

ORDINANCE NO. G-04-25

**AN ORDINANCE AMENDING ORDINANCE NO. G-01-10 AND
ORDINANCE NO. G-97-07 AND ESTABLISHING A POLICY
FOR PRORATING MINIMUM MONTHLY UTILITY CHARGES**

WHEREAS, the Georgetown Town Council is the entity responsible for fixing and approving rates and charges for the Georgetown Municipal Water Utility and Georgetown Sewage Works; and

WHEREAS, Ordinance No. G-01-10 provides that each user of the Georgetown Municipal Water Utility shall pay a minimum monthly charge in accordance with the applicable size of meter installed for which the user is entitled to the specified quantity of water each month; and

WHEREAS, Ordinance No. G-97-07 provides a minimum monthly base charge for each user of the Georgetown Sewage Works based upon the applicable size of meter installed for which the user is entitled to a specific quantity of water each month; and

WHEREAS, the current language of Ordinance No. G-01-10 and Ordinance No. G-97-07 does not allow the minimum monthly charge to be prorated between two (2) users for any given billing period; and

WHEREAS, situations have arisen in which a user of the Georgetown Sewer and Water utilities has paid the minimum monthly charges under Ordinance No. G-01-10 and Ordinance No. G-97-07, transferred the property on which the minimum monthly charges accrued, and the new user of the Georgetown Sewer and Water utilities is required to pay the same minimum monthly charges again for the same billing period; and

WHEREAS, the Georgetown Town Council, after due consideration and discussion, has determined that it is inequitable for two (2) users to be required to pay duplicate minimum monthly charges under Ordinance No. G-01-10 and Ordinance No. 97-07 for the same billing period; and

WHEREAS, the Georgetown Town Council has determined that a policy for prorating minimum monthly utility charges should be established; and

WHEREAS, the Georgetown Town Council has determined that when a parcel is transferred from one user of the Georgetown Water and Sewer utilities to another or new user of the Georgetown Water and Sewer utilities, that the minimum monthly charges under Ordinance No. G-01-10 and G-97-07 should be prorated between the previous user and the new user so that the previous user pays a portion of the minimum monthly charges for the period during that billing cycle up to and including the date of transfer, and that the new user pays a portion of the minimum monthly utility charges for the period from the date of the transfer to the end of the billing period.

NOW THEREFORE BE IT ORDAINED that upon the transfer of a parcel from one user of the Georgetown Water and Sewer utilities to another or new user of the Georgetown Water and Sewer utilities, that the minimum monthly charges under Ordinance No. G-01-10 and G-97-07 shall be prorated between the previous user and the new user so that the previous user pays a portion of the minimum monthly charges for the period during that billing cycle up to and including the date of transfer, and that the new user pays a portion of the minimum monthly utility charges for the period from the date of the transfer to the end of the billing period.

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

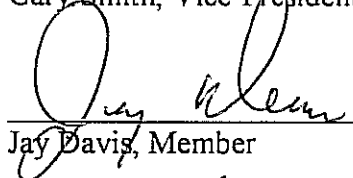
NOW, THEREFORE, BE IT FURTHER ORDAINED that any provision of any Ordinance of the Town of Georgetown, Indiana that is in conflict with any provision this Ordinance is hereby repealed to the extent of such conflict, and any provision of any Ordinance not in conflict with this Ordinance shall remain in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


ADOPTED by the Town Council of the Town of Georgetown this 15th day of July, 2004.

TOWN COUNCIL OF THE TOWN OF
GEORGETOWN, INDIANA


Jeff McCaffrey, President



Gary Smith, Vice-President


Jay Davis, Member


Dean Hammersmith, Member

ATTEST:


Doug Cook, Clerk-Treasurer


Chris Carter, Member