

Town of Georgetown, IN

Ordinance # G-06- 10

**AN ORDINANCE AMENDING SECTION 52.99 OF
THE GEORGETOWN CODE OF ORDINANCES,
PROVIDING FOR THE DISTRIBUTION OF WATER
SYSTEM TAMPERING PENALTY FINES
IN THE TOWN OF GEORGETOWN, INDIANA**

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

WHEREAS, the Town Council of Georgetown has reviewed Chapter 52 of the Town's Code of Ordinances; and,

WHEREAS, the Town Council of Georgetown has identified that §52.99 does not provide for a distribution of the fines received due to someone having been cited for tampering with the public water supply and water system of the Town of Georgetown; and,

WHEREAS, the State Board of Accounts has advised the Town that all fines must provide for a specific distribution of any revenues received; and,

WHEREAS, the Town Council has decided that fines received due to citations for tampering with the public water system should be allocated to the water operating account to pay for damages and repairs to the water system necessitated by the tampering.

NOW THEREFORE, BE IT ORDAINED:

SECTION 1. Section 52.99 of the Code of Ordinances is hereby amended to read:

§ 52.99 PENALTY.

(A) Any person who violates any provision of this chapter for which no penalty is provided shall be subject to the terms of § 10.99.

(B) (1) Any person found to be in violation of § 52.02 shall be subject to a fine in an amount not less than \$100 nor more than \$500 for each violation. Each day a violation continues shall be deemed a separate offense.

(2) Any person found to be in violation of § 52.02 shall be liable to the town and/or the Water Department for any and all damages caused by the violation.

(3) Any person found to be in violation of § 52.02 shall be liable to the town and/or the Water Department for any costs incurred to enforce that section, including reasonable attorney fees.

(4) Any revenues received by the Town due to fines assessed to someone who has violated §52.02 shall be distributed to the Water Operating Fund (#601).

SECTION 2. The remainder of the Code of Ordinances is confirmed and reiterated.

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ORDAINED that all Ordinances of the Town of Georgetown, Indiana which are in conflict with this Ordinance are hereby repealed to the extent of such conflict, and any Ordinance not in conflict with this Ordinance shall remain in full force and effect.

Adopted by the Town Council of the Town of Georgetown, Indiana, this 20
day of April, 2006.

Gary L. Smith
Gary Smith, President

Jeff McCaffrey
Jeff McCaffrey, Vice President

Jay Davis, Member

Dean Hammersmith
Dean Hammersmith, Member

Chris Carter
Chris Carter, Member

ATTEST:

Doug Cook
Doug Cook, Georgetown Clerk/Treasurer