

Town of Georgetown, Indiana

RESOLUTION R-14-01

A RESOLUTION OF THE TOWN OF GEORGETOWN, INDIANA AMENDING DUE PROCESS PROCEDURE FOR DISCONNECTION OF WATER SERVICE

WHEREAS, the United States Circuit Court for the Southern District of Indiana has previously issued a judicial opinion in the case of Wayt v. Town of Crothersville, Indiana where the Court held that continued water service is a protected property right subject to due process of law; and

WHEREAS, per the Court, due process of law requires that before a person's water utility service can be disconnected for nonpayment, the person whose water service is to be disconnected is entitled to a hearing on the status of the utility bill that is delinquent; and


WHEREAS, the Town of Georgetown, Indiana and the Georgetown utilities has a procedure for a water customer to request a hearing before water service is disconnected for nonpayment of services; and

WHEREAS, the Town of Georgetown, Indiana desires to amend said due process procedure to designate the Georgetown Town Council as the hearing body for any such water service disconnection hearing.

NOW THEREFORE, BE IT RESOLVED AS FOLLOW:

1. That the Georgetown Town Council shall be the designated hearing body for any person or business requesting a hearing regarding disconnection of water service.
2. That any such hearing shall be conducted by the Georgetown Town Council after a proper request has been served upon the Town at the Town Council's earliest convenience.

So resolved by the Town Council of Georgetown, Indiana
this 17 day of March, 2014.


Jerry Brock, President


Jim Tripure, Member

Kathy Haller

Kathy Haller, Member

Patti Denison

Patti Denison, Member

Mike Mills

Mike Mills, Member

ATTEST:

Douglas Cook

Douglas Cook, Clerk/Treasurer