

WHITELAND TOWN COUNCIL

ORDINANCE NO. 2015-07

AN ORDINANCE AMENDING THE FEES AND CHARGES FOR THE COLLECTION AND REMOVAL OF GARBAGE, TRASH, AND RECYCLABLES IN THE TOWN OF WHITELAND

WHEREAS, the Town Council of the Town of Whiteland, Indiana (the "Town Council") has established fees and charges for the collection and disposal of solid waste ("Trash Service") of the Town of Whiteland, Indiana (the "Town"); and

WHEREAS, the Town has solicited bids for the provision of Trash Service for the Town and approved the award of a contract for such services; and

WHEREAS, pursuant to Indiana Code § 36-9-30-21 and § 36-1-3-8(6), the Town may impose service charges or fees for the collection and disposal of solid waste so long as such charges or fees are reasonable and just for such services; and

WHEREAS, in accordance with Indiana Code § 36-9-30-21(f), notice has been given of a public hearing on the proposed fees and charges contained herein; and

WHEREAS, a public hearing was held before the Town Council, at which time testimony from interested persons was received, after introduction of this ordinance; and

WHEREAS, the Town Council has determined it is appropriate to amend the fees and charges for Trash Service provided by the Town as found in the Town's Municipal Code.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Whiteland, Indiana that:

SECTION 1. The Council finds that the fees and charges adopted by this Ordinance are reasonable and just in order to provide for the provision of Trash Service to the Town.

SECTION 2. The Whiteland Code of Ordinances (a.k.a. Whiteland Municipal Code), Section 96.03, shall be amended to read as follows:

§ 96.03 CHARGES; BILLING.

(A) Each residential user within the town shall be charged a monthly amount for garbage, trash, recycling, and heavy trash collection service. The garbage, trash, recycling, and heavy trash collection fee shall be a separate item added to the monthly utility bill for each residential dwelling unit, and shall be billed and collected by the town in the amount of \$10.68 per month until January 1, 2016, at which time such fee shall be \$11.25 per month effective starting with the bills due in January 2016.

(B) Additional trash containers, if required by the customer, shall be billed at an additional \$1.50 per month for each additional trash container, until January 1, 2016, at which time such charge shall thereafter be \$2.00 per month effective starting with the bills due in January 2016.

(C) Regardless of how payments may be designated, partial payments of the combined water, trash collection, recycling and sewer bill shall be applied first to the water bill; second to the trash, recycling and heavy trash collection bill; and last to the sewer bill.

SECTION 4. The Council hereby authorizes and directs the appropriate officials and representatives of the Town to take all necessary actions to implement this Ordinance following final adoption.

SECTION 5. All prior ordinance provisions in conflict herewith are repealed as of the effective date of this Ordinance.

SECTION 6. This ordinance shall be in full force and effect upon its final adoption.

PASSED through first reading by the Town Council on the _____ day of _____, 201__, by a vote of ____ in favor and ____ against.

PASSED through second reading by the Town Council on the _____ day of _____, 201__, by a vote of ____ in favor and ____ against.

DULY PASSED AND ADOPTED on third and final reading this _____ day of _____, 201__, by a vote of ____ in favor and ____ against.

TOWN COUNCIL OF THE TOWN OF WHITELAND, INDIANA,

YES

NO

Robert Zehr, President

Robert Zehr, President

Kent Beeson, Vice President

Kent Beeson, Vice President

James Klenner

James Klenner

Roger Ford

Roger Ford

S. Ed Tichenor

S. Ed Tichenor

ATTEST:

Michelle R. Richards, Clerk-Treasurer
Town of Whiteland, Indiana