

ORDINANCE G-03-30

**AN ORDINANCE AMENDING ORDINANCE NO. G-01-02
RELATING TO WATER, GARBAGE AND SEWER
SERVICES PROVIDED BY THE
TOWN OF GEORGTOWN, INDIANA**

BE IT ORDAINED BY THE TOWN COUNCIL OF GEORGETOWN,
INDIANA THAT:

WHEREAS, the Board of the Town of Georgetown is the entity responsible for the billing and collection of charges imposed by the water utility and the garbage collection service for the Town of Georgetown;

WHEREAS, the Board of the Town of Georgetown is the entity responsible for the billing and collection of charges imposed by the water/sewage works for the Town of Georgetown;

WHEREAS, the Town of Georgetown desires to implement and administer a policy of discontinuing water or garbage collection service, upon ten (10) days prior notice, for any customer whose water bill, garbage collection bill, or water/garbage collection bill is at least thirty (30) days delinquent;

WHEREAS, the Town desires to implement and administer a policy of discontinuing water/sewer service, upon ten (10) days prior notice, for any customer whose water/sewer/trash bill or water/sewer bill has a balance of over one hundred dollars (\$100.00) and is at least thirty (30) days delinquent;

WHEREAS, the Town desires to allow certain exceptions to the rule authorizing discontinuation of water/sewer or garbage collection services, which shall include unusual circumstances, medical emergencies or hardships and public safety concerns;

WHEREAS, the Town desires to have any discontinuation of water/sewer or garbage collection services for non-payment of bills after notice to the customer of opportunity to contest the discontinuation and contingent upon approval by the Board of the Town of Georgetown;

WHEREAS, the Town desires that this Ordinance be a restatement of Ordinances G-99-07, G-99-08 and G-00-04 in their entireties pursuant to I.C. 36-1-5-6, and the Town does not desire to alter the rates and charges for the Town's municipal services;

REFUSE AND GARBAGE SERVICE CHARGES

NOW, THEREFORE, BE IT RESOLVED, that Ordinance No. G-00-04 provides that the following rates and charges be as follows:

That all owners, tenants or occupants of residential or commercial property to whom town refuse and garbage collection is made available by the Town, shall pay according to the following schedule:

TYPE OF PROPERTY	FEE	AMOUNT OF GARBAGE/REFUSE ALLOWED
Single Family Dwelling	\$6.00 / month	Three (3) or less thirty (30) gallon cans allowed each week; Any garbage above and beyond the three (3) will be charged at \$2.00 per each additional thirty (30) gallon can, or part thereof.
Church	\$6.00 / month	Three (3) or less thirty (30) gallon cans allowed each week; Any garbage above and beyond the three (3) will be charged at \$2.00 per each additional thirty (30) gallon can, or part thereof.

TYPE OF PROPERTY	FEE	AMOUNT OF GARBAGE/REFUSE ALLOWED
Mobile Home or Trailer Court	\$6.00 / month per dwelling unit	Three (3) or less thirty (30) gallon cans allowed each week per dwelling; Any garbage above and beyond the three (3) will be charged at \$2.00 per each additional thirty (30) gallon can, or part thereof.
Business or Commercial Establishment	\$12.00 / month	Two (2) or less fifty-five (55) gallon containers allowed each week; refuse over and beyond the two (2) containers will be charged at \$5.00 per each additional fifty-five (55) gallon can, or part thereof.

Any business or commercial establishment or apartment complex may elect to have garbage removed by a private contractor, and if such an election is made, then no service charge by the Town shall apply.

Service charges for refuse and garbage collection as specified herein shall be billed and collected by the Water office of the Town of Georgetown, Indiana.

In the event the customer does not pay the monthly bill in full, any and all payments made shall be first applied to the garbage portion of the bill and any remaining balance shall be credited toward the water and/or sewer bill.

A garbage bill not paid shall be subject to a late charge of ten percent (10%) per month for each month the payment is not made. In the event the Town is required to bring suit for any non-payment of the garbage bill, each owner, tenant or occupant who fails to pay said garbage bill shall be responsible for court costs and attorney fees incurred by the Town for collection purposes. In addition, there shall be a fifteen dollars

(\$15.00) service charge for each account certified by the Clerk as delinquent and sent to the Town's attorney for collection.

Only normal household garbage will be collected by the Town refuse and garbage service. Any items, which are prohibited items under the Clark-Floyd Landfill Regulation, shall also be prohibitive items to be picked up by the Georgetown Garbage Service. This list includes, but is not limited to, tires, dead animals, refrigerators, air conditioners or any toxic wastes or substances. It shall be the individual duty of any such owner, tenant or occupant of residential or commercial property to properly dispose of said items.

