



Delphi Common Council Agenda

Date/Time: Monday February 02, 2026 @ 6:00 P.M.
Location: Delphi City Building 201 S. Union St. Delphi, IN

Live Streamed on Delphi Indiana YouTube Channel
<http://www.youtube.com/@delphiindiana491>

- 1. Calling to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call Clerk Price**
- 4. Meeting Minutes**
 - a. Monday January 05, 2026*
- 5. Department Head Reports**
- 6. Other Business**
 - a. Presentation by Richard Huston – Wabash Valley Hydro*
 - b. Wabash Erie Canal Board of Directors/City of Delphi – Property Management/Ownership*
 - c. Attorney’s Report on Proposed Chicken Ordinance*
- 7. Unfinished Business**
 - a. Updated Employee Handbook*
- 8. New Business**
 - a. Presentation by Madison Kauffman – Carroll County Chamber Membership Level*
 - b. Proposed Ordinance No 2026-01 Adopting Codification of 2025 Ordinances*
 - c. Proposed Ordinance No 2026-02 Amending Flow Rates for Class II Sewer Users*
 - d. Proposed Ordinance No 2026-03 Amending Code Sec 51.39 Regarding Fire Hydrant Rental Fees Paid by Owners and Private Fire Protection*
- 9. Future Business & Announcements**
- 10. Miscellaneous Business**
 - a. Board Comments*
 - b. Clerk Treasurer Price*
 - c. Public Comments*
 - d. Adjournment*

The City of Delphi acknowledges its responsibility to comply with the Americans with Disabilities Act of 1990. To assist individuals with disabilities who require special services (i.e. sign interpretive service, alternative audio/visual devices, and amanuenses) for participation in or access to City-sponsored public programs, services, and/or meetings, the City ask that individuals make requests for these services at least forty-eight (48) hours ahead of the scheduled program, service, and/or meeting. To make arrangements, please contact the City at (765) 564-2097

Agenda Subject to Change



Common Council Meeting– January 5, 2026
2nd floor City Building 6:00 pm
201 S. Union St. Delphi

Council was called to order at 6:00 pm on the second floor of the city building. Live streamed on Youtube and opened with the Pledge of Allegiance.

Roll call was given by clerk/treasurer-Julie Price. Members present: Kamron Yates, Denny Myers, Doyle Moore, Erin Jubril, Spencer Kingery, and Dale Seward.

The minutes for December 30, 2025 special council meeting was presented for approval. There were no additions or corrections. Department head reports were entered into record for the minutes. No discussion for the minutes. Motion to approve the minutes made by Erin Jubril seconded by Doyle Moore. Motion carried and passed. (4-0) Abstain(1)-Dale Seward.

Other Business:

Mayor Yates read a proclamation in honor of Dan McCain and shared all of his lifetime accomplishments and work regarding the canal and the City of Delphi. After reading the proclamation, he presented Mr. McCain with the key to the city. Mr. McCain took a few moments to thank the mayor and council and speak about some of the projects in which he received recognition. Two of the canal board members spoke about Mr. McCain and his contribution to the canal and city.

Richard Huston with Wabash Valley Hydro was on the agenda to speak to the council, but was not present. The item on the agenda was tabled for possible presentation at the February meeting.

New Business:

Nominations for Pro Tempore were opened to the council. Denny Myers nominated Spencer Kingery as the 2026 Council President Pro Tempore. Mayor Yates asked if there were any other nominations for president. No other nominations were submitted. Nomination was seconded by Erin Jubril. Motion to approve Spencer Kingery as 2026 Council President Pro Tempore carried and passed. (5-0)

Nominations for the DPC were opened to the council. Erin Jubril voiced her interest in serving on the board. Mayor Yates asked if there were any other nominations for president. No other nominations were submitted. Spencer Kingery made a motion to approve Erin Jubril for the DPC board, seconded by Doyle Moore. Motion carried and passed. (5-0)

Nominations for the NSWDC were opened to the council. No member was interested in serving at this time, but after some discussion, it was decided that the position could possibly be filled by a citizen. The decision was made to table nominations to allow advertising to the public.

Nominations for the CCATC(transportation) committee were opened to the council. Erin Jubril stated her interest in serving on the board for 2026. Denny Myers nominated Erin Jubril for the transportation

board. Mayor Yates asked if there were any other nominations for president. No other nominations were submitted. Motion seconded by Dale Seward. Motion passed and carried. (5-0)

Nominations for the appointment/reappointment of 2 members to the DRDC were opened to the council. Spencer Kingery and Denny Myers stated their interest in continued service on the board for 2026. Mayor Yates asked if there were any other nominations for president. No other nominations were submitted. With no other nominations, motion to remain on the board made by Dale Seward, seconded by Doyle Moore. Motion carried and passed. (5-0)

Appointment of council member as department liaisons was presented by Mayor Yates.

Doyle Moore-Police and Airport

Spencer Kingery-Fire and Street

Denny Myers-Clerk's Office

Erin Jubril- Water

Dale Seward-Wastewater

Upon presentation of the liaisons, Mayor Yates asked if all board members approved of the assignments. All members agreed with the assignments. Motion to approve the department assignments made by Spencer Kingery, seconded by Denny Myers. Motion carried and passed. (5-0)

The 2026 Delphi Main Street contract was presented for review and approval. Mayor Yates listed many things the DMS has been involved in over the past year and stated that the DMS is funded by EDIT funds and the DMS meets the 2nd Monday of the month at the Senior Center. Motion to approve the 2026 contract made by Erin Jubril, seconded by Spencer Kingery. Motion carried and passed. (4-0)
Abstain(1)-Dale Seward.

The updated City of Delphi employee handbook was presented to council members prior to the meeting to review and discuss any changes regarding the new version. Mayor Yates asked Clerk-Treasurer Price to explain the updates. Clerk-Treasurer Price stated that the current policies are outdated and missing several state and federally mandated policies. The HR company will automatically update as state and federal guidelines change. It is included in the cost of yearly subscription and the original contract to update the policies. The decision to present any changes/concerns to the policies for the February meeting was unanimously decided with no voting action needed.

Proposed Ordinance 2026-1 Enacting and adopting Codification of the 2025 Ordinances was presented for approval on the first reading. Motion to approve the ordinance made by Denny Myers, seconded by Erin Jubril. Motion carried and passed on first reading. (4-0) Abstain(1)-Dale Seward

Future Business & Announcements

Community Development Director Julia Leahy stated that Delphi Main Street will kick off the 2026 year beginning with the Mardi Gras celebration on February 21st. It will be the first of many events sponsored by DMS throughout the year.

Board Comments:

Mayor Yates stated that representatives from AIM will be present at the February council meeting to discuss SB1 and the impact on the city.

Doyle Moore welcomed Dale Seward to the council board.

Dale Seward asked Chief Mullin about the Police report information regarding Code Enforcement and what the number represent.

