

ORDINANCE 2017 - 4

AN ORDINANCE AMENDING SEWER UTILITY ORDINANCES

WHEREAS, the Town Council of the Town of Markleville, Madison County, Indiana has established rates and charges for the Sewer Utility and

WHEREAS, pursuant to Indiana Code, this Council may change or adjust its existing schedule of fees by ordinance after providing notice and conducting a public hearing; and

WHEREAS, Indiana Code authorizes the Town Council to adopt by ordinance nondiscriminatory, reasonable and just rates and charges for sewer rendered by the Town's Sewer Utility and

WHEREAS, the Town Council determines it necessary to make changes and amend the sewer collection process in the following manner

WHEREAS, the Town Council determines it necessary to make changes as to the Grandfather clause, and fines for sump pumps and overflow violations

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Markleville, Madison County, Indiana as follows:

Section I. Rate Structure

- | | |
|--|------------|
| A. Private single home residence | \$52.00 |
| B. Duplexes | \$69.00 |
| C. Single Apartment units each | \$196.00 |
| D. Churches/Lodges/other civic | \$60.00 |
| E. Businesses Rates shall increase 26% of prior rate | |
| F. Tap-on Fees | \$2,000.00 |

Section II. Billing Collection Process

- A. Bills are due on the 10th of each month (no grace period). Any bill paid on or after 11th of each month is considered late.
- B. Any monthly bill not paid as stated above will be assessed a 10% penalty on the current monthly bill as allowed by I.C. 36-9-3-31.
- C. Any bill not paid after 90 days is subject to lien being placed against property per I.C. 36-9-23-32. Recording fees will be added to balance per I.C. 36-2-7-10.
- D. Property owner shall be responsible for all collection and attorney fees
- E. Other reasons for recording lien
 - a. When the Town of Markleville learns that a property is up for tax sale, or
 - b. When the Town of Markleville learns that a property which has a delinquent account is put on the real estate market for sale, or
 - c. When the Town of Markleville learns that the property is in foreclosure.
- F. Returned check fee shall be based on maximum amount allowed per Indiana Code

Section III. Property Owner

- A. All bills shall continue to be the responsibility of the property owner.



Section IV. Ownership Responsibility

A. Property owners will be responsible for maintaining the grinder pit, pump, control box, and laterals, up to the main line of the Sewer Utility.

Section V. Overflow

A. Knowingly failing to report Overflow after 24 hours may cause the property owner to be responsible for the total cost of cleanup, all attorney fees, and a fine up to \$1,000.00 per occurrence.

Section VI. No Sump Pumps

A. Sump pumps and non compliant connections designed to pump ground water or rain water into the system are prohibited. Any property owner in violation shall be fined up to \$5,000.00.

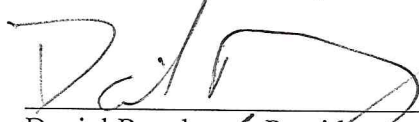
Section VII. The Town Council finds that these changes in the sewer fees, process, maintenance, and fines are fair and reasonable.


Section VIII. All the ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section IX. This Ordinance shall be in full force and effect as of August 28, 2017.

PASSED AND ADOPTED by the Common Council of the Town of Markleville, Madison County, Indiana upon this 28 day of AUGUST, 2017


COUNCIL TRUSTEES
TOWN OF MARKLEVILLE
MADISON COUNTY, INDIANA


Daniel Roseberry, President


Matthew Gustin, Member

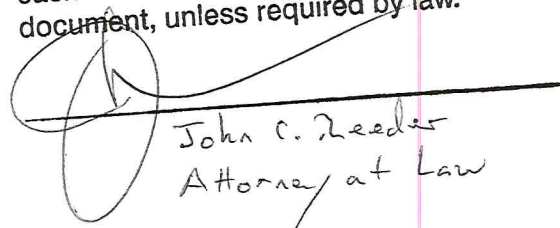
Floyd Fesmire, Member

Attest:



Mark E. Evans, Clerk-Treasurer

I affirm, under the penalties for perjury,
that I have taken reasonable care to redact
each Social Security number in this
document, unless required by law.



John C. Reeder
Attorney at Law

Prepared by: John C. Reeder
Attorney at Law
Anderson, IN 46016

Matthew Gustin, Member

Daniel Roseberry, Member
Mark Evans, Clerk-Treasurer

Floyd Fesmire, Member
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