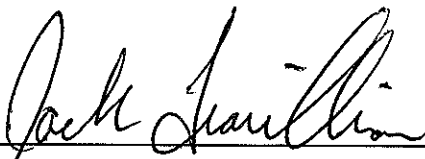
5/8 OR 3/4 inch meter	\$ 1,000.00
1 inch meter	\$ 2,000.00
1 1/2 inch meter	\$ 3,000.00
2 inch meter	\$ 4,000.00
3 inch meter	\$ 6,000.00
4 inch meter	\$ 8,000.00
5 inch meter	\$ 10,000.00
6 inch meter	\$12,000.00

TOWN OF GREENVILLE
ORDINANCE NO. 2013-WO-051

NON SUFFICIENT FUND CHECK CHARGES: \$20.00


- All rates and charges contained within this Ordinance will become effective the first billing cycle of 2014 upon passage of this Ordinance and Publishing in the New Albany Tribune. Anticipated adoption date of this Ordinance 2013-WO-051 shall be November 11th, 2013.
- Any portion of any prior Ordinance in conflict with the provisions of this Ordinance is hereby repealed.
- This Ordinance replaces Ordinance 2010-W-064. Ordinance 2010-W-064 shall be moved to the voided Ordinance file after passage of this Ordinance
- The Greenville Municipal Water and Sewer Utility and Town of Greenville Clerk Treasurer shall publish this Ordinance within 30 days in the New Albany Tribune {publication of record} after passage in accordance with I. C. 5-3-1-1 through I. C. 5-3-1-9.
- The Town of Greenville Clerk Treasurer shall attach a copy of the publication and related information to the original signed Ordinance and a PDF file shall be added to the electronic file copy of this Ordinance.
- Any unlawful provision found in this ordinance shall not effect the remaining provision.

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE
11th DAY OF NOVEMBER, 2013.



JACK TRAVILLIAN
CLERK / TREASURER

PRESIDENT OF THE GREENVILLE
MUNICIPAL WATER UTILITY
COUNCIL AND TOWN COUNCIL



TALBOTTE RICHARDSON

PREPARED BY: RANDAL JOHNES

TOWN OF GREENVILLE
ORDINANCE NO. 2013-WO-051

IC 8-1.5-3-8 Rates and charges

Sec. 8. (a) A municipality owning a utility under this chapter shall furnish reasonably adequate services and facilities.

(b) The rates and charges made by a municipality for a service rendered or to be rendered, either directly or in connection therewith, must be non-discriminatory, reasonable, and just.

(c) "Reasonable and just rates and charges for services" means rates and charges that produce sufficient revenue to:

(1) pay all the legal and other necessary expenses incident to the operation of the utility, including:

(A) maintenance costs;

(B) operating charges;

(C) upkeep;

(D) repairs;

(E) depreciation;

(F) interest charges on bonds or other obligations, including leases; and

(G) costs associated with the acquisition of utility property under IC 8-1.5-2;

(2) provide a sinking fund for the liquidation of bonds or other obligations, including leases;

(3) provide a debt service reserve for bonds or other obligations, including leases, in an amount established by the municipality, not to exceed the maximum annual debt service on the bonds or obligations or the maximum annual lease rentals;

(4) provide adequate money for working capital;

(5) provide adequate money for making extensions and replacements to the extent not provided for through depreciation in subdivision (1); and

(6) provide money for the payment of any taxes that may be assessed against the utility.

(d) It is the intent of this section that the rates and charges produce an income sufficient to maintain the utility property in a sound physical and financial condition to render adequate and efficient service. Rates and charges too low to meet these requirements are unlawful.

(e) The board may recommend to the municipal legislative body rates and charges sufficient to include a reasonable return on the utility plant of the municipality.

(f) Rates and charges established under this section are subject to the approval of:

(1) the municipal legislative body by ordinance; and

(2) the commission, in accordance with the procedures set forth in IC 8-1-2. The commission shall approve rates and charges that are sufficient, in addition to the cash revenue requirements set forth in subsection (c), to include a reasonable return on the utility plant of the municipality if the legislative body so elects.

