

TITLE V: PUBLIC WORKS

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CHAPTER 50: GENERAL PROVISIONS

Section

- 50.01 Disconnection for late payment
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§ 50.01 DISCONNECTION FOR LATE PAYMENT.

(A) (1) It is the policy of the town to discontinue utility service to customers by reason of non-payment of bills only after notice and a meaningful opportunity to be heard on disputed bills.

(2) The town's form for application for utility service and all bills shall contain, in addition to the title, address, room number and telephone number of the official in charge of billing, clearly visible and easily readable provisions to the effect.

(a) All bills are due and payable on or before the date set forth on the bill.

(b) If any bill is not paid by or before that date, a second bill will be mailed containing a cutoff notice that if the bill is not paid within ten days of the mailing of the second bill, and is 30 days or more delinquent, service will be discontinued for non-payment.

(c) Any customer disputing the correctness of his or her bill shall have a right to a hearing, at which time he or she may be represented in person and by counsel or any other person of his or her choosing and may present orally or in writing his or her complaint and contentions to the town official in charge of utility billing. This official shall be authorized to order that the customer's service not be discontinued and shall have the authority to make a final determination of the customer's complaint.

(B) Requests for delays or waiver of payment will not be entertained; only questions of proper and correct billing will be considered. In the absence of payment of the bill rendered or resort to the hearing procedure provided herein, service will be discontinued at the time specified, but in no event until the charges have been due and unpaid for at least 30 days.

Statutory reference:

Similar state law, see I.C. 8-1.5-3-4(d)

§ 50.02 JURISDICTION.

The municipally owned utilities of the town shall be taken out of the jurisdiction of the State Utility Regulatory Commission for the approval of rates and charges, and of the issuance of stocks, bonds, notes or other evidence of indebtedness.

(Ord. 1-1989, passed 4-3-1989)

CHAPTER 51: WATER

Section

51.01 Establishment; regulations and rates adopted by reference

§ 51.01 ESTABLISHMENT; REGULATIONS AND RATES ADOPTED BY REFERENCE.

The town's provisions establishing its waterworks utility and any rates and charges for service are hereby adopted by reference and incorporated herein as if set out in full.

(Ord. 5-2005, passed 7-5-2005; Ord. 1-2009, passed 2- -2009)

CHAPTER 52: SEWERS

Section

52.01 Rules, rates and charges adopted by reference

§ 52.01 RULES, RATES AND CHARGES ADOPTED BY REFERENCE.

The rules, rates and charges governing town sewer service are hereby adopted by reference and incorporated herein as if set out in full.

(Ord. 5-1989, passed 4-17-1989; Ord. 2-1990, passed 8-6-1990)

CHAPTER 53: SOLID WASTE

Section

53.01 Definitions

53.02 Prohibition

53.99 Penalty

§ 53.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

SOLID WASTE. All putrescible and non-putrescible solid and semi-solid wastes, except human excreta, but including garbage, rubbish, tires, ashes, street cleanings, dead animals, offal and solid commercial, industrial and institutional wastes.

SOLID WASTE DISPOSAL FACILITY. A sanitary landfill, an incinerator, a composting facility, a solid waste grinding factory, a solid waste loading, unloading or transporting facility or any other facility that is suitable for solid waste disposal.

(Ord. 1-1991, passed 4-1-1991)

§ 53.02 PROHIBITION.

It shall be unlawful for any person to establish, operate or maintain a solid waste disposal facility, any portion of which is within the boundaries of the town.

(Ord. 1-1991, passed 4-1-1991) Penalty, see § 53.99

§ 53.99 PENALTY.

Violation of this chapter shall be punishable by a fine of \$2,500. Each calendar day during which a violation occurs shall be considered to be a separate offense, punishable by a separate fine.

(Ord. 1-1991, passed 4-1-1991)

