

ORDINANCE NO. 2019-1

WATER UTILITY ORDINANCE

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF GENEVA, INDIANA AMENDING AND RESTATING CHAPTER 52 OF THE GENEVA TOWN CODE INCLUDING PROVISIONS REGARDING THE USE OF AND SERVICES RENDERED BY THE WATERWORKS SYSTEM OF THE TOWN OF GENEVA AND CHARGES THEREFOR

WHEREAS, the Common Council of the Town of Geneva has determined that there is a need to develop more formalized policies and procedures regarding issues that occur from time to time regarding the Water Utility System of the Town of Geneva, such issues including, but not limited to, contested invoice procedures, leak adjustments, shut off procedures, minimum charges, bad check procedures, bulk water delivery, replacement of lead lines, and inspections; and

WHEREAS, the Common Council believes that a complete restatement of Chapter 52 of the Geneva Town Code will better organize the provisions of the Code for better access, examination and analysis by the Town, its employees and citizens; and

NOW THEREFORE, BE IT RESOLVED AND ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF GENEVA, INDIANA THAT ORDINANCES CHAPTER 52 OF THE GENEVA TOWN CODE BE AMENDED AND RESTATED IN ITS ENTIRETY AS FOLLOWS:

Section 52.01 Water Usage, Customer Responsibility, Billing and Procedures.

There shall be and hereby are established for the use of and the service rendered by the Waterworks System of the Town of Geneva, procedures, rates and charges wherein the owners of each and every lot, parcel of real estate, or building that is connected to the Waterworks System shall be primarily responsible for payment thereof. Tenants and conditional sale contract purchasers may accept the responsibility for payment thereof by lease or contract with the owner. However, as the Town is not a party to such a lease or contract, the owner shall remain primarily responsible for payment to the Town of any and all charges for the water utility. The Town will send monthly water bills to the address on file with the Town. If a customer does not have home mail delivery or a post office box, then it is the customer's responsibility to pick up the monthly water bill at the Town Hall. The following rates and charges shall be based upon the amount of water supplied during each monthly billing period:

Section 52.02 Metered Rates.

Usage Per Month

Charge Per 1,000 Gallons

<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
(Effective 1/1/2018)	(Effective 1/1/2019)	(Effective 1/1/2020)	(Effective 1/1/2021)	(Effective 1/1/2022)

First	3,333	Gallons	\$7.25	\$7.76	\$7.99	\$8.23	\$8.48
Next	6,667	Gallons	6.16	6.59	6.79	6.99	7.20
Next	4,000	Gallons	5.56	5.95	6.13	6.31	6.50
Next	19,000	Gallons	4.94	5.29	5.45	5.61	5.78
Next	33,000	Gallons	4.32	4.62	4.76	4.90	5.05
Over	66,000	Gallons	3.70	3.96	4.08	4.20	4.33

Section 52.03 Minimum Monthly Charge.

All water customers of the Town of Geneva who have a meter connected to the Town's water utility shall be charged a minimum monthly charge as set forth below. The minimum charge is in recognition that customers who are connected to Town services receive a benefit of the capability to use said services, and such customers shall as such be responsible to contribute to the cost of the improvement and maintenance of the water utility infrastructure and fixed costs of labor, operating costs, and administrative expenses. If a customer desires to no longer receive the minimum monthly charge, the customer may contact the Town to remove the meter at such property at no cost to the customer. If a property owner desires for the meter to be reinstalled after it has been removed, the Town will reinstall the meter at such location a charge of \$375.00.

<u>Meter Size</u>	<u>2018</u> (Effective 1/1/2018)	<u>2019</u> (Effective 1/1/2019)	<u>2020</u> (Effective 1/1/2020)	<u>2021</u> (Effective 1/1/2021)	<u>2022</u> (Effective 1/1/2022)
5/8 – 3/4-inch	\$ 24.16	\$ 25.86	\$ 26.63	\$ 27.43	\$ 28.26
1-inch	41.04	43.91	45.23	46.59	47.99
1-1/2-inch	82.07	87.81	90.44	93.15	95.94
2-inch	143.60	153.65	158.26	163.01	167.90
3-inch	307.83	329.38	339.26	349.44	359.92
4-inch	512.82	548.72	565.18	582.14	599.60
6-inch	1,128.42	1,207.41	1,243.63	1,280.94	1,319.37

Section 52.04 Fire Protection.