(g) Except for a municipally owned utility taxed under IC 6-1.1-8-3, the commission shall approve rates and charges sufficient to compensate the municipality for taxes that would be due the municipality on the utility property were it privately owned. These rates and charges in lieu of taxes may be transferred to the municipal general fund, if the legislative body so elects.

(h) The commission shall grant a request that an increase in rates and charges not be effective until after the occurrence of a future event if the legislative body so requests.

(i) A municipality that acquires and operates a utility under IC 8-1.5-2 by exercising the power of eminent domain may not impose a special rate, charge, surcharge, or other fee, other than rates and charges approved under this section or otherwise authorized by law, on the customers of the utility in order to pay for the costs associated with acquiring the utility through the exercise of the power of eminent domain.

TOWN OF GREENVILLE ORDINANCE NO. 2013-WO-051

IC 8-1.5-3-8.1

Hearings; adoption of rates and charges

Sec. 8.1. (a) This section applies to all municipally owned water utilities that have been taken out of the jurisdiction of the commission for the approval of rates and charges.

(b) After the introduction of the ordinance establishing the rates and charges under section 8 of this chapter, but before the ordinance is finally adopted, the municipal legislative body shall hold a public hearing at which users of the waterworks, owners of property served or to be served by the waterworks, and other interested persons maybe heard concerning the proposed rates and charges. Notice of the hearing, setting forth the proposed schedule of rates and charges, shall be:

(1) published in accordance with IC 5-3-1 (IC 5-3-1-1 through IC 5-3-1-9);

(2) mailed to owners of vacant or unimproved property if the ordinance includes a fee for water service to vacant or unimproved property; and

(3) mailed to users of the waterworks located outside the municipality's corporate boundaries. The notice may be mailed in any form so long as the notice of hearing is conspicuous. The hearing may be adjourned from time to time.

(c) After the hearing, the municipal legislative body shall adopt the ordinance establishing the rates and charges, either as originally introduced or as modified. A copy of the schedule of rates and charges adopted shall be kept on file and available for public inspection in the offices of the board and the municipal clerk.

(d) The rates and charges established for any class of users or property shall be extended to cover any additional property that is subsequently served and falls within the same class, without any hearing or notice.

(e) The municipal legislative body may change or readjust the rates and charges in the same manner as they were established.

(f) Rates and charges collected under this chapter are considered revenues of the waterworks.

As added by P.L. 77-1991, SEC.1.

IC 8-1.5-3-8.2

Objections to rates and charges; bonds; hearings

Sec. 8.2. (a) This section applies to all municipally owned water utilities that have been taken out of the jurisdiction of the commission for the approval of rates and charges.

(b) Owners of property connected or to be connected to and served by the waterworks authorized under this chapter may file a written petition objecting to the rates and charges of the waterworks so long as:

(1) the petition contains the names and addresses of the petitioners;

(2) the petitioners attended the public hearing provided under section 8.1 of this chapter;

(3) the written petition is filed with the municipal legislative body within five (5) days after the ordinance establishing the rates and charges is adopted under section 8.1 of this chapter; and

(4) the written petition states specifically the ground or grounds of objection.

(c) Unless the objecting petition is abandoned, the municipal clerk shall file in the office of the clerk of the circuit or superior court of the county a copy of the rate ordinance or ordinances together with the petition. The court shall then set the matter for hearing at the earliest date possible, which must be within twenty (20) days after the filing of the petition with the court. The court shall send notice of the hearing by certified mail to the municipality and to the first signer of the petition at the address shown on the petition. All interested parties shall appear in the court without further notice, and the Municipality may not conduct any further proceedings concerning the rates and charges until the matters presented by the petition have been heard and determined by the court.