Dale Seward asked if it was common to receive council information the day of the meetings or if it is sent in advance to board members. He commented that he abstained from voting due to not having the information prior to the meeting. Mayor Yates stated that all information was sent to the council members at the Thursday or Friday before to review and is sent to city assigned emails. Dale Seward requested his information be sent to a personal email address that he created for city business. Mayor Yates explained that city business will be sent to city emails only for security and legal reasons. Legal counsel Miriam Robeson stated that all city business should be done through city assigned emails to adhere to open door policies and APRA guidelines for public records. Erin Jubril suggested downloading the Outlook App on his phone to have his city email sent straight to his phone. Spencer Kingery suggested that if he would like it sent to his personal email, he could forward the information from the city assigned email but city information is sent to city assigned emails that were created through the city's technology team.

Clerk-Treasurer Comments:

Clerk-Treasurer Price commented that the 2026 trash and recycling service calendars have been printed and mailed to service customers. If anyone needs a calendar, they are available on the information wall just inside the city building and in the clerk's office as well.

Public Comments:

Lauren Murfree asked how funds from Code enforcement violations are receipted/allocated. Clerk-Treasurer Price stated they go in to general fund. Ms. Murfree asked if the funds collected could be used to help property owners. Ms. Murfree questioned if AIM does the lobbying at the statehouse for SB1 or if the city does any of it. Mayor Yates stated that AIM is the city's representative for the statehouse and all items regarding SB1.

Adjournment

Without objection and no other business or comments, the motion to adjourn Common council was made by Spencer Kingery and seconded by Denny Myers. Motion carried (5-0) and meeting adjourned at 7:12 p.m.

Mayor Kamron Yates

Julie Price, Attest

Community Development Report JANUARY 2026 – Julia Leahy

PERMITS/PLANNING

Residential:

- *Met with a resident/new home build; transferred to Area Plan (property is in the floodplain)
- *Accessory structure/garage permit issued
- *Three inquiries: roof replacement, install HVAC in an existing garage, replace shed (existing slab)

Commercial:

- *Sign permit approved-Belalis Bridal & Floral, 102 E. Main
- *Business expansion-development plan review pending

Residential Development: petition to rezone from R1 to R2 (11.26 acres)-Plan Commission hearing Feb. 17 at 6PM

Solicitor's Permits – 4 applications received and are pending approval

American Citizen Planner IN – began the online series through Purdue Extension for ACP-IN 101

Facilitative Leadership Training – advanced training for FLT alumni (3-part series)

DELPHI MAIN STREET

Annual Membership Meeting and brainstorming session was on January 12 with 31 business owners, community leaders, and volunteers attending. Five new board members were elected to the DMS Board: Kyle Remaly, Ann Hughes, Julie Holder, Julie Knoeller, and Sarah Hoss.

DMS Board of Directors met on January 15. Officers elected: P-Mark Mendel, VP-Tyler Shirey, T-Courtney Kingery, S-Kyle Remaly. Board voted to form the Delphi Arts Council with DMS as the fiscal agent. DMS will partner with the Delphi Opera House for the 3rd annual Hispanic Heritage Festival (tentative date: October 3)

Strong Board for Sustainable Leadership – National Main Street Association; 3-part series

Façade Improvement Grant – Design Committee/DMS Board approved for 102 E. Main (\$750)

Creation of a DORA in the downtown (Designated Outdoor Refreshment Area) – planning phase

Purdue HTM 462 – working with a team of students (Advanced Event Planning & Mgmt) regarding the 171st Old Settlers festival (current semester)

Final presentation from grad students/Purdue Global: Current & Future Trends in Themed Entertainment (enhancements to Old Settlers)

Pending Grant Applications:

- Indiana Arts Commission – America 250 project
- Indiana Arts Commission/Creative Convergence – Delphi Arts Garden
- Levitt Foundation – Entertainment Hispanic Heritage Festival

OTHER

- 1/8 EDC – Executive Committee meeting
- 1/14 KIRPC Safe Roads committee meeting/findings
- 1/15 EDC Board Meeting
- 1/23 Chamber State Legislative Luncheon
- 1/28 Area IV Executive Board meeting

Police Report for January 2026

Monday, February 2, 2026

Mayor Kamron Yates and Members of the Board of Works and Common Council,

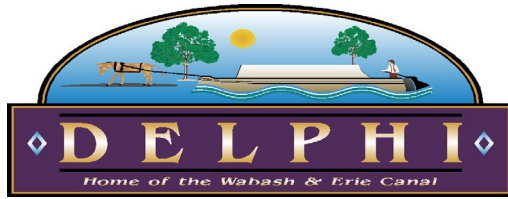
Police and Code Enforcement Report:

At the time this report is furnished statistical data for January 2026 was incomplete. Data will be provided on Monday February 2nd prior to the meeting.

Best Regards,

Stephen L Mullin, Chief of Police





Street & Parks Department January Highlights

- Finished fleet maintenance
- Removed Christmas decorations from uptown
- Picked up our new bucket truck
- Picked up Yard waste and Christmas trees
- Installed new parking lot lights in Riley
- Snow removal
- Repaired door at the Community Center
- Snowplow maintenance

City of Delphi Water Works

BOW and Council Meeting

2/2/26

- Read meters.
- Sent out 4 each Fluoride and Bacti Samples
- Total Gallons pumped TBA
- 24 Locate Requests
- 80 Daily Service Calls
- Daily checking of High and continuous consumption users (193 total for the month)
- Daily checking of meter communication alarms (62 total for the month)
- Assisted with snow removal
- 8 Frozen Meters
- Water Leak 208 N. Connely
- Road Cut Maintenance
- Changed out meter pulse reader at IPC

Yearly Totals

- Locates (1272)
- Continuous Consumption (1829)
- Daily Service Calls (723)
- Daily Meter Alarms (963)
- Total Gallons pumped for 2025 (370.114 Million Gallons)

Thank you,

Craig A. Myers

Water Superintendent



Wabash Valley
HYDROVAC LLC

- Hydro Excavation
- Pipe Jetting
- CCTV Pipe Inspection
- Trenchless Repair
- Point Repair
- Saw Cutting



Wabash Valley
HYDROVAC LLC

Richard Huston
V.P. of Industrial Services

4902 State Rd 25 W
Lafayette, Indiana 47909
richard@wabashvalleyhydro.com
Phone: 765-337-4990



Robeson Law LLC

Date: 1/29/2026

To: Honorable Mayor Yates, the Common Council, and the Board of Works and Public Safety for the City of Delphi, Indiana
From: Amber Morgan, Attorney for the City of Delphi, Indiana
Re: Attorney's Report on Proposed Chicken Ordinance

The Common Council has discussed looking into adopting a chicken ordinance which would allow residents to keep chickens at residential properties within city limits. While looking into this request, we have determined that this would require amendments to the Unified Development Ordinance ("UDO") rather than a general regulatory ordinance that becomes part of the municipal code of ordinances.

The UDO currently classifies keeping chickens ("chicken husbandry") as a special use in low-density residential districts, which requires an approval of a variance, so our recommendation would be for the City to amend the UDO to classify chicken husbandry as a permitted use in low-density residential districts and to include specific use standards for chicken husbandry. This will open the opportunity for residents to keep chickens on their properties within city limits while providing standards and requirements to ensure that public welfare and safety as well as animal welfare is protected.