	<u>2018</u> (Effective 1/1/2018)	<u>2019</u> (Effective 1/1/2019)	<u>2020</u> (Effective 1/1/2020)	<u>2021</u> (Effective 1/1/2021)	<u>2022</u> (Effective 1/1/2022)
Hydrant Rental (per annum)	\$ 380.69	\$ 407.34	\$ 419.56	\$ 432.15	\$ 445.11
Sprinkler Connection (per annum):					
6-inch	1,017.72	1,088.96	1,121.63	1,155.28	1,189.94
8-inch	1,356.95	1,451.94	1,495.50	1,540.37	1,586.58

Section 52.05 Other Water Services.

	<u>2018</u> (Effective 1/1/2018)	<u>2019</u> (Effective 1/1/2019)	<u>2020</u> (Effective 1/1/2020)	<u>2021</u> (Effective 1/1/2021)	<u>2022</u> (Effective 1/1/2022)
Public drinking fountain (per fountain/per annum)	\$447.78	\$479.12	\$493.49	\$508.29	\$523.54
Bulk water (up to 3,000 gallons)	163.50	174.95	180.20	185.61	191.18
Hydrant bulk water: Flat charge	27.25	29.16	30.03	30.93	31.86
Plus: Rate per 1,000 gallons	5.80	6.21	6.40	6.59	6.79
Meter deposit	50.00	100.00	100.00	100.00	100.00
Other fees:					
Check Valve	25.00	25.00	575.00	575.00	575.00

Section 52.06 Irrigation Meters and Charges, Sprinkling Credit, Filling Swimming Pools.

At the request of a customer, the Town may install a second meter for the sole purpose of irrigation of lawns, landscaping and planting beds. The Town shall provide a meter at the cost to the Town plus 10% of such cost. The regular meter charge pursuant to Sections 52.02 and 52.03 shall be charged for the use of water through an irrigation meter, but there shall be no sewage charge levied thereon. For the billing months of July through October, for customers who sprinkle their lawns, but do not have a dedicated irrigation system, if the customer contacts the Town and requests a sprinkling credit prior to the use of water for sprinkling purposes, the Town will credit the customer's account by calculating the wastewater charge during such months at the three (3) month average (mean) wastewater billing during the previous months of January, February and March. For customers who intend to fill a swimming pool, if the customer contacts the Town and requests a credit prior to the use of water to fill said pool, the Town will credit the customer's account by calculating the wastewater charge during the month in which the pool is filled at the three (3) month average (mean) wastewater billing during the previous months of January, February and March.

Section 52.07 Automatic Sprinklers.

<u>Connection Size</u>	<u>Rate Per Year</u>
2 inch connection	\$23.00
3 inch connection	\$51.75
4 inch connection	\$92.00
6 inch connection	\$322.00
8 inch connection	\$368.00
10 inch connection	\$575.00
12 inch connection	\$828.00

Section 52.08 Connection Charge.

<u>Tap Size</u>	<u>Charge</u>
5/8 inch to 1 inch tap	\$525.00
Larger than 1 inch tap	Actual cost of labor, material and equipment, but not less than \$525.00

The Town shall also be reimbursed for all boring costs regardless of the size of the tap.

Section 52.09 Non-Sufficient Funds Charges and Procedure.

If a check for payment on an account is returned for non-sufficient funds or an automated clearing house (ACH) payment on an account is reversed for non-sufficient funds, the Town will charge an additional \$40 NSF fee to that account. The Town shall post a notice upon the property of the account that the bill shall be paid in full with the NSF fee within 3 days of the posting of said notice, and if the account is not so paid, the Town shall disconnect service to said property. If an account paid by ACH has 2 or more NSF reversal of funds, the Town shall discontinue acceptance of ACH payments on that account.