**TOWN OF GREENVILLE
ORDINANCE NO. 2013-WO-051**

(d) At the discretion and upon direction of the court, the petitioners shall file with the petition a bond in the sum and with the security fixed by the court. The bond must be conditioned on the petitioners' payment of all or part of the costs of the hearing and any damages awarded to the municipality if the petition is denied, as ordered by the court.

(e) Upon the date fixed in the notice, the court shall, without a jury, hear the evidence produced. The court may confirm the decision of the municipal legislative body or sustain the objecting petition. The order of the court is final and conclusive upon all parties to the proceeding and parties who might have appeared at the hearing, subject only to the right of direct appeal. All questions that were presented or might have been

(f) presented are considered to have been adjudicated by the order of the court, and no collateral attack upon the decision of the municipal legislative body or order of the court is permitted.

(g) If the court sustains the petition, or if the petition is sustained on appeal, the municipal legislative body shall set the rates and charges in accordance with the decision of the court.

As added by P.L. 77-1991, SEC.2.

**Information Maintained by the Office of Code Revision Indiana Legislative Services Agency
I.C. 5-3 ARTICLE 3. PUBLICATION OF NOTICES**

I.C. 5-3-1

Chapter 1. Publication Procedures

I.C. 5-3-1-0.4

"Newspaper"

defined

Sec. 0.4. As used in this chapter, "newspaper" refers to a newspaper:

(1) that:

(A) is a daily, weekly, semi-weekly, or triweekly newspaper of general circulation;

(B) has been published for at least three (3) consecutive years in the same city or town;

(C) has been entered, authorized, and accepted by the United States Postal Service for at least three (3) consecutive years as mail-able matter of the periodicals class; and

(D) has at least fifty percent (50%) of all copies circulated paid for by subscribers or other purchasers at a rate that is not nominal; or

(2) that:

(A) is a daily, weekly, semi-weekly, or triweekly newspaper of general circulation;

(B) has been entered, authorized, and accepted by the United States Postal Service as mail-able matter of the periodicals class;

(C) has at least fifty percent (50%) of all copies circulated paid for by subscribers or other purchasers at a rate that is not nominal; and

(D) meets the greater of the following conditions:

(e) The newspaper's paid circulation during the preceding year is equal to at least fifty percent (50%) of the paid circulation for the largest newspaper with a periodicals class permit located in the county in which the newspaper is published, based on the average paid or requested circulation for the preceding twelve (12) months reported in the newspaper's United States Postal Service Statement of Ownership published by the newspaper in October of each year or based on the newspaper's initial application for a permit from the United States Postal Service.

**TOWN OF GREENVILLE
ORDINANCE NO. 2013-WO-051**

(ii) The newspaper has an average daily paid circulation of one thousand five hundred (1,500) based on the average paid or requested circulation for the preceding twelve (12) months reported in the newspaper's United States Postal Service Statement of Ownership published by the newspaper in October of each year or based on the newspaper's initial application for a permit from the United States Postal Service.

As added by P.L. 64-1995, SEC.1. Amended by P.L. 38-1997, SEC.1; P.L. 169-2006, SEC.1.

I.C. 5-3-1-0.6

Place of publication

Sec. 0.6. (a) For purposes of this chapter, a newspaper or qualified publication is published at the place where the newspaper or qualified publication has its original entry for mail privileges authorized by the United States Postal Service.

(b) For purposes of this chapter, a newspaper or qualified publication is considered published at only one (1) place. The place of publication does not include places at which additional entry offices have been established with the authorization of the United States Postal Service.