WATER AND GARBAGE COLLECTION SERVICE

NOW, THEREFORE, BE IT ORDAINED, that the Town of Georgetown shall implement and administer a policy of discontinuing water/sewer or garbage collection service upon ten (10) days prior notice, for any customer whose water bill, garbage collection bill, or water/garbage bill is at least thirty (30) days delinquent;

NOW, THEREFORE, BE IT FURTHER ORDAINED, that the Town of Georgetown shall allow certain exceptions to the rule authorizing discontinuation of water or garbage collection services, which shall include unusual circumstances, medical emergencies or hardships or public safety concerns;

NOW, THEREFORE, BE IT FURTHER ORDAINED, that the discontinuation of water or garbage collection services for non-payment of bills shall be after notice to the customer of opportunity to contest the discontinuation and contingent upon approval by the Board of the Town of Georgetown, Indiana;

WATER/SEWER SERVICE

NOW, THEREFORE, BE IT FURTHER ORDAINED, that the Town of Georgetown shall implement and administer a policy of discontinuing water/sewer service upon ten (10) days prior notice, for any customer whose water/sewer/trash bill or water/sewer bill has a balance of over one hundred dollars (\$100.00) and is at least thirty (30) days delinquent;

NOW, THEREFORE, BE IT FURTHER ORDAINED, that the Town of Georgetown shall allow certain exceptions to the rule authorizing discontinuation of water/sewer services, which shall include unusual circumstances, medical emergencies or hardships or public safety concerns;

NOW, THEREFORE, BE IT FURTHER ORDAINED, that the discontinuation of sewer service for non-payment of the aforementioned bills shall be after notice to the customer of opportunity to contest the discontinuation and contingent upon approval by the Board of the Town of Georgetown, Indiana;

NOW, THEREFORE, BE IT FURTHER ORDAINED, this Ordinance is a restatement of Ordinances G-99-07, G-99-08 and G-00-04 in their entireties pursuant to I.C. 36-1-5-6, and it does not alter the rates and charges for the Town's municipal services;

NOW, THEREFORE, BE IT FURTHER ORDAINED, that all Ordinances of the Town of Georgetown, Indiana that are in conflict with this Ordinance are hereby repealed to the extent of such conflict, and any Ordinance not in conflict with this Ordinance shall remain in full force and effect.


NOW THEREFORE BE IT FURTHER ORDAINED that should any term or provision of this Ordinance be declared to be unconstitutional or invalid by a court of competent jurisdiction, such determination shall not affect the remainder of this Ordinance which shall remain in full force and effect; and

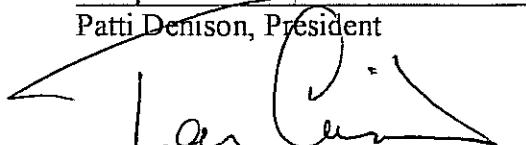
NOW, THEREFORE, BE IT FURTHER ORDAINED that any provision of any Ordinance of the Town of Georgetown, Indiana that is in conflict with any provision this Ordinance is hereby repealed to the extent of such conflict, and any provision of any Ordinance not in conflict with this Ordinance shall remain in full force and effect.

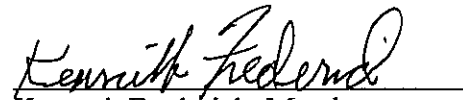
This Ordinance shall be effective immediately upon adoption by the Town Council of Georgetown, Indiana.

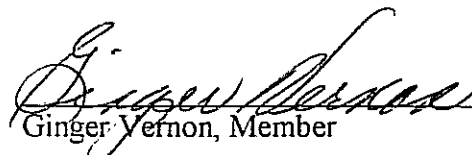
ADOPTED by the Town Council of the Town of Georgetown this 18 day of November, 2003.

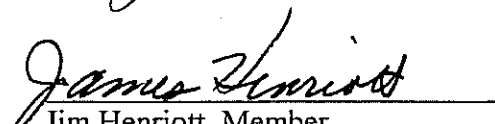
TOWN COUNCIL OF THE TOWN
OF GEORGETOWN, INDIANA


Patti Denison, President

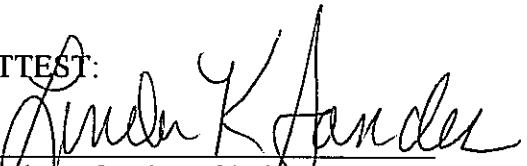

Terry Cain, Vice-President


Kenneth Frederick, Member


Ginger Vernon, Member


Jim Henriott, Member

ATTEST:


Linda K. Sanders, Clerk-Treasurer