

ORDINANCE NO. 2000 - 9

TOWN COUNCIL  
TOWN OF BARGERSVILLE, INDIANA

AN ORDINANCE TO ESTABLISH  
A DEPARTMENT OF STORM WATER MANAGEMENT  
FOR THE TOWN OF BARGERSVILLE

PASSED: DECEMBER 12, 2000

BARGERSVILLE ORDINANCE NO. 2000 - 9

AN ORDINANCE TO ESTABLISH  
A DEPARTMENT OF STORM WATER MANAGEMENT  
FOR THE TOWN OF BARGERSVILLE

WHEREAS, the General Assembly of the State of Indiana has determined that management of storm water and surface water is a concern for the State of Indiana and its political subdivisions; and

WHEREAS, storm water and surface water control and management is an important function for the Town of Bargersville; and

WHEREAS, it is in the best interest of the Town of Bargersville and its citizens that a Department of Storm Water Management be created for the purpose of providing for the collection and disposal of storm and surface water the Town of Bargersville; and

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Bargersville as follows:

1. IC 8-1.5-5 concerning "Storm Water Management Systems" is hereby adopted by the Town Council of the Town of Bargersville, Indiana, so as to make the Act and any and all amendments thereto effective and operative in the Town of Bargersville, Indiana.

2. Pursuant to IC 8-1.5-5, a Department of Storm Water Management shall be and is hereby created for the purpose of providing for the collection and disposal of storm and surface water in the Town of Bargersville.

3. Pursuant to IC 8-1.5-5(c), the Department of Storm Water Management shall be controlled by a Board of Directors which shall consist of three (3) directors appointed by the Town Council President of the Town of Bargersville, no more than two (2) of whom may be of the same political party. The Town Council President may remove a director at any time when, in the judgment of the Town Council President, it is for the best interest of the Department. If a director is so removed, the Town Council President shall appoint a replacement to fill the unexpired term of the removed director.

4. The initial terms of the first directors appointed pursuant to this ordinance shall be staggered so that one director shall have a one (1) year term; one director shall have a two (2) year term; and one director shall have a three (3) year term. Thereafter the terms of all directors shall be for a period of three (3) years, and all initial terms shall begin on the first day of the month following adoption of this ordinance.

5. Pursuant to IC 8-1.5-5, there is hereby created a special taxing district which shall include all of the territory within the corporate boundaries of the Town of Bargersville, Indiana.

6. The Board of Directors shall prepare a budget for the operation of the Department of Storm Water Management on an annual basis. The budget shall be subject to approval by the Town Council, and any issuance of bonds or other methods for making capital improvements shall be approved by the Town Council as provided by law.

7. The Utility Superintendent of the Town (or his designee) shall be in charge of the day to day operations of the Department of Storm Water Management and shall attend the meetings of the Board of Directors.

8. Any ordinance or provision of any ordinance of the Town of Bargersville in conflict with the provisions of this ordinance is hereby repealed.

9. The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

10. This Ordinance shall be in full force and effect from and after its adoption.

PASSED by the Town Council of the Town of Bargersville, Indiana, this 12<sup>th</sup> day of December, 2000.

TOWN COUNCIL OF THE TOWN OF  
BARGERSVILLE, INDIANA

Charlotte Myrkes

Beulah Witt

Russell Skaggs

Laura A. Lowe

Bonnie J. Kerkhof

ATTEST:

Steph Peltus  
Clerk-Treasurer