Indiana Code 5-3-1 Page 2 of 8 *As added by P.L. 64-1995, SEC.2. Amended by P.L. 38-1997, SEC.2.*

I.C. 5-3-1-0.7

"Qualified publication" defined

Sec. 0.7. (a) As used in this chapter, "qualified publication" means a publication that:

- (1) is published daily, weekly, semi-weekly, or triweekly;
- (2) is of general circulation to the public;
- (3) has been published for at least three (3) consecutive years in the same city or town;
- (4) has continuity as to title and general nature of content from issue to issue;
- (5) contains news of general or community interest, community notices, or editorial commentary;
- (6) contains advertisements from unrelated advertisers in each issue;
- (7) has, in more than one-half (1/2) of its issues published during the previous twelve (12) month period, not more than seventy-five percent (75%) advertising content;
- (8) has a known office location in the county in which it is published; and
- (9) has been entered, authorized, and accepted by the United States Postal Service as mail-able matter of standard mail (A) class for the time published.

(b) A publication is not a qualified publication if any of the following apply:

- (1) The publication is owned by, or under the control of, the owners or lessees of a shopping center or a merchant's association.
- (2) The publication is owned by, or under the control of, a business that sells property or services (other than advertising) and the predominant advertising in the publication is advertising for the business's sales of property or services.
- (3) The publication is a mail order catalogue or other catalogue, advertising flier, travel brochure, house organ, theatre program, telephone directory, restaurant guide, shopping center advertising sheet, or other similar publication.
- (4) The publication is primarily devoted to matters of specialized interest such as a labor, fraternal, society, political, religious, sporting, or trade news publication or journal.
- (5) The publication is a magazine, racing form, or tip sheet.

TOWN OF GREENVILLE ORDINANCE NO. 2013-WO-051

Cost of advertising; form of legal advertisements; determination of circulation

Sec. 1. (a) The cost of all public notice advertising which any elected or appointed public official or governmental agency is required by law to have published, or orders published, for which the compensation to the newspapers or qualified publications publishing such advertising is drawn from and is the ultimate obligation of the public treasury of the governmental unit concerned with the advertising shall be charged to and collected from the proper fund of the public treasury and paid over to the newspapers or qualified publications publishing such advertising, after proof of publication and claim for payment has been filed.

(b) The basic charges for publishing public notice advertising shall be by the line and shall be computed based on a square of two hundred and fifty (250) ems at the following rates:

(1) Before January 1, 1996, three dollars and thirty cents (\$3.30) per square for the first insertion in newspapers or qualified publications plus one dollar and sixty-five cents (\$1.65) per square for each additional insertion in newspapers or qualified publications.

(2) After December 31, 1995, and before December 31, 2005, a newspaper or qualified publication may, effective January 1 of any year, increase the basic charges by five percent (5%) more than the basic charges that were in effect during the previous year. However, the basic charges for the first insertion of a public notice in a newspaper or qualified publication may not exceed the lowest classified advertising rate charged to advertisers by the newspaper or qualified publication for comparable use of the same amount of space for other purposes.

(3) After December 31, 2009, a newspaper or qualified publication may, effective January 1 of any year, increase the basic charges by not more than two and three-quarters percent (2.75%) more than the basic charges that were in effect during the previous year. However, the basic charges for the first insertion of a public notice in a newspaper or qualified publication may not exceed the lowest classified advertising rate charged to advertisers by the newspaper or qualified publication for comparable use of the same amount of space for other purposes and must include all multiple insertion discounts extended to the newspaper's other advertisers. An additional charge of fifty percent (50%) shall be allowed for the publication of all public notice advertising containing rule or tabular work.

(c) All public notice advertisements shall be set in solid type that is at least 7 point type, without any leads or other devices for increasing space. All public notice advertisements shall be headed by not more than two (2) lines, neither of which shall total more than four (4) solid lines of the type in which the body of the advertisement is set. Public notice advertisements may be

(d) Submitted by an appointed or elected official or a governmental agency to a newspaper or qualified publication in electronic form, if the newspaper or qualified publication is equipped to accept information in compatible electronic form.

(e) Each newspaper or qualified publication publishing public notice advertising shall submit proof of publication and claim for payment in duplicate on each public notice advertisement published. For each additional proof of publication required by a public official, a charge of one dollar (\$1) per copy shall be allowed each newspaper or qualified publication furnishing proof of publication.