Section 52.10 Billing Cycle, Delinquency, Disconnection, and Hearing.

- (A) Usage Period. The usage period is the month or any part of the month during which water service is provided or is available to be provided to a customer of the utility or the month or part of the month that a customer's property is physically connected to Town's water system.
- (B) Reading Date. The Reading Date shall be the first work day of the month, on which date the Town of Geneva shall read the meter at each customer's property.
- (C) Billing Date. The Billing Date upon which monthly water bills are sent to customers shall be the tenth (10th) day of the month in which the water meter is read, or if such date is on a weekend or legal holiday, then the first (1st) business day thereafter.
- (D) Due Date. The Due Date shall be the 25th day of the month in which the water bill is sent. Each monthly bill will state the date the bill is due and the date after which the bill is considered delinquent and delinquent fees will be added. The total bill shall be due and payable without penalty by the close of business (4:00 p.m.) no later than the 25th day of the month in which the billing is sent. However, if the 25th day of the month is on a Saturday, Sunday or legal holiday, then the Due Date shall be on 4:00 p.m. on the first (1st) business day after such weekend or holiday.
- (E) Delinquent Date. The Delinquent Date shall be on and after 4:01 p.m. on the 25th day of the month. However, if the 25th day of the month is on a Saturday, Sunday

or legal holiday, then the Delinquent Date shall be on and after 4:01 P.M. on the first (1st) business day after such weekend or holiday.

- (F) Penalties. A penalty of ten percent (10%) of the unpaid bill for sewage, trash, storm water and the first \$3.00 of water charges shall be assessed as of the Delinquent Date, and the water charges in excess of \$3.00 shall be assessed a penalty of three percent (3%).
- (G) Delinquent Letter. If a monthly bill remains unpaid as of the Delinquent Date, then a Delinquent Letter shall be sent by regular U.S. Mail to the customer and owner stating that the delinquent amount, with penalties, shall be paid on or before 4:00 p.m. on the seventh (7th) day after such Delinquent Letter is sent. However, if the Delinquent Letter Due Date is on a Saturday, Sunday or legal holiday, then the Delinquent Letter Due Date shall be on 4:00 p.m. on the first (1st) business day after such weekend or holiday.
- (H) Water Service Disconnection (Hang Up Notice). If a monthly bill, with penalty, remains unpaid at 4:01 p.m. on the Delinquent Letter Due Date, then the Town shall post upon the property upon which service was billed a disconnect notice along with an updated bill, including penalty, and said notice shall state that if the bill is not paid on or before the close of business (4:01 p.m.) two (2) days after the notice is posted, the Town shall disconnect water service or otherwise turn off such service without further notice. However, if the second (2nd) day after the posting of the notice falls on a Friday, Saturday, Sunday or legal holiday, then the Town shall disconnect water service or otherwise turn off such service without further notice after 4:01 p.m. on the first (1st) business day after such weekend or holiday. All water service subject to disconnection shall be disconnected by the Town utility personnel. There shall be a charge of \$25.00 added to the account upon the posting of the hang up disconnection notice. Any customer water service that is disconnected for non-payment can only be reconnected after full payment is received plus the reconnection fee as set forth in Section 52.12 herein.
- (I) Clerk Treasurer as Hearing Officer on Application for Extension on Disconnection of Service. A person owing an unpaid water bill may appeal in writing to the Clerk-Treasurer for an extension of the date when water service would be subject to discontinuation, setting forth in detail the extraordinary hardship or other unavoidable circumstances whereby the delinquent bill cannot be paid within the allowed period. The Clerk-Treasurer, acting as the Hearing Officer for the extension request, may grant or deny such request, in whole or in part. The Hearing Officer may require partial payment of the delinquent bill in return for granting an extension.
- (J) Appeal of Hearing Officers Denial of Disconnection Extension. A person owing an unpaid water bill may appeal the determination of the Clerk-Treasurer acting as Hearing Officer in Section 52.10(I) herein. The appeal shall be in writing within twenty-four (24) hours after receipt of the notice of determination by the Hearing