The process to adopt an amendment to the UDO is more complex than that of adopting a general regulatory ordinance. Below is a high-level outline of the statutory process required to amend the UDO to allow chicken husbandry as a permitted use in low-density residential districts.

- 1) The Planning Commission holds a public hearing on the proposed amendments and, after hearing public comments, votes to certify the proposal with a favorable recommendation, unfavorable recommendation, or no recommendation.
 - a. Notice of the public hearing shall be published once in the Carroll County Comet at least ten (10) days prior to the public hearing
- 2) The proposed amendments then go to the Common Council for consideration at its first regular meeting after the Planning Commission has certified the proposal, and the Common Council votes to adopt, amend, or reject the proposed amendments. If the Common Council votes to adopt the proposed amendments, they take effect as other ordinances of the Common Council.
 - a. The Common Council needs to give public notice of its intention to consider the proposal at this meeting.

Exhibit A attached hereto provides draft language for what such proposed amendments might look like and this is included for *reference purposes only*. Our recommendation is to allow the Planning Commission to look at and discuss the draft language first. However, if the Common Council has anything it would like the Planning Commission to consider, we can take that to the Planning Commission.

Please let us know if you have any questions.

Respectfully submitted,

Amber Morgan
Attorney for the City of Delphi, Indiana

EXHIBIT A

Draft Language for Proposed Amendments to UDO – Chicken Husbandry

**Proposed amendments highlighted in yellow.*

CHAPTER 2: ZONING DISTRICTS

B. Zoning Districts.

Permitted Land Uses and Development Standards are included in this chapter for the following zoning types:

1. Low-Density Residential District (R1).

- a. **Purpose.** The Low-Density Residential district is intended to provide area suitable for low-density residential living. New development on vacant parcels that includes a majority of single-family residential units must also contain a mix of densities and varied housing types. Development may be comprised of multiple attached units on one lot or on multiple lots separated by lot lines at a common wall. New development shall contain a high level of street connectivity and be supported by adequate utilities and public services.
- b. **General Standards.**
 - i. All subdivisions require subdivision approval unless exempt (See *Chapter 5: Subdivision Types*).
 - ii. All new primary structures require Development Plan approval (except single-family and two family residential dwellings).
 - iii. All development may be subject to Drainage Board approval.
 - iv. One primary use is permitted per parcel, and one primary structure/dwelling is permitted per parcel.
- c. **Use and Development Standards.**

Permitted Uses – Low-Density Residential District (R1)	
ACCESSORY USES <ul style="list-style-type: none">• home occupation• short-term rental (owner occupied)• chicken husbandry	RESIDENTIAL USES <ul style="list-style-type: none">• dwelling, single-family• dwelling, two-family• residential home for the disabled
INSTITUTIONAL USES <ul style="list-style-type: none">• park, dog	

<ul style="list-style-type: none"> • park, public 	
Special Exception Uses - Low-Density Residential District (R1)	
ACCESSORY USES <ul style="list-style-type: none"> • beekeeping/chickens • *dwelling, accessory • *home-based business • *short-term rental (not owner occupied) 	INSTITUTIONAL USES <ul style="list-style-type: none"> • community center SERVICE USES <ul style="list-style-type: none"> • childcare center • childcare home
<p><i>* Indicates that special development, operational, and/or procedural standards will apply to the use. See Chapter 4: Standards for Specific Uses.</i></p>	

Structure Standards - Low-Density Residential District (R1)			
		Single-family and Two-family Residential	Non-residential
Maximum height of structure	Primary structure	35 feet	35 feet
	Accessory structure	20 feet ¹	20 feet ¹
Minimum living area		1,000 sqft with at least 600 sqft on the ground floor	N/A
Lot Standards – Low-Density Residential District (R1)			
Minimum lot width		60 feet	90 feet
Minimum lot area		Single-family 6,000 sqft Two-family 4,500 sqft/unit	13,500 sqft
Minimum front yard setback	Major collectors/highways	35 feet	35 feet
	All other roads	25 feet	25 feet
Minimum side yard setback	Primary structure	7 feet	7 feet
	Accessory structure	7 feet	7 feet
Minimum rear yard setback	Primary structure	20 feet	20 feet
	Accessory structure	20 feet	20 feet
Maximum impervious surface coverage		40%	40%
Utility Standards – Low-Density Residential District (R1)			
Municipal water and sewer required		YES	YES
Additional Site Development Standards			
<p>The following site development standards may also apply to development in this district. See <i>Chapter 3: Site Development Standards</i>.</p>			
<ul style="list-style-type: none"> • Accessory Structure Standards • Driveway and Access Management Standards • Landscaping and Buffer Standards • Lighting Standards 		<ul style="list-style-type: none"> • Sign Standards • Storage Standards • Structure Standards • Trash Receptacle and Dumpster Standards 	

<ul style="list-style-type: none"> • Parking and Loading Standards 	
<p>1 – Accessory structures cannot exceed the height of the primary structure. The total square footage of all accessory structures, excluding fences, cannot exceed 75% of the total square footage of the primary structure.</p>	

CHAPTER 3: SITE DEVELOPMENT STANDARDS

B. Standards Required.

1. Accessory Structure Standards.

- a. **Purpose.** The purpose of accessory structures standards is to provide safe conditions and orderly development within a site and to protect the health, safety, and welfare of the public.
- b. **Permitted Districts.** Accessory structures shall be permitted in all zoning districts provided all requirements of this UDO have been met.
- c. **Location.**
 - i. An accessory structure shall meet all setback and height requirements as required by the applicable zoning district in *Chapter 2: Zoning Districts*.
 - ii. Accessory structures shall not be constructed within any type of easement, including drainage, access, and utility easements.
 - iii. Accessory structures that require a permit shall be located behind the front façade of the primary structure unless otherwise stated in this UDO.
 - iv. Accessory structures that *do not* require a permit are required to be located behind the rear façade of the primary structure unless otherwise stated in this UDO.
- d. **Subordinate in Nature.**
 - i. An accessory structure shall be ancillary and complementary to the use of the primary structure.
 - ii. Accessory structures shall be subordinate in height, area, bulk, and extent to the primary structure except within the industrial districts.
 - iii. The total cumulative square footage of all accessory structures cannot exceed seventy-five percent (75%) of the footprint of the primary structure except within the industrial districts.
- e. **Permits for Accessory Structures.**
 - i. Accessory Structures that Require a Permit. The following accessory structures are permitted in all zoning districts, require a BP, require an ILP, and shall meet all applicable requirements of the UDO.
 - (a) All Accessory Structures. This includes but is not limited to fences, retaining walls, slabs, pole barns, decks, garages, carports, enclosed patios, above-ground swimming pools, in-

ground swimming pools, bath houses, gazebos, shelter houses, cabanas, greenhouses, accessory solar/wind structures/systems (free standing, co-located, and attached), storage sheds, and stables.