(f) The circulation of a newspaper or qualified publication is determined as follows:

(1) For a newspaper, by the circulation stated on line 10.C. (Total Paid and/or Requested Circulation of Single Issue Published Nearest to Filing Date) of the Statement of Ownership, Management and Circulation required by 39 U.S.C. 3685 that was filed during the previous year.

(2) For a qualified publication, by a verified affidavit filed with each governmental agency that has public notices the qualified publication wants to publish. The affidavit must:

(A) be filed with the governmental agency before January 1 of each year; and

(B) attest to the circulation of the qualified publication for the issue published nearest to October 1 of the previous year.

TOWN OF GREENVILLE
ORDINANCE NO. 2013-WO-051

I.C. 5-3-1-1.5

Posting notice on newspaper web site

Sec. 1.5. (a) This section applies after June 30,2009, to a notice that must be published in accordance with this chapter.

(b) If a newspaper maintains an Internet web site, a notice that is published in the newspaper must also be posted on the newspaper's web site. The notice must appear on the web site on the same day the notice appears in the newspaper.

(c) The state board of accounts shall develop a standard form for notices posted on a newspaper's Internet web site.

(d) A newspaper may not charge a fee for posting a notice on the newspaper's Internet web site under this section.

I.C. 5-3-1-2

Public hearings or meetings, elections, and other events; requirements for publication of notice; posting instead of publication

Sec. 2. (a) This section applies only when notice of an event is required to be given by publication in accordance with this chapter.

If the event is a public hearing or meeting concerning any matter not specifically mentioned in subsection (c), (d), (e), (f), (g), or (h) notice shall be published one (1) time, at least ten (10) days before the date of the hearing or meeting.

(b) If the event is an election, notice shall be published one (1) time, at least ten (10) days before the date of the election.

(c) If the event is a sale of bonds, notes, or warrants, notice shall be published two (2) times, at least one (1) week apart, with:

(1) the first publication made at least fifteen (15) days before the date of the sale; and

(2) the second publication made at least three (3) days before the date of the sale.

(e) If the event is the receiving of bids, notice shall be published two (2) times, at least one (1) week apart, with the second publication made at least seven (7) days before the date the bids will be received.

(f) If the event is the establishment of a cumulative or sinking fund, notice of the proposal and of the public hearing that is required to be held by the political subdivision shall be published two (2) times, at least one (1) week apart, with the second publication made at least three (3) days before the date of the hearing.

(g) If the event is the submission of a proposal adopted by a political subdivision for a cumulative or sinking fund for the approval of the department of local government finance, the notice of the submission shall be published one (1) time. The political subdivision shall publish the notice when directed to do so by the department of local government finance.

(h) If the event is the required publication of an ordinance, notice of the passage of the ordinance shall be published one (1) time within thirty (30) days after the passage of the ordinance.

(i) If the event is one about which notice is required to be published after the event, notice shall be published one (1) time within thirty (30) days after the date of the event.

(j) If the event is anything else, notice shall be published two (2) times, at least one (1) week apart, with the second publication made at least three (3) days before the event.

**TOWN OF GREENVILLE
ORDINANCE NO. 2013-WO-051**

(k) If any officer charged with the duty of publishing any notice required by law is unable to procure advertisement:

- (1) at the price fixed by law;
- (2) because the newspaper refuses to publish the advertisement; or
- (3) because the newspaper refuses to post the advertisement on the newspaper's Internet web site (if required under section 1.5 of this chapter); it is sufficient for the officer to post printed notices in three (3) prominent places in the political subdivision, instead of publication of the notice in newspapers and on an Internet web site (if required under section 1.5 of this chapter).

(l) If a notice of budget estimates for a political subdivision is published as required in I.C. 6-1.1-17-3, and the published notice contains an error due to the fault of a newspaper, the notice as presented for publication is a valid notice under this chapter.

