

ORDINANCE 267-2016

AN ORDINANCE OF THE BURNS HARBOR TOWN COUNCIL AMENDING THE TEXT OF THE SEWER RATE ORDINANCE

WHEREAS, the Burns Harbor Town Council has adopted a Sewer Rate Ordinance codified as Chapter 18 of the Town Code of Burns Harbor, Indiana;

WHEREAS, the Burns Harbor Sanitary Board has initiated certain amendments to the text of portions of the Sewer Rate Ordinance in order to make certain changes to the procedures regarding payments, delinquent accounts and new service locations and/or users;

WHEREAS, a public hearing has been held before the Burns Harbor Sanitary Board and said Board has paid reasonable regard in preparing and considering the proposal, and now certifies its proposal to amend the text of portions of its Sewer Rate Ordinance to the Burns Harbor Town Council;

WHEREAS, notice has been given in accordance with Indiana Code of all proceedings concerning these text amendments; and

WHEREAS, the Burns Harbor Town Council concurs with its Sanitary Board and accepts this proposal;

NOW THEREFORE, be it and it is hereby ordained by the Burns Harbor Town Council as follows:

Section 1. That Chapter 18, Section 3(a) of the Town Code of the Town of Burns Harbor shall be amended as follows:

The sewage rates and charges shall be based on the quantity of water used on or in the property or premises subject to such rates and charges as the same is determined by equivalent residential units ("ERU"). The Town will send payment books to all users in November for the following year. Sewage service bills shall be paid by the user on a monthly basis.

Section 2. That Chapter 18, Section 4(a) of the Town Code of the Town of Burns Harbor shall be amended as follows:

The rates and charges for all users shall be prepared in the form of a payment book sent to all users in November for the following year and paid by the user on a monthly basis.

Section 3. That Chapter 18, Section 4(g) of the Town Code of the Town of Burns Harbor shall be amended as follows:

Prior to giving notice to the water utility to discontinue service, the Board shall provide a shutoff notice, in writing, to the user billed in subsection (b) above indicating that there are delinquent charges, specifying the amount that is past due and the time and date by which the past due amount must be paid, and stating that water service to the premises will be shut off after the specified date unless the user requests a hearing prior to that date or provides payment in full of the delinquent charges in the form of cash, money order or cashier's check no later than 12:00 p.m. two (2) days prior to the date set forth in the shutoff notice.

Section 4. That Chapter 18, Section 4 of the Town Code of the Town of Burns Harbor shall be amended by the addition of the following, as Section 4(j):

Any fee(s) charged to the Town due to user's attempt to pay with a non-sufficient fund check shall be added to the amounts billed to the user. After receiving two (2) non-sufficient fund checks from the same user, the Town shall require said user to pay future bills via cash, money order or cashier's check.

Section 5. This Ordinance shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.

ALL OF WHICH HAVING BEEN PASSED AND ADOPTED by the Town Council of the Town of Burns Harbor, Indiana this 9th day of March, 2016.

TOWN COUNCIL OF THE
TOWN OF BURNS HARBOR
Raymond Poparad, President
Eric Hull, Vice-President

Toni Biancardi

Andrew Bozak

Marcus Rogala

Attest:

Jane M. Jordan, Clerk-Treasurer

4/18/16 - hspaxlp