

Ordinance 2022-09

An Ordinance Repealing Ordinance 99-5 and Amending Sections of Argos Town Code Chapters 52, 53 and 54

Whereas The Argos Town Council wishes to require mandatory minimum payments for utility services as provided and offered by the Town; and

Whereas the Argos Town Council wishes to repeal Ordinance 99-5 in its entirety to accomplish this objective; and

Whereas that specific provisions of Chapters 52, 53 and 54 will need to be amended to accomplish this objective.

THEREFORE, BE IT ORDAINED BY THE ARGOS TOWN COUNCIL THAT:

Section 1. That Argos Town Code Chapter 52.32 (B) is deleted and repealed in its entirety, and replaced to read as follows:

“52.32 (B) There will no abatement of charges in whole or in part by reason of the extended absence of the customer or for any other cause.”

Section 2. That Argos Town Code Chapter 53.064 is amended to add Section 53.046 (C) to state as follows:

“53.046 (C) Shut off and/or non-use of water service for any reason will not exempt the customer from the base sewer charges during the period of shutoff or non-use.”

Section 3. That Argos Town Code Section 53.072 is deleted and repealed in its entirety, and replaced to read as follows:

“53.072 Whenever a customer desires to have the service turned off at the meter for the reason of an extended absence from his or her residence the minimum services fees shall apply. The Sewer Department shall be given reasonable notice of said periods of extended absence, so they may turn off and turn on service at the meter. Notwithstanding any other section of this code, this service (shutting off and turning back on) shall only be conducted during business hours. In addition, the customer will be charged the standard rate for turning service off and on.”

Section 4. That Argos Town Code Section 53.073, entitled Permanent Discontinuance of Service, is hereby established and created to read as follows:

“53.073 A customer may request in writing to the Clerk-Treasurer’s Office for permanent discontinuance of service. If such a request is granted by the Utility Superintendent, it will be conditioned upon the property owner agreeing to arrange for and pay all costs associated with the permanent disconnection of the sanitary building sewer at or near the public right-of-way (property) line with the appropriate capping and marking of end of sanitary building sewer at that location (must be inspected by the Utility Superintendent before covering).

The Utility Superintendent can require permanent disconnection at the owner’s expense after 30 days of water disconnection. If owner refuses to comply within 15 days of receiving a letter from the utility requiring disconnection, Argos Utilities reserves the right to hire or disconnect the sewer with all charges billed to the owner. Any unpaid charges after 60 days of billing shall be a lien that will be placed upon the property.

Service at this property may only be reinstated when the property owner arranges for and pays all costs associated with necessary reconnection of the sanitary building sewer. In the event that the Town has determined or determines that the sanitary building sewer in the public right-of-way requires replacement for any reason, the property owner will also be assessed the usual and customary charges for reinstalling these services.”

Section 5. That Argos Town Code Section 54.035 (B) is deleted and repealed in its entirety, and replaced to read as follows:

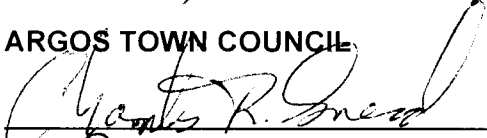
“54.035 (B) Whenever a customer desires to have service turned off at the meter for any reason a written request must be submitted to the Clerk-Treasurer’s Office. Shut off and or non-use of water service for any reason will not exempt the customer from minimum base charges during the period of non-use or shutoff. The Water Department shall be given reasonable notice to shut off the water at the meter. Notwithstanding any other section of this Code, this service (shutting-off and turning back on) shall only be conducted during business hours. In addition, the customer will be charged the standard rate for turning service off and on.”

Section 6. That Ordinance 99-5 is deleted and repealed in its entirety.

Section 7. That this Ordinance shall be in full force and effect from and after its passage and publication, if required by law.

ADOPTED AND PASSED by the Town Council of the Town of Argos, Indiana on the 20
day of July 2022.

ARGOS TOWN COUNCIL



Charles R. Snead, Council President

Yay or Nay



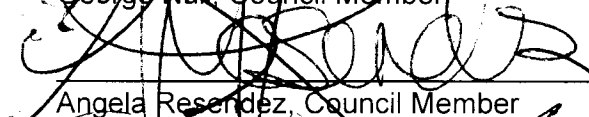
Shawn Harley, Council Vice President

Yay or Nay



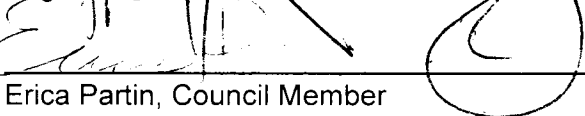
George Null, Council Member

Yay or Nay



Angela Resendez, Council Member

Yay or Nay



Erica Partin, Council Member

Yay or Nay

ATTESTED


Lisa Mullaney, Clerk-Treasurer