(m) Notwithstanding subsection (j), if a notice of budget estimates for a political subdivision is published as required in I.C. 6-1.1-17-3, and if the notice is not published at least ten (10) days before the date fixed for the public hearing on the budget estimate due to the fault of a newspaper, the notice is a valid notice under this chapter if it is published one (1) time at least three (3) days before the hearing.

I.C. 5-3-1-3

Cities, towns, and school corporations; publication of annual reports of receipts and expenditures

Sec. 3. (a) Within sixty (60) days after the expiration of each calendar year, the fiscal officer of each civil city and town in Indiana shall publish an annual report of the receipts and expenditures of the city or town during the preceding calendar year.

(b) Not earlier than August 1 or later than August 15 of each year, the secretary of each school corporation in Indiana shall publish an annual financial report.

(c) In the annual financial report the school corporation shall include the following:

(1) Actual receipts and expenditures by major accounts as compared to the budget advertised under I.C. 6-1.1-17-3 for the prior calendar year.

(2) The salary schedule for all certificated employees (as defined in I.C. 20-29-2-4) as of June 30, with the number of employees at each salary increment. However, the listing of salaries of individual teachers is not required.

(3) The extracurricular salary schedule as of June 30.

(4) The range of rates of pay for all non-certificated employees by specific classification.

(5) The number of employees who are full-time certificated, part-time certificated, full-time non-certificated, and part-time non-certificated.

(6) The lowest, highest, and average salary for the administrative staff and the number of administrators without a listing of the names of particular administrators.

(7) The number of students enrolled at each grade level and the total enrolment.

(8) The assessed valuation of the school corporation for the prior and current calendar year.

(9) The tax rate for each fund for the prior and current calendar year.

(10) In the general fund, capital projects fund, and transportation fund, a report of the total payment made to each vendor for the specific fund in excess of two thousand five hundred dollars (\$2,500) during the prior calendar year. However, a school corporation is not required to include more than two hundred (200) vendors whose total payment to each vendor was in excess of two thousand five hundred dollars (\$2,500). A school corporation shall list the vendors in descending order from the vendor with the highest total payment to the vendor with the lowest total payment above the minimum listed in this subdivision.

(11) A statement providing that the contracts, vouchers, and bills for all payments made by the school corporation are in its possession and open to public inspection.

TOWN OF GREENVILLE ORDINANCE NO. 2013-WO-051

(12) The total indebtedness as of the end of the prior calendar year showing the total amount of notes, bonds, certificates, claims due, total amount due from such corporation for public improvement assessments or intersections of streets, and any and all other evidences of indebtedness outstanding and unpaid at the close of the prior calendar year.

(d) The school corporation may provide an interpretation or explanation of the information included in the financial report.

(e) The department of education shall do the following:

(1) Develop guidelines for the preparation and form of the financial report.

(2) Provide information to assist school corporations in the preparation of the financial report.

(f) The annual reports required by this section and I.C. 36-2-2-19 and the abstract required by I.C. 36-6-4-13 shall each be published one (1) time only, in accordance with this chapter.

(g) Each school corporation shall submit to the department of education a copy of the financial report required under this section. The department of education shall make the financial reports available for public inspection.

I.C. 5-3-1-3.5

Publication of annual report of certain political subdivisions

Sec. 3.5. (a) This section applies to each political subdivision that has:

(1) an annual budget of at least three hundred thousand dollars (\$300,000); and

(2) the power to levy taxes.

(b) This section does not apply to a political subdivision that is required to publish an annual report under any other statute.

(c) As used in this section, "political subdivision" has the meaning set forth in I.C. 36-1-2-13.

(d) Not later than sixty (60) days after the expiration of each calendar year, a political subdivision shall publish an annual report of the receipts and expenditures of the political subdivision during the preceding calendar year.

(e) The annual reports required by this section shall be published only one (1) time per year.

I.C. 5-3-1-4

Notices by political subdivisions and school corporations; requirements; notice in multiple counties; supplementary notices

Sec. 4. (a) Whenever officers of a political subdivision are required to publish a notice affecting the political subdivision, they shall publish the notice in two (2) newspapers published in the political subdivision.