- (b) Signs as required in *Section 6: Sign Standards*.
 - (c) Temporary storage containers as required in *Section 7: Storage Standards*.
 - (d) Accessory wireless communications facilities, both free-standing and those co-located upon an existing or pre-approved wireless communication facility structure.
 - (e) All other accessory structures not specifically included in *Subsection ii* below.
- ii. Accessory Structures that DO NOT Require a Permit. The following accessory structures are permitted in all zoning districts (unless otherwise stated in this UDO) and may be installed without a BP or an ILP. All accessory structures are still required to meet all applicable accessory structure standards and all other requirements of this UDO.
- (a) Landscape vegetation.
 - (b) Swing sets, children's treehouses, and poles for basketball nets.
 - (c) Bird baths, bird houses, lamp posts, mailboxes, name plates, and housing for domestic pets (provided it is not fifty (50) square feet or larger and does not constitute a kennel as defined in *Chapter 9: Definitions*).
 - (d) **Chicken coops, pens, and runs.**
 - (e) Utility installation for local/home services (including cable, fiber, and Wi-Fi, but excluding solar and wind).
 - (f) Ponds and drainage installations that have a surface area less than twenty-five (25) square feet.
 - (g) Small structures under fifty (50) square feet.

CHAPTER 4: STANDARDS FOR SPECIFIC USES

B. Uses.

1. **Accessory Dwelling Unit.**

[Subsection heading included only for reference purposes. This subsection will not be impacted by the proposed amendments regarding chicken husbandry.]

2. **Adult Day Care.**

[Subsection heading included only for reference purposes. This subsection will not be impacted by the proposed amendments regarding chicken husbandry.]

3. **Chicken Husbandry. [NEW SUBSECTION]**

- a. **Chicken Husbandry Purpose.** The purpose of these standards for chicken husbandry is to ensure that chickens kept in residential areas are properly cared for as well as to ensure that public health, safety, and neighborhood harmony are appropriately protected. These standards do not override any private restrictive covenants, homeowners' association rules, or deed restrictions that may prohibit or further regulate the keeping of chickens on certain properties.
- b. **Chicken Husbandry General Standards.**
 - i. All persons keeping chickens shall comply with all applicable local, state, and federal laws and regulations governing the harboring and treatment of chickens.
- c. **Chicken Husbandry Development Standards.**
 - i. Operational Standards.
 - (a) All persons keeping chickens on residential properties shall operate in such a manner to not constitute a public nuisance or disturb neighboring residents due to noise, odor, or damage.
 - (b) All persons keeping chickens on residential properties shall operate in a manner to not pose a threat to public health. Chickens which are sick or diseased shall be isolated to not endanger the health and well-being of other animals and humans. When necessary for the protection of public health and safety, an animal control officer may require the specified animal to be kept or confined in a secure enclosure. All provisions relating to the keeping chickens is subordinate to any state or federal code governing the treatment of chickens in the event of a threat to human or livestock health.
 - (c) No roosters shall be kept.
 - (d) The sale of poultry, eggs, or meat on the premises (i.e., roadside stand or garage) is prohibited. Keeping chickens on residential properties is intended for personal use only.
 - (e) There shall be no disposal or butchering of chickens in open site on the premises.
 - ii. Structure Standards.
 - (a) Chicken Coop.
 - (1) The chicken coop shall be enclosed with solid materials on all sides and have a solid roof and door(s).
 - (2) The coop shall be at least eighteen (18) inches high and provide at least one (1) square foot of floor area per chicken.
 - (3) Traditional building materials may be used.
 - (4) Doors shall be constructed so that they can shut and latch.
 - (5) Vents, covered with wire, will be placed as necessary for adequate ventilation.

- (6) The coop shall provide perches that provide a minimum of six (6) inches of perch space for white chickens and seven (7) inches per chicken for brown chickens.
- (7) Nest boxes shall be provided for egg-laying birds and should be dark inside, clean, and filled with a substrate such as wood shavings, straw, or other similar material appropriate for nests.
- (8) The coop shall contain an area and material for chickens to dustbathe.
- (b) Chicken Pens and Runs.
 - (1) All pens and runs shall be constructed of traditional building materials and be predator-proof.
 - (2) All pens and runs shall provide at least two (2) square feet of area per chicken.
 - (3) The fencing around all pens and runs shall rise no more than six (6) feet above the ground.
 - (4) All pens and runs shall be covered with wire, aviary netting, or solid roofing.

iii. Site Standards.

- (a) All pens, coops, and runs shall meet the accessory structure setback requirements of the zoning district.
- (b) Pens, runs, and coops shall be predator proof and provide proper ventilation and draft protection for the birds.
- (c) All pens, coops, runs, and the surrounding area shall be kept clean, dry, odor-free and in a neat and sanitary condition at all times. All manure, uneaten feed, and other trash shall be removed daily and disposed of in a sanitary manner. The property owner shall take all necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites.
- (d) All chickens shall be completely and securely enclosed on the residential property and under the control of the person keeping the chickens at all times.
- (e) A chicken coop and chicken pen shall be provided for all chickens on residential properties. During daylight hours, chickens may be in the chicken pen.
- (f) Chickens shall have access to feed and clean water at all times, and such feed and water shall be unavailable to rodents, wild birds, dogs, and other predators.

d. Procedures for Establishing Chicken Husbandry. Accessory structures for chicken husbandry do not require a building permit or ILP but shall meet the accessory structure setback requirements of the zoning district

4. Home-based Business.

[Subsection heading is included only for reference purposes and to show that subsections following the new subsection 3 regarding chicken husbandry will be renumbered as a result of the proposed amendments herein. The text to this subsection and subsequent subsections is not impacted by the proposed amendments regarding chicken husbandry.]



P.O. Box 175
 Delphi, IN 46923
 Office: (765)564-6757

Invoice

Invoice Date: 12/18/2025
 Invoice#: 4286

Delphi, City of
 Kamron Yates
 201 S. Union St.
 Delphi, IN 46923

Terms	Due Date
Net 30	1/17/2026

Description	Quantity	Rate	Amount
Platinum Partner Membership Tier	1	\$3,000.00	\$3,000.00
<i>THANK YOU FOR YOUR PARTNERSHIP!</i>			
Subtotal:			\$3,000.00
Payment/Credit Applied:			\$0.00
Balance:			\$3,000.00