Officer, said appeal being to an Appeal Board composed of the Common Council President, the Clerk-Treasurer and Workforce Manager. The written appeal request shall set forth in the detail the 1) extraordinary hardship or other unavoidable circumstances whereby the delinquent bill cannot be fully paid within the allowed period, 2) the specific relief requested, and 3) the reason(s) that the person owing an unpaid water bill believes that the adverse determination of the Clerk-Treasurer acting as Hearing Officer was arbitrary or capricious. The Appeal Board shall hold a hearing on said appeal within ten (10) business days of the filing of the appeal. The appellant shall be given at least forty-eight (48) hours prior notice of the hearing. Any contemplated discontinuation of water service shall be deferred pending the determination of the appeal by the Appeal Board. The Appeal Board in its appeal determination may 1) deny the appeal, or 2) grant the appeal in whole or in part, and 3) may require partial payment of the delinquent bill in return for granting an extension. Upon denial of the appeal, the delinquent user shall be given forty-eight (48) hours notice of the appeal denial prior to the discontinuation of service.

(K) Application of Payments When Payment is Less Than Total Billing. When a utility payment is received by the Town from a customer, and said payment is less than the amount billed, the customer's payment shall be applied as follows:

- (1) The payment shall be applied first to the water charges on said account until said water charges are fully paid, and then to any water taxes, penalties and other charges for the water portion of the account.
- (2) The payment shall then be applied to the sanitation charges on said account until said sanitation charges are fully paid.
- (3) The payment shall then be applied to the stormwater charges on said account until said stormwater charges are fully paid.
- (4) The payment shall be applied to the sewage charges on said account until said sewage charges are fully paid, and then to any sewage penalties and other charges for the sewage portion of the account.
- (5) Any funds remaining in the customer's payment after the aforementioned charges, taxes and penalties have been paid in full shall be applied toward to the next month's account billing.

(L) Application of Payments When Payment is More Than Total Billing. When a utility payment is received by the Town from a customer, and said payment is more than the amount billed, the customer's payment shall be credited to the customer's water account.

(M) Disputed utility bills. A customer may request an in person conference regarding any dispute over a disputed utility bill or other service matter before the Town

Council, or its designee, to hear such matters. All such matters will be resolved in accordance with IC 8-1-2-103 and IC 8-1.5-3.5, the written policies of the Town of Geneva and the judgment of the Common Council of the Town of Geneva.

Section 52.11 Tampering With or Obstructing Meters.

Any customer or owner who tampers with or obstructs a water meter, or allows a water meter to be tampered with or obstructed, without authorization of the Town, will be subject to a charge of \$50.00 per occurrence, plus the costs of any repairs, plus the normal invoicing for the water, sewer and other charges for the use thereof, and shall further be subject to criminal prosecution therefor.

Section 52.12 Reconnection Charge.

Any person, firm, corporation, partnership or association who shall hereafter request a reconnection into the Waterworks System of the Town shall pay a reconnection charge in the amount of \$40.00 prior to reconnection into the Waterworks System.

Section 52.13 Review of Connection and Reconnection Charges.

Due to increase of costs pertaining to tap and reconnection fees, a review of Sections 52.08 and 52.13 shall be made every three (3) years from the date of passage of this section to determine whether or not the fees remain appropriate or are insufficient and in need of amendment due to increased costs.

Section 52.14 Water Loss Audit.

The Town will inspect and test the meters and stand pipes of an industrial customer every three (3) years in order to ascertain whether the industrial customer has a leak in its system.

Section 52.15 Procedures for Removal of Lead Lines.

