

ORDINANCE NO. G-04-29

**AN ORDINANCE PROHIBITING TAMPERING WITH
THE WATER DISTRIBUTION SYSTEM OF
THE TOWN OF GEORGETOWN**

WHEREAS, the Town of Georgetown, Indiana is the owner and operator of the Georgetown Municipal Water Utility; and

WHEREAS, the Town Council of the Town of Georgetown has supervisory powers over the utilities under its control pursuant to Indiana Code 8-1.5-3-4; and

WHEREAS, the Town of Georgetown may adopt rules for the safe, economical, and efficient management and protection of the Georgetown Municipal Water Utility pursuant to Indiana Code 8-1.5-3-4; and

WHEREAS, the Georgetown Municipal Water Utility includes a public water distribution system to serve customers of said utility; and

WHEREAS, certain unauthorized persons have tampered with and/or exercised unauthorized control over all or part of the public water distribution system for their own personal benefit or gain; and

WHEREAS, the Town of Georgetown suffered substantial damages as a result of said tampering with its public water distribution system; and

WHEREAS, after due consideration and discussion, the Town Council of the Town of Georgetown has determined that it is necessary to prohibit all unauthorized persons from altering, adjusting, tampering, manipulating, obstructing, interfering with or in any way exerting control over any facilities which comprise or are a part of the water distribution system owned and operated by the Town of Georgetown, Indiana and/or the Georgetown Municipal Water Utility.

NOW THEREFORE BE IT ORDAINED that no unauthorized person shall alter, adjust, tamper with, manipulate, obstruct, interfere with, or exert control over all or any part of the public water distribution system owned and operated by the Town of Georgetown, Indiana and/or the Georgetown Municipal Water Utility; and

NOW THEREFORE BE IT FURTHER ORDAINED that for purposes of this Ordinance, “unauthorized person” shall mean any person other than an employee or agent of the Town of Georgetown and/or the Georgetown Municipal Water Utility; and

NOW THEREFORE BE IT FURTHER ORDAINED that any person found to be in violation of this Ordinance shall be subject to a fine in an amount not less than \$100.00 nor more than \$500.00 for each violation. Each day a violation continues shall be deemed a separate offense; and

NOW THEREFORE BE IT FURTHER ORDAINED that any person found to be in violation of this Ordinance shall be liable to the Town of Georgetown and/or the Georgetown Municipal Water Utility for any and all damages caused by said violation; and

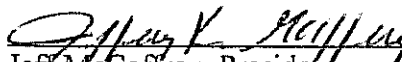
NOW THEREFORE BE IT FURTHER ORDAINED that any person found to be in violation of this Ordinance shall be liable to the Town of Georgetown and/or the Georgetown Municipal Water Utility for any costs incurred to enforce this Ordinance including reasonable attorney fees; and


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.

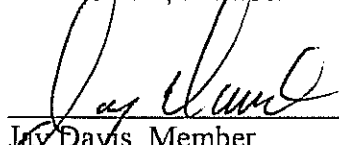
ADOPTED by the Town Council of the Town of Georgetown this 16 day of Sept, 2004.


TOWN COUNCIL OF THE TOWN OF
GEORGETOWN, INDIANA


Jeff McCaffrey, President

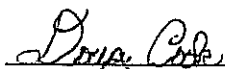

Gary Smith, Vice-President


Chris Carter, Member


Jay Davis, Member


Dean Hammersmith, Member

ATTEST:


Doug Cook, Clerk-Treasurer