PRESIDENTIAL PARTNER

PLATINUM PARTNERS





2026 Membership Investment Levels

		Supporter	Business Builder	Influencer	Community Connector	Business Innovator	Platinum Partner	Presidential
		\$250	\$500	\$750	\$1,000	\$1,500	\$3,000	\$5,000
Maximum Exposure	Company marketing materials at all Chamber events							
	Special Membership Plaque for your Business Office/Lobby							
	Two-minute spotlight at specialty Chamber events							
	Sponsor Membership for a Non-Profit for a Year							
	Company Logo on Chamber Correspondence & Chamber Letterhead							
	Company Logo w/Website Link featured on Chamber Website							
	Priority Seating & Recognition Chamber Events							
Reach	Business Spotlight in Chamber Newsletter							
	Business Logo Featured in Chamber Office							
	Logo Recognition in Chamber Newsletter							
	Logo in Printed Directory							
	Recognition at Annual Dinner							
Expand Your Network	Tickets to VIP Chamber Luncheon & Tour				2	4	Table	Table
	Women's Celebration Luncheon Tickets			1	2	4	6	8
	Annual Membership Dinner and Awards Tickets			2	3	4	Table	Table
	Spotlight Video or Company Write Up on Facebook							
	Business After Hours (Upon Request)							
	Member2Member Email (Upon Request)			1	2	3	4	6
Get the Word Out	Heartland Business Connect - Annual Membership							
	Business Cards & Items Located in Chamber Offices							
	Membership Mailing Labels for Marketing							
	Vendor Booth: Women's Celebration Luncheon or Senior EXPO							
	Business Logo on Online Membership Directory							
	Tickets for Chamber Luncheons or Breakfast Meetings	2	6	9	12	15	25	40
Visibility	Post Events & Job Openings on Chamber Website							
	Share Events & Announcements in Chamber Newsletter & Social Media	1/month	1/month	2/month	2/month	2/month	2/month	2/month
	Chamber Member Decal & Use of Chamber Logo in Promotions							
	Chamber Assisted Ribbon Cutting or Welcome Celebration							
	Opportunity to be Included on S.E.E. Carroll County Gift Card							
	New Member Recognition on Chamber Website, Social Media &							
	Advertising and Sponsorship Opportunities							
	Online Membership Directory with Link to Webpage & Social Media							
Advocacy	Opportunities to Provide Input on Legislative Issues							
	Opportunities to Join Committees or Become an Ambassador							
Networking & Resources	Member Discounts to Luncheons, Breakfasts, Trainings & Special Events							
	Leads and Referrals							
	Notary Services, Certificate of Origin, Constant Contact Discount							
	Meeting Space Available (Upon Request)							
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ORDINANCE NO. 2026-01

ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES FOR THE CITY OF DELPHI

WHEREAS, the Common Council of the City of Delphi has passed a number of Ordinances since the last codification of the Delphi Code on January 6, 2025; and

WHEREAS, Indiana Code § 36-1-5-3 provides that the legislative body of a unit shall codify, revise, rearrange, or compile the ordinances of the unit into a complete, simplified code, excluding formal parts of the ordinances.

WHEREFORE, IT IS HEREBY ORDAINED by the Common Council of the City of Delphi, Indiana that:

Section 1. The Code of Ordinances of the City of Delphi, Updated January 5, 2026, is hereby adopted by reference as if set out in its entirety.

Section 2. Such code shall be deemed published as of the day of its adoption and approved by the Common Council. The Clerk-Treasurer is hereby authorized and ordered to retain such code to be kept on file in the Office of the Clerk-Treasurer.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor. Previous ordinances in conflict therewith are hereby revoked.

Passed and adopted by a majority of the Common Council of the City of Delphi, Indiana, this 5th day of January, 2026.

Kamron Yates, Presiding Officer

Attest: Julie Price, Clerk-Treasurer

Approved / Vetoed by me, the Mayor, this 5th day of January, 2026.

Kamron Yates, Mayor

Attest: Julie Price, Clerk-Treasurer

ORDINANCE NO. 2026-02
AN ORDINANCE AMENDING CHAPTER 52, SECTION 55, OF
THE CITY OF DELPHI CODE OF ORDINANCES REGARDING FLOW RATES FOR CLASS II SEWER USERS

WHEREAS, the City of Delphi, Indiana (“City”) owns and operates the municipal wastewater treatment plant;

WHEREAS, the City classifies users producing industrial waste as Class II sewer users pursuant to §52.15 of the City of Delphi Code of Ordinances (“Delphi Code of Ordinances”);

WHEREAS, §52.55(A) of the Delphi Code of Ordinances establishes base flow rates for Class II users as follows:

	Monthly Average Allocation	Weekly Maximum Allocation	Daily Maximum Allocation
Flow	1.2 Mgd	1.2 Mgd	1.4 Mgd

WHEREAS, the existing base flow rates for Class II sewer users are incorrect and set too high, resulting in unsustainable loading on the City’s wastewater treatment system;

WHEREAS, the City currently permits temporary or seasonal flow increase allowances for Class II users pursuant to §52.55(B) of the Delphi Code of Ordinances (The original version of §52.55 is attached hereto as **Exhibit A** for reference purposes only);

WHEREAS, the City has determined that continued allowance of temporary or seasonal flow increases is no longer sustainable for the City’s wastewater treatment system due to increased population and industry growth and demand for sewer usage; and

WHEREAS, the City desires to correct the base allowable flow rates for Class II users and to remove the temporary / seasonal flow increase provisions in order to protect the long-term integrity and performance of the City’s wastewater treatment system.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Delphi, Indiana, as follows:

Section 1. Adoption of Corrected Base Flow Rates for Class II Users. The base flow rates for Class II users codified in §52.55(A) are hereby amended and shall be as follows:

	Monthly Average Allocation	Weekly Maximum Allocation	Daily Maximum Allocation
Flow	1.0 Mgd	1.0 Mgd	1.2 Mgd

Section 2. Repeal of Temporary or Seasonal Flow Rate Increases for Class II Users. The temporary or seasonal flow rate increase provisions codified in §52.55(B) are hereby repealed in their entirety.

Section 3. Amended §52.55, Entitled “LIMITS, SURCHARGES, AND PENALTIES.” §52.55 of the Delphi Code of Ordinances, as amended herein, shall read as stated in **Exhibit B** attached hereto.

Section 4. Severability. If any section, sentence, or provision of this ordinance or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other parts of this ordinance which can be given effect without the invalid part, and to this end, the provisions of this ordinance are declared to be severable.

Section 5. Effective. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Passed and adopted by the majority of the Common Council of the City of Delphi, Indiana, this ___ day of _____, 2026.

Kamron Yates, Presiding Officer

Attest: Julie Price, Clerk-Treasurer

Approved / Vetoed by me, the Mayor, this ___ day of _____, 2026.

Kamron Yates, Presiding Officer

Attest: Julie Price, Clerk-Treasurer

EXHIBIT A
ORIGINAL VERSION OF § 52.55 LIMITS, SURCHARGES AND PENALTIES
(FOR REFERENCE ONLY)

§ 52.55 LIMITS, SURCHARGES, AND PENALTIES

(A) Effective June 5, 2012, Class II users shall be subject to the following limits, which are established to prevent pass through and interference and apply at the point where the wastewater is discharged to the POTW:

	Monthly Average Allocation ¹	Weekly Maximum Allocation ²	Daily Maximum Allocation ³
Flow	1.2 Mgd	1.2 Mgd	1.4 Mgd
Carbonaceous Biochemical Oxygen Demand (CBOD5)	3,580 lb/day	3,580 lb/day	3,580 lb/day
Total Suspended Solids (TSS)	4,390 lb/day	4,390 lb/day	4,390 lb/day
Ammonia-Nitrogen (NH3)	780 lb/day	780 lb/day	860 lb/day
Total Kjeldahl Nitrogen ⁴ (TKN)	Report Limit TBD	Report Limit TBD	Report Limit TBD
Oil and Grease	670 lb/day	670 lb/day	670 lb/day

¹ Monthly average shall be determined based upon the average calendar month. The monthly average shall be determined by the summation of the calculated daily value divided by the number of days during the calendar month when measurements were taken.

