

TOWN OF NEW WHITELAND, INDIANA

ORDINANCE NO. 2019-08

**AN ORDINANCE AMENDING THE SCHEDULE OF RATES
AND CHARGES OF THE NEW WHITELAND SEWAGE WORKS**

WHEREAS, the Town of New Whiteland, Indiana owns and operates Sewage Works;

WHEREAS, the Town Council for the Town of New Whiteland, Indiana (the "Council") is the governing board of the Town's Sewage Works and, in that capacity, sets just and equitable fees as required to maintain the Sewage Works in sound physical and financial condition, and establishes and administers billing and collection policies;

WHEREAS, the Council has reviewed various of the current policies of the Town's Sewage Works and discovered that some, seemingly, have been enacted by mistake and are contrary to the Council's prior intent

WHEREAS, the Council has discovered that prior Sewage Works rate ordinances have included language imposing on the Town an obligation to pay the Town's Sewage Works the same rates charged to other customers;

WHEREAS, it is the Council's belief and understanding that the policy to charge sewer and storm water rates to the Town originated, a number of years ago, with a former rate consultant who included that policy in and as a part of his rate schedule;

WHEREAS, it is the Council's belief and understanding that the policy to charge rates to the Town was, inadvertently, merged into the body of a prior rate ordinance and then carried over into subsequent ones, but that prior Councils did not intend for the Town to charge itself sewer or storm water rates;

WHEREAS, irrespective of any prior policies which may have been adopted, the Town's Sewage Works has not billed the Town and the Town has not paid its Sewage Works any rates or charges;

WHEREAS, the Council seeks to clarify the policy and rescind all prior adopted policies that have imposed or attempted to impose on the Town an obligation to pay rates and charge to its own Sewage Works.

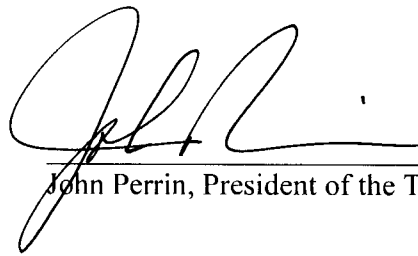
ACCORDINGLY, be it ordained by the Town Council for the Town of New Whiteland, Indiana as follows:

Section 1. All prior and existing policies of the Town, no matter when or how adopted, pursuant to which the Town was to pay to its Sewage Works rates and charge, including storm water rates and charges, are hereby rescinded and repealed effective, retroactively, as of the date any of those policies may have been adopted.

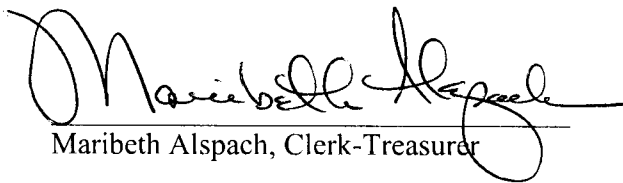
Section 2. All rates and charge that the Town would have to paid to its Sewage Works, pursuant to any adopted policy of the Council, are hereby waived, forgiven, and forever written off, the same as if those policies had never been included in any prior ordinance.

Introduced and adopted, on first reading, by the Town Council of the Town of New Whiteland, on the 16th day of July, 2019.

Passed and adopted, upon suspension of rules, on second and final reading, by the Town Council of the Town of New Whiteland, on the 16th day of July, 2019.



John Perrin, President of the Town Council



Maribeth Alspach, Clerk-Treasurer