In the event that a water user desires to have lead service lines replaced, the Town Water Department will first verify whether the service has not yet been replaced by digging at the curb shut off and physically examining both sides of the shut off. The user is responsible replacing any lead service lines on the user's side of the shut off, and the Town will replace any lead service line between the shut off and the main. If a replacement is deemed necessary, then the user shall replace the user's side, and then upon the Town's satisfactory inspection of the user's replacement of the line, the Town shall then replace its line between the shut off and the main.

Section 52.16 Cross Connection Control.

- (A) A cross connection shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the Town water system, and the other, water from a private source, water of unknown or questionable safety, or steam, gases, or chemicals, whereby there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the two systems.
- (B) No person, firm, or corporation shall establish or permit to be established or maintain or permit to be maintained any cross connection. No interconnection shall be established whereby potable water from a private, auxiliary, or emergency water supply other than the regular public water supply of the Town may enter the supply or distribution system of said municipality, unless such private, auxiliary, or emergency water supply and the method of connection and use of such supply shall have been approved by the Town utilities and by the Indiana Department of Environmental Management in accordance with 327 LAC 8-10.
- (C) It shall be the duty of the Town water utility to cause inspections to be made of all properties served by the public water system where cross connections with the public water system is deemed possible. The frequency of inspections and re-inspections based on potential health hazards involved shall be as established by the Town water utility.
- (D) Upon presentation of credentials, the representative of the Town water utility shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of the Town for cross connections. On request, the owner, lessee, or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property. The refusal of access or refusal of requested pertinent information shall be deemed evidence of the presence of cross connections.
- (E) The Town water utility is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this section exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued only after reasonable notice is served on the owner, lessee, or occupants of the property or premises where a violation is found or suspected to exist. Water service to such property shall not be restored until the cross connection(s) has been eliminated in compliance with the provisions of this section.
- (F) If it is deemed by the Town water utility that a cross connection or an emergency endangers public health, safety, or welfare and requires immediate action, and a written finding to that effect is filed with the Town Clerk and delivered to the consumer's premises, service may be immediately discontinued. The consumer

shall have an opportunity for hearing within ten days of such emergency discontinuance.

- (G) Pursuant to 327 IAC 8-4, the following consumers shall be designated as cross connection hazards, and shall install and maintain a reduced-pressure-principle backflow preventer in the main water line serving each building on the premises. The backflow preventer must be installed in an easily accessible location not subject to flooding or freezing. Said presumed cross connection hazards are as follows:

- (1) Aircraft and missile manufacturing plants;
- (2) Automotive plants, including those plants that manufacture motorcycles, automobiles, trucks, recreational vehicles, and construction and agricultural equipment;
- (3) Beverage bottling plants, including dairies and breweries;
- (4) Canneries, packing houses, and reduction plants;
- (5) Car washes;
- (6) Chemical, biological, and radiological laboratories, including those in high schools, trade schools, colleges, universities, and research institutions;
- (7) Hospitals, clinics, medical buildings, autopsy facilities, morgues, other medical facilities, and mortuaries;
- (8) Metal and plastic manufacturing, fabricating, cleaning, plating, and processing facilities;
- (9) Plants manufacturing paper and paper products;
- (10) Plants manufacturing, refining, compounding, or processing fertilizer, film, herbicides, natural or synthetic rubber, pesticides, petroleum or petroleum products, pharmaceuticals, radiological materials, or any chemical that could be a contaminant to the public water supply;
- (11) Commercial facilities that use herbicides, pesticides, fertilizers, or any chemical that could be a contaminant to the public water supply;
- (12) Plants processing, blending, or refining animal, vegetable, or mineral oils;
- (13) Commercial laundries and dye works, excluding coin-operated laundromats;
- (14) Sewage, storm water, and industrial waste treatment plants and pumping

stations;

- (15) Waterfront facilities, including piers, docks, marinas, and shipyards;
- (16) Industrial facilities that recycle water; and
- (17) Restricted or classified facilities (federal government defense or military installations), or other facilities closed to the supplier of water or to the Commissioner.

All ordinances and parts of ordinances in conflict herewith are hereby repealed. This ordinance shall be effective upon passage.