² Weekly maximum shall be determined based upon the highest average of a calendar week for which daily discharges are sampled or measured. The weekly average shall be determined by the summation of the calculated daily value divided by the number of days during the calendar week when measurements were taken.

³ Maximum hourly discharge rate shall not exceed 900 gal/min.

⁴ As of February 1, 2012, the city is collecting TKN and COD data on a daily basis for the purpose of daily operations as well as to establish a loading limit for TKN. When sufficient data has been collected for TKN, but for a period of no less than nine months, the City Common Council shall establish the appropriate limits. When the limits for TKN are established, the limits for NH3 shall be eliminated.

(B) Effective January 1, 2022 until February 28, 2022, Class II users shall be subject to the following limits and requirements, when are established to prevent pass through and interference and apply at the point where the wastewater is discharged to the POTW:

	Monthly Average Allocation ¹	Weekly Maximum Allocation ²	Daily Maximum Allocation ³
Flow	1.2 Mgd	1.2 Mgd	1.4 Mgd
Carbonaceous Biochemical Oxygen Demand (CBOD5)	3,580 lb/day	3,580 lb/day	3,580 lb/day
Total Suspended Solids (TSS)	4,390 lb/day	4,390 lb/day	4,390 lb/day
Ammonia-Nitrogen (NH3)	780 lb/day	780 lb/day	860 lb/day
Total Kjeldahl Nitrogen ⁴ (TKN)	Report Limit TBD	Report Limit TBD	Report Limit TBD
Oil and Grease	670 lb/day	670 lb/day	670 lb/day

¹ Monthly average shall be determined based upon the average calendar month. The monthly average shall be determined by the summation of the calculated daily value divided by the number of days during the calendar month when measurements were taken.

² Weekly maximum shall be determined based upon the highest average of a calendar week for which daily discharges are sampled or measured. The weekly average shall be determined by the summation of the calculated daily value divided by the number of days during the calendar week when measurements were taken.

³ Maximum hourly discharge rate shall not exceed 900 gal/min.

⁴ As of February 1, 2012, the city is collecting TKN and COD data on a daily basis for the purpose of daily operations as well as to establish a loading limit for TKN. When sufficient data has been collected for TKN, but for a period of no less than nine months, the City Common Council shall establish the appropriate limits. When the limits for TKN are established, the limits for NH3 shall be eliminated.

(C) In addition to all existing rates and charges of the sewage works (treatment rate and base rate), any Class II user shall be subject to surcharges and penalties under the circumstances described below:

- (1) No surcharge for flow. Penalty applies for weekly and daily flows and for exceedances of CBOD5, TSS, NH3 or TKN, and Oil and Grease.
- (2) Surcharge applies to monthly average allocation for CBOD5, TSS, NH3 or TKN, Oil and Grease.
- (3) Penalties apply for exceedance of weekly maximum allocations and/or daily maximum allocations.

Situation	Surcharge Applies		Penalty Applies	
Monthly Average Achieved	No			

Daily Max Achieved Weekly Max Achieved			No No	
Monthly Average Achieved Daily Max Exceeded Weekly Max Achieved	No		Yes No	
Monthly Average Achieved Daily Max Achieved Weekly Max Exceeded	No		No Yes	
Monthly Average Achieved Daily Max Exceeded Weekly Max Exceeded	No		Yes Yes	Calculate and assess both penalties
Monthly Average Exceeded Daily Max Achieved Weekly Max Achieved	Yes		No No	
Monthly Average Exceeded Daily Max Exceeded Weekly Max Achieved	Yes	Calculate both surcharge and penalty, assess both	Yes No	
Monthly Average Exceeded Daily Max Achieved Weekly Max Exceeded	Yes	Calculate both surcharge and penalty, assess both	No Yes	
Monthly Average Exceeded Daily Max Exceeded Weekly Max Exceeded	Yes	Calculate both surcharge and penalty, assess both	Yes Yes	

- (D) Effective December 2, 1999, the following surcharges shall apply:
- (1) Class II Surcharge Based upon TSS. There shall be an additional charge of \$0.1717 per pound for waste that exceeds the monthly average allocation of pounds per day. The monthly average allocation of pounds per day shall be determined in accordance with the table set forth in Subsection (A) of this section.
 - (2) Class II Surcharge Based upon CBOD5. There shall be an additional charge of \$0.1056 per pound of CBOD5 for waste that exceeds the monthly average allocation of pounds per day. The monthly average allocation of pounds per day shall be determined in accordance with the table set forth in Subsection (A) of this section.
 - (3) Class II Surcharge Based upon Oil and Grease. There shall be an additional charge of \$0.2473 per pound for oil and grease that exceeds the monthly average allocation of pounds per day. The monthly average allocation of pounds per day shall be determined in accordance with the table set forth in Subsection (A) of this section.
 - (4) Class II Surcharge Based upon NH3 or TKN. There shall be an additional charge of \$0.2473 per pound of NH3 for waste that exceeds the monthly average allocation of pounds per day NH3. The monthly average allocation of pounds per day shall be determined in accordance with the table set forth in Subsection (A) of this section. The City shall eliminate the NH3 surcharge once limits for the TKN surcharge are established.
 - (5) Class I Surcharge Based upon TSS. There shall be an additional charge of \$0.1717 per pound for waste that exceeds 250mg/1.

- (6) Class I Surcharge Based upon CBOD5. There shall be an additional charge of \$1.0156 per pound of CBOD5 for waste that exceeds 250 mg/1.
- (7) Class I Surcharge Based upon Oil and Grease. There shall be an additional charge of \$0.2473 per pound for oil and grease that exceeds 100 mg/1.
- (8) Class I Surcharge Based Upon NH3 or TKN. There shall be an additional charge of \$0.2473 per pound of NH3 or TKN for waste that exceeds 30 mg/1 NH3 or 50 mg/1 TKN. The City may apply the NH3 surcharge or the TKN surcharge to a user's sewage flow, but not both; such surcharges are mutually exclusive.