(b) This subsection applies to notices published by county officers. If there is only one (1) newspaper published in the county, then publication in that newspaper alone is sufficient.

(c) This subsection applies to notices published by city, town, or school corporation officers. If there is only one (1) newspaper published in the municipality or School Corporation, the publication in that newspaper alone is sufficient. If no newspaper is published in the municipality or School Corporation, then publication shall be made in a newspaper published in the county in which the municipality or school corporation is located and that circulates within the municipality or School Corporation.

(d) This subsection applies to notices published by officers of political subdivisions not covered by subsection (a) or (b). If there is only one (1) newspaper published in the political subdivision, then the notice shall be published in that newspaper. If no newspaper is published in the political subdivision, then publication shall be made in a newspaper published in the county and that circulates within the political subdivision.

(e) This subsection applies to a political subdivision, including a city, town, or school corporation.

Notwithstanding any other law, if a political subdivision has territory in more than one (1) county, public notices that are required by law or ordered to be published must be given as follows:

TOWN OF GREENVILLE ORDINANCE NO. 2013-WO-051

- (1) By publication in two (2) newspapers published within the boundaries of the political subdivision.
- (2) If only one (1) newspaper is published within the boundaries of the political subdivision, by publication in that newspaper and in some other newspaper:
 - (A) published in any county in which the political subdivision extends; and
 - (B) that has a general circulation in the political subdivision.
- (3) If no newspaper is published within the boundaries of the political subdivision, by publication in two (2) newspapers that:
 - (A) are published in any counties into which the political subdivision extends; and
 - (B) have a general circulation in the political subdivision.
- (3) If only one (1) newspaper is published in any of the counties into which the political subdivision extends, by publication in that newspaper if it circulates within the political subdivision.
- (f) A political subdivision may, in its discretion, publish public notices in a qualified publication or additional newspapers to provide supplementary notification to the public. The cost of publishing supplementary notification is a proper expenditure of the political subdivision.

I.C. 5-3-1-5 Repealed

(Repealed by Acts 1981, P.L.45, SEC.105.)

I.C. 5-3-1-6

Notices published in newspapers or by state; electronic access

Sec. 6. (a) In all cases where notices are required by law to be published in the public newspaper by or under the supervision of any state officer, board, commission, or institution of the state of Indiana, said notices are hereby required to be published in each of two (2) daily newspapers published in the city of Indianapolis and in such other cities as is required by law, said notices to be in all cases published in two (2) newspapers in each city where they are required to be published. In all cases where the officer, board, commission, or institution making said publication is located outside of the city of Indianapolis, said notices shall also be published in newspapers published within the county where said officer, board, commission, or institution maintains its office. The rate charged for all such notices and advertising shall be the same as is set out in section 1 of this chapter.

(b) In addition to the requirements of subsection (a), a state officer, board, commission, or institution of the state of Indiana that is required by law to publish a notice of a public meeting

shall also provide electronic access to the notice through the computer gateway administered by the office of technology established by I.C. 4-13.1-2-1.

(Formerly: Acts 1927, c.96, s.6.) As amended by P.L.25-1986, SEC.12; P.L.251-1999, SEC.3; P.L177-2005, SEC.

13.I.C. 5-3-1-7 Repealed

(Repealed by Acts 1981, P.L.45, SEC.105.)

I.C. 5-3-1-8

Utility regulatory commission hearings; notice

Sec. 8. Whenever the utility regulatory commission shall order a hearing in any city, town, county, or township of the state, notice of such hearing shall be published in two (2) newspapers of general circulation in such city, town, county, or township, by one (1) publication in each of such newspapers, not less than ten (10) days prior to the day on which such hearing will be held.

I.C. 5-3-1-9 Violations; offense

Sec. 9. A person who fails to comply with this article commits a Class C infraction.