

WHITELAND TOWN COUNCIL
ORDINANCE NO. 2020-20

AN ORDINANCE AMENDING THE PROVISIONS FOR FEES AND CHARGES FOR WATER, SEWER, FIRE HYDRANTS, FIRE PROTECTION SPRINKLERS, STORM WATER, AND TRASH COLLECTION IN THE TOWN OF WHITELAND AS RELATES TO VACANT PROPERTIES

WHEREAS, the Town Council of the Town of Whiteland, Indiana (the "Town Council") has established fees and charges for providing water, sewer, fire hydrants, private fire protection, storm water, and the collection of garbage, trash, and recycling services (the "Utility Services") of the Town of Whiteland, Indiana (the "Town"); and

WHEREAS, notice has been given of a public hearing on the proposed fees and charges provisions contained herein; and

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

WHEREAS, the Town Council has determined it is appropriate to amend the provisions for fees and charges for Utility Services 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 Town Council finds that the terms adopted by this Ordinance related to the fees and charges of the Town's Utility Services are reasonable and just in order to provide for the provision of the Utility Services to the Town.

Section 2. Section 50.84 of the Whiteland Code of Ordinances (a.k.a. Whiteland Municipal Code), which addresses sewer rates and charges, shall be revised to add a new subsection (F), to read as follows:

(F) *Vacant Properties.* For properties also served by the waterworks system of the town, such properties that are vacant and have been disconnected from the waterworks system of the town at the request of the owner or user, or are vacant and not previously had water service to the property turned on, shall not be subject to the rates and charges of this Section 50.84 during such period of disconnection and vacancy. If there are multiple billed units for a single property, this subsection shall apply on a per unit basis.

Section 3. Section 51.35 of the Whiteland Municipal Code, which addresses water rates and charges, shall be revised to add a new subsection (D), to read as follows:

(D) *Vacant Properties.* Properties that are vacant and have been disconnected from the waterworks system of the town at the request of the owner or user, or are vacant and not previously had water service to the property turned on, shall not be subject to the rates and charges of this Section 51.35 during such period of disconnection and vacancy. If there are multiple billed units for a single property, this section shall apply on a per unit basis.

Section 4. Section 51.36 of the Whiteland Municipal Code, which addresses fire hydrant and fire sprinkler connection charges, shall be revised to amend subsection (A), to read as follows:

(A) Fire hydrant charges. Each owner, or user under a written agreement with the town, of a property with a structure thereon within the town shall be charged a monthly fire hydrant charge and fire protection service charge according to the following schedules, and such charges shall be applicable irrespective of whether the property is vacant or disconnected from the waterworks system of the town.

Section 5. Section 51.48 of the Whiteland Municipal Code, which addresses storm water user fees, shall be revised to amend subsection (A), to read as follows:

(A) User fees, as proposed in the Storm Water Board Resolution, are approved by the Council. Each owner, or user under a written agreement with the town, of a property within the town shall be charged a monthly storm water user fee according to the following schedule, and such fee shall be applicable irrespective of whether the property is vacant or disconnected from the waterworks system of the town.

Section 6. Section 96.03 of the Whiteland Municipal Code, which addresses garbage, trash, and recycling collection fees, shall be revised to amend subsection (A), to read as follows:

(A) Each owner, or user under a written agreement with the Town, of a residential dwelling unit within the town shall be charged a monthly amount for garbage, trash, recycling, and heavy trash collection service irrespective of whether the dwelling unit is vacant. 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 \$11.25 per month until October, 1 2020 at which time such fee shall be \$13.50 per month effective starting with the bills due in October 2020.

Section 7. 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 8. All prior ordinance provisions in conflict herewith are repealed as of the effective date of this Ordinance.

Section 9. This ordinance shall be in full force and effect upon its final adoption.

[Remainder of Page Intentionally Left Blank]

PASSED through first reading by the Town Council on the 8th day of December, 2020, by a vote of 5 in favor and 0 against.

DULY PASSED AND FINALLY ADOPTED on second reading on the 12 day of January, 2020, by a vote of 5 in favor and 0 against.

TOWN OF WHITELAND, INDIANA, TOWN COUNCIL

Voting In Favor

Voting Opposed



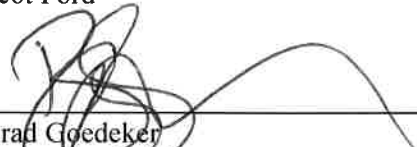
David Hawkins, President

David Hawkins, President




Scot Ford

Scot Ford



Brad Goedecker

Brad Goedecker



Joseph Sayler

Joseph Sayler



Laura Fleury

Laura Fleury

Attest:



Debra L. Hendrickson, Clerk-Treasurer

