

Town of Georgetown, IN

Ordinance # G-06- 21

AN ORDINANCE FORMALLY PROVIDING FOR CONTROL OF THE TOWN'S PUBLIC UTILITIES

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

WHEREAS, the Indiana Code allows the legislative body of a municipality, by ordinance, to provide for the control of any or all of its municipally owned utilities by: a board consisting of the members of the municipal legislative body (IC 8-1.5-3-3 (a)); and,

WHEREAS, the members of the Town Council of Georgetown, Indiana are the proper officers of the Town of Georgetown, a political subdivision, to make such a decision over the control the Town's Utilities; and,

WHEREAS, the Town Council has considered their situation and the Town's history and is adopting this ordinance to formally assume control of all of the Town's utilities and specifically assuming control of the Town's sewerage works under the provision of Indiana Code 36-9-23-3, and;

WHEREAS, the Town Council, after review and consideration, has determined that this ordinance should be adopted formally establishing and assuming control of the Town's public utilities for the general safety, welfare and peace of mind of our citizens.

NOW THEREFORE, BE IT ORDAINED:

SECTION 1. Licensing

The Georgetown Town Council is hereby officially designated as the controlling authority for all of Georgetown's Public Utilities, current and future. At the time of this ordinance those utilities are: the drinking water utility, the sanitary sewer utility (under the provision of IC 36-9-23-3), the solid waste (garbage) utility, and the stormwater (MS4) utility. As such, and in accordance with Indiana Code 8-1.5-3-3, the Town Council may also be known as the Town's municipal works board, the Town's utility service board, and other similar names identified in the Indiana State Statutes. As such, the Town Council accepts the responsibilities placed upon it by the Indiana Code for the control of the Town's utilities.

SECTION 2. SEVERABILITY

Should any portion of this ordinance be found to be invalid or unconstitutional, the remaining parts of this ordinance shall be severable and shall continue in full force and effect.

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repealed to the extent of such conflict, and any Ordinance not in conflict with this Ordinance shall remain in full force and effect.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 30^{DC}~~21~~

day of May, 2006.

Gary L. Smith
Gary Smith, President

Jeff McCaffrey
Jeff McCaffrey, Vice President

Jay Davis
Jay Davis, Member

Dean Hammersmith
Dean Hammersmith, Member

Chris A. Carter
Chris Carter, Member

ATTEST:

Douglas Cook
Douglas Cook, Georgetown Clerk/Treasurer