(E)

- (1) In the event the City is required to accept sewage from a Class II user in volumes of flow and wasteload which exceed weekly maximum or daily maximum limits set out in § 52.55(B)(3), then an additional fee (hereinafter called the "Sewer Charge Penalty") shall be paid to the City. The Sewer Charge Penalty shall be in an amount not to exceed the maximum amount the City is allowed to levy, from time to time. The maximum Sewer Charge Penalty is established as follows:
 - (a) Daily Maximum Violations: \$2,500 per day, per violation
 - (b) Weekly Maximum Violations: \$2,500 per week, per violation
- (2) Each daily maximum and weekly maximum limit established in Subsection (A) of this section which is exceeded shall constitute a separate violation, each subject to a separate Sewer Charge Penalty.
- (3) The Board of Works shall determine the amount of each Sewer Charge Penalty to be assessed for each violation under this section. The Board of Works shall take into account the following factors in determining the amount of the sewer charge penalty: (i) the amount of the exceedance in flow and wasteload, (ii) whether the exceedances are repetitive, (iii) the effect of the exceedance on the city's sewage works facilities, and (iv) the magnitude of any civil penalties that will be imposed on the city. The Board of Works shall also have the discretion to waive the sewer charge penalty provided that the following findings can be made: (i) the amount of the exceedance is minimal, (ii) the exceedances have not been repetitive, (iii) the exceedance did not have an adverse effect on the city's sewage works facilities, and (iv) the exceedance did not cause the city to become subject to a penalty or fine.
- (4) The sewer charge penalty will be paid in addition to all other rates and charges of the sewage works.
- (5) The sewer charge penalty will be calculated and collected monthly.
- (6) The sewer charge penalty will become effective December 2, 2000, provided the following conditions are satisfied: (i) the Class II user subject to this section provides evidence of action being taken by such Class II user to address the flow and loadings of its waste, (ii) such evidence is in a form prepared by professional engineers and contains specific design plans for improvements that the Class II user will implement, and (iii) such evidence is submitted to the city within three (3) months of December 2, 1999. The Board of Works may consider whether a good faith effort has been shown by the Class II user in

determining whether the above conditions have been satisfied. If the Board of Works determines that any of the above conditions are not satisfied, the sewer charge penalty shall become effective immediately thereafter.

- (F) The determination of TSS, NH₃, TKN and CBOD₅ contained in the waste shall be in accordance with the latest edition of "Standard Methods for the Examination of Water, Sewage and Industrial Wastes" as is written by the American Public Health Association, the American Water Federation, and in conformance with "Guidelines Establishing Test Procedures for Analysis of Pollutants," 40 CFR part 136.
- (G) Any fines levied by the Indiana Department of Environmental Management or the United States Environmental Protection Agency against the city for violations which are attributable to a Class II user who violates the limits established by division (A) of this section shall be paid by such Class II user.
- (H) If the sampling conducted by a Class II user reveals that any of the limits established by division (A) of this section have been exceeded, such user shall immediately notify the city. Such notification shall be made within one hour of the sampling which reveals the exceedance. In the event a Class II user is planning a permanent or short-term change in its flow or wasteload, the Class II user shall notify the city prior to such change. All notices under this division (H) shall be given by telephone to the Wastewater Superintendent or his or her designated representative followed with a written confirmation to the Wastewater Superintendent or his or her designated representative. A notification regarding an exceedance shall detail the amount and type of exceedance, and what action, if any, has been taken to address the exceedance. A notification of a planned change in flow or wasteload shall detail the nature and duration of the change. Failure to provide such notification, to be determined by the sampling records submitted to the city, shall result in a fine of \$500 per failure to notify.

EXHIBIT B
§52.55 LIMITS, SURCHARGES, AND PENALTIES
(AS AMENDED AND ADOPTED BY ORDINANCE NO. 2026-02)

§ 52.55 LIMITS, SURCHARGES, AND PENALTIES

(A) Class II users shall be subject to the following limits, which are established to prevent pass through and interference and apply at the point where the wastewater is discharged to the POTW:

	Monthly Average Allocation ¹	Weekly Maximum Allocation ²	Daily Maximum Allocation ³
Flow	1.0 Mgd	1.0 Mgd	1.2 Mgd
Carbonaceous Biochemical Oxygen Demand (CBOD5)	3,580 lb/day	3,580 lb/day	3,580 lb/day
Total Suspended Solids (TSS)	4,390 lb/day	4,390 lb/day	4,390 lb/day
Ammonia-Nitrogen (NH3)	780 lb/day	780 lb/day	860 lb/day
Total Kjeldahl Nitrogen ⁴ (TKN)	Report Limit TBD	Report Limit TBD	Report Limit TBD
Oil and Grease	670 lb/day	670 lb/day	670 lb/day

¹ Monthly average shall be determined based upon the average calendar month. The monthly average shall be determined by the summation of the calculated daily value divided by the number of days during the calendar month when measurements were taken.

² Weekly maximum shall be determined based upon the highest average of a calendar week for which daily discharges are sampled or measured. The weekly average shall be determined by the summation of the calculated daily value divided by the number of days during the calendar week when measurements were taken.

³ Maximum hourly discharge rate shall not exceed 900 gal/min.

⁴ As of February 1, 2012, the city is collecting TKN and COD data on a daily basis for the purpose of daily operations as well as to establish a loading limit for TKN. When sufficient data has been collected for TKN, but for a period of no less than nine months, the City Common Council shall establish the appropriate limits. When the limits for TKN are established, the limits for NH3 shall be eliminated.

(B) In addition to all existing rates and charges of the sewage works (treatment rate and base rate), any Class II user shall be subject to surcharges and penalties under the circumstances described below:

(4) No surcharge for flow. Penalty applies for weekly and daily flows and for exceedances of CBOD5, TSS, NH3 or TKN, and Oil and Grease.

- (5) Surcharge applies to monthly average allocation for CBOD5, TSS, NH3 or TKN, Oil and Grease.
- (6) Penalties apply for exceedance of weekly maximum allocations and/or daily maximum allocations.

Situation	Surcharge Applies		Penalty Applies	
Monthly Average Achieved Daily Max Achieved Weekly Max Achieved	No		No No	
Monthly Average Achieved Daily Max Exceeded Weekly Max Achieved	No		Yes No	
Monthly Average Achieved Daily Max Achieved Weekly Max Exceeded	No		No Yes	
Monthly Average Achieved Daily Max Exceeded Weekly Max Exceeded	No		Yes Yes	Calculate and assess both penalties
Monthly Average Exceeded Daily Max Achieved Weekly Max Achieved	Yes		No No	
Monthly Average Exceeded Daily Max Exceeded Weekly Max Achieved	Yes	Calculate both surcharge and penalty, assess both	Yes No	
Monthly Average Exceeded Daily Max Achieved Weekly Max Exceeded	Yes	Calculate both surcharge and penalty, assess both	No Yes	
Monthly Average Exceeded Daily Max Exceeded Weekly Max Exceeded	Yes	Calculate both surcharge and penalty, assess both	Yes Yes	

- (C) Effective December 2, 1999, the following surcharges shall apply:
 - (1) Class II Surcharge Based upon TSS. There shall be an additional charge of \$0.1717 per pound for waste that exceeds the monthly average allocation of pounds per day. The monthly average allocation of pounds per day shall be determined in accordance with the table set forth in Subsection (A) of this section.
 - (2) Class II Surcharge Based upon CBOD5. There shall be an additional charge of \$0.1056 per pound of CBOD5 for waste that exceeds the monthly average allocation of pounds per day. The monthly average allocation of pounds per day shall be determined in accordance with the table set forth in Subsection (A) of this section.
 - (3) Class II Surcharge Based upon Oil and Grease. There shall be an additional charge of \$0.2473 per pound for oil and grease that exceeds the monthly average allocation of pounds per day. The monthly average allocation of pounds per day shall be determined in accordance with the table set forth in Subsection (A) of this section.

