

ORDINANCE 285-2018

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

WHEREAS, the Burns Harbor Town Council has adopted a Sewer Use 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 Use Ordinance in order to make certain changes to the procedures regarding sewer inspection and locate fees, and repairs to connections to the sewage works plant;

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 Use 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 of the Sewer Use Ordinance of the Town Code of the Town of Burns Harbor shall be amended to read as follows:

The owner of any lot, parcel of real estate or building, or dwelling unit connecting to the sewage works plant, prior to being permitted to make a connection shall comply with all applicable federal, state, county and Town laws, rules, and regulations and shall pay a connection charge which shall be the sum of the following:

(a) The sewer inspection fee for each dwelling unit, building lot, or parcel of real estate, and a sewer locate fee as specified in Table 15-4: Fees of Chapter 15 of the Burns Harbor Town Code.

(b) The hard and soft cost of connecting to the public sewer, including the costs of installing and connecting the components of the public sewer. Those costs may include, but are not limited to, excavation, backfilling, pavement replacement, electrical, easements, legal and engineering fees.

(c) Plus: subsequent to December 31, 2003, the amount of One Thousand Dollars (\$1,000) for a 5/8" - 3/4" meter.

(d) Plus: subsequent to December 21, 2003, the amount of Two Thousand Dollars (\$2,000) for a meter 1" or larger.

Any such owner so connecting shall install all components of the private sewer as required by the Town to connect such private sewer into the public sewer system and shall pay the costs of such components and their installation.

Section 2. That Chapter 18, Section 3.1 of the Sewer Use Ordinance of the Town Code of the Town of Burns Harbor shall be added to read as follows:

The owner of any lot, parcel of real estate or building, or dwelling unit repairing a connection to the sewage works plant, prior to being permitted to make repairs shall comply with all applicable federal, state, county and Town laws, rules, and regulations and shall pay a permit fee which shall be the sum of the following:

(a) The sewer inspection fee for each dwelling unit, building lot, or parcel of real estate, and a sewer locate fee as specified in Table 15-4: Fees of Chapter 15 of the Burns Harbor Town Code.

(b) The hard and soft cost of connecting to the public sewer, including the costs of installing and connecting the components of the public sewer. Those costs may include, but are not limited to, excavation, backfilling, pavement replacement, electrical, easements, legal and engineering fees.

Section 3. That Chapter 18, Section 4 of the Sewer Use Ordinance of the Town Code of the Town of Burns Harbor shall be amended to read as follows:

(a) Where a public sanitary sewer is not available under the provisions of Section 2(g), the building sewer shall be connected to a private

sewage disposal system complying with the provisions of this article.

(b) Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Town Engineer or designated representative of the Town. A permit and sewer inspection fee and sewer locate fee as specified in Table 15-4: Fees of Chapter 15 of the Burns Harbor Town Code One Hundred Dollars (\$100.00) shall be paid to the Town at the time the application is filed. The permit shall expire one year after the date of issuance, and in no event shall the permit be transferred or assigned.

Section 4. 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 12th day of September, 2018.

TOWN COUNCIL OF THE TOWN OF BURNS HARBOR

Raymond Poparad, President

Eric Hull, Vice -President

Toni Biancardi

Nicholas Loving

Kevin Tracy

Attest: Jane M. Jordan, Clerk-Treasurer

9/17/18 - hspaxlp