- (4) Class II Surcharge Based upon NH₃ or TKN. There shall be an additional charge of \$0.2473 per pound of NH₃ for waste that exceeds the monthly average allocation of pounds per day NH₃. The monthly average allocation of pounds per day shall be determined in accordance with the table set forth in Subsection (A) of this section. The City shall eliminate the NH₃ surcharge once limits for the TKN surcharge are established.
- (5) Class I Surcharge Based upon TSS. There shall be an additional charge of \$0.1717 per pound for waste that exceeds 250mg/1.
- (6) Class I Surcharge Based upon CBOD₅. There shall be an additional charge of \$1.0156 per pound of CBOD₅ for waste that exceeds 250 mg/1.
- (7) Class I Surcharge Based upon Oil and Grease. There shall be an additional charge of \$0.2473 per pound for oil and grease that exceeds 100 mg/1.
- (8) Class I Surcharge Based Upon NH₃ or TKN. There shall be an additional charge of \$0.2473 per pound of NH₃ or TKN for waste that exceeds 30 mg/1 NH₃ or 50 mg/1 TKN. The City may apply the NH₃ surcharge or the TKN surcharge to a user's sewage flow, but not both; such surcharges are mutually exclusive.

(D)

- (1) In the event the City is required to accept sewage from a Class II user in volumes of flow and wasteload which exceed weekly maximum or daily maximum limits set out in § 52.55(A), then an additional fee (hereinafter called the "Sewer Charge Penalty") shall be paid to the City. The Sewer Charge Penalty shall be in an amount not to exceed the maximum amount the City is allowed to levy, from time to time. The maximum Sewer Charge Penalty is established as follows:
 - (a) Daily Maximum Violations: \$2,500 per day, per violation
 - (b) Weekly Maximum Violations: \$2,500 per week, per violation
- (2) Each daily maximum and weekly maximum limit established in Subsection (A) of this section which is exceeded shall constitute a separate violation, each subject to a separate Sewer Charge Penalty.
- (3) The Board of Works shall determine the amount of each Sewer Charge Penalty to be assessed for each violation under this section. The Board of Works shall take into account the following factors in determining the amount of the sewer charge penalty: (i) the amount of the exceedance in flow and wasteload, (ii) whether the exceedances are repetitive, (iii) the effect of the exceedance on the city's sewage works facilities, and (iv) the magnitude of any civil penalties that will be imposed on the city. The Board of Works shall also have the discretion to waive the sewer charge penalty provided that the following findings can be made: (i) the amount of the exceedance is minimal, (ii) the exceedances have not been repetitive, (iii) the exceedance did not have an adverse effect on the city's sewage works facilities, and (iv) the exceedance did not cause the city to become subject to a penalty or fine.
- (4) The sewer charge penalty will be paid in addition to all other rates and charges of the sewage works.
- (5) The sewer charge penalty will be calculated and collected monthly.

- (6) The sewer charge penalty will become effective December 2, 2000, provided the following conditions are satisfied: (i) the Class II user subject to this section provides evidence of action being taken by such Class II user to address the flow and loadings of its waste, (ii) such evidence is in a form prepared by professional engineers and contains specific design plans for improvements that the Class II user will implement, and (iii) such evidence is submitted to the city within three (3) months of December 2, 1999. The Board of Works may consider whether a good faith effort has been shown by the Class II user in determining whether the above conditions have been satisfied. If the Board of Works determines that any of the above conditions are not satisfied, the sewer charge penalty shall become effective immediately thereafter.
- (E) The determination of TSS, NH₃, TKN and CBOD₅ contained in the waste shall be in accordance with the latest edition of "Standard Methods for the Examination of Water, Sewage and Industrial Wastes" as is written by the American Public Health Association, the American Water Federation, and in conformance with "Guidelines Establishing Test Procedures for Analysis of Pollutants," 40 CFR part 136.
- (F) Any fines levied by the Indiana Department of Environmental Management or the United States Environmental Protection Agency against the city for violations which are attributable to a Class II user who violates the limits established by division (A) of this section shall be paid by such Class II user.
- (G) If the sampling conducted by a Class II user reveals that any of the limits established by division (A) of this section have been exceeded, such user shall immediately notify the city. Such notification shall be made within one hour of the sampling which reveals the exceedance. In the event a Class II user is planning a permanent or short- term change in its flow or wasteload, the Class II user shall notify the city prior to such change. All notices under this division (H) shall be given by telephone to the Wastewater Superintendent or his or her designated representative followed with a written confirmation to the Wastewater Superintendent or his or her designated representative. A notification regarding an exceedance shall detail the amount and type of exceedance, and what action, if any, has been taken to address the exceedance. A notification of a planned change in flow or wasteload shall detail the nature and duration of the change. Failure to provide such notification, to be determined by the sampling records submitted to the city, shall result in a fine of \$500 per failure to notify.

ORDINANCE NO. 2026-03

AN ORDINANCE AMENDING CHAPTER 51, SECTION 39 OF THE CITY OF DELPHI CODE OF ORDINANCES REGARDING FIRE HYDRANT RENTAL FEES PAID BY OWNERS OF PRIVATE FIRE PROTECTION

WHEREAS, §51.39 of the Code of Ordinances for the City of Delphi, Indiana currently states that “the amount to be paid by owner or owners of private fire protection as rental shall be \$175.50 per hydrant per year, payable semi-annually.”

WHEREAS, this current provision in §51.39 has not been updated in many years to align with the current process for assessing fees and the billing schedule for fire hydrant rental paid by owners of private fire protection; and

WHEREAS, the Common Council of the City of Delphi desires to amend §51.39 of the City of Delphi Code of Ordinances to accurately reflect the fire hydrant rental fees and billing schedule for owners of private fire protection;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Delphi, Indiana that:

Section 1. §51.39 of the Code of Ordinances shall be amended and shall state as follows:

§ 51.39 PUBLIC AND PRIVATE FIRE PROTECTION SERVICES.

*The amount to be paid by the city for fire hydrants rental shall be \$220,000 divided equally among the number of hydrants per year, payable annually. **The amount to be paid by owner(s) of private fire protection as rental shall be the amount specified in 51.38, payable annually, and shall be adjusted based on the current water rate for the service year.***

Section 2. If any section, sentence, or provision of this ordinance or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other parts of this ordinance which can be given effect without the invalid part, and to this end, the provisions of this ordinance are declared to be severable.

Section 3. This Ordinance shall be in full force and effect from its passage and approval and approval by the Mayor.

Passed and adopted by a majority of the Common Council of the City of Delphi, Indiana, this ___ day of _____, 2026.

Kamron Yates, Presiding Officer

Attest: Julie Price, Clerk-Treasurer

Approved / Vetoed by me, the Mayor, this ___ day of _____, 2026.

Kamron Yates, Mayor

Attest: Julie Price, Clerk-Treasurer