Duly passed, adopted and resolved by the Board of Trustees of the Town of Geneva, State of Indiana, on April 9, 2019.

BOARD OF TRUSTEES OF THE TOWN OF GENEVA

Agnes Schoch
Agnes Schoch, President

Richard Clutter
Richard Clutter, Trustee

Gary Hendershot
Gary Hendershot, Trustee

Arlen Mitchell
Arlen Mitchell, Trustee

James Timmons
James Timmons, Trustee

ATTEST:

Jane Kaverman
Jane Kaverman, Clerk-Treasurer

ORDINANCE NO. 2019-2

SEWER UTILITY ORDINANCE

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF GENEVA, INDIANA AND ADDING SECTIONS 53.20, 53.21 AND 53.22 TO AND AMENDING CHAPTER 53 OF THE GENEVA TOWN CODE INCLUDING PROVISIONS REGARDING THE CHARGES TO BE COLLECTED FROM THE OWNERS OF THE PROPERTY SERVED BY THE TOWN OF GENEVA MUNICIPAL SEWAGE UTILITY AND THE BILLING AND ADJUSTMENTS TO BILLING THEREOF

WHEREAS, the Town Council of the Town of Geneva ("Town") heretofore enacted Ordinance No. 2013-11 providing for the establishment of a schedule of rates and charges to be collected by the Town from the owners of property served by the Geneva Municipal Sewage Utility; and

WHEREAS, Ordinance No. 1975-01 was amended by Ordinance No. 1980-03, and further amended by Ordinance No. 1983-06, and further amended by Ordinance No. 1996-6, and further amended by Ordinance No. 1996-8, and further amended by Ordinance No. 2006-2, and further amended by Ordinance No. 2009-13, and further amended by Ordinance No. 2013-11; and last amended by Ordinance No. 2017-06; and

WHEREAS, the Common Council believes that adding Sections 53.20, 53.21 and 53.22 to Chapter 53 of the Geneva Town Code will better organize the provisions of the Code for better access, examination and analysis by the Town, its employees and citizens; and

NOW THEREFORE, BE IT RESOLVED AND ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF GENEVA, INDIANA THAT SECTIONS 53.20, 53.21 AND 53.22 BE ADDED TO CHAPTER 53 OF THE GENEVA TOWN CODE AS FOLLOWS:

Section 53.20 Sewer Usage, Customer Responsibility, Billing and Procedures.

There shall be and hereby are established for the use of and the service rendered by the Sewage Utility of the Town of Geneva, procedures, rates and charges wherein the owners of each and every lot, parcel of real estate, or building that is connected to the Sewer System shall be primarily responsible for payment thereof. Tenants and conditional sale contract purchasers may accept the responsibility for payment thereof by lease or contract with the owner. However, as the Town is not a party to such a lease or contract, the owner shall remain primarily responsible for payment to the Town of any and all charges for the Sewage Utility. The Town will send monthly sewer bills to the address on file with the Town. If a customer does not have home mail delivery or a post office box, then it is the customer's responsibility to pick up the monthly water bill at the Town Hall. The following rates and charges shall be based upon the amount of water supplied during each monthly billing period:

- (A) There shall be a sewage tap charge of the cost of labor, material and equipment for connection, but with a minimum of \$500.00.

- (B) The sewage rates and charges shall be based on the quantity of water used on or in the property or premises subject to such rates and charges, as the same is measured by the water meter in use, plus a base charge based on the size of the water meter installed, except as herein otherwise provided. For the purpose of billing and collecting the charges for sewage services, the water meters shall be read monthly and the users shall be billed each month (or periods equaling a month). The water usage schedule on which the amount of said rates and charges shall be determined shall be as follows (*rates and charges for customers Outside Corporate Town boundaries are approximately 14.9% higher than rates and charges for customers Inside Corporate Town boundaries*):

TREATMENT RATE (per 1,000 gallons)

Inside Town Limits				
<u>2018</u> (Effective 1/1/2018)	<u>2019</u> (Effective 1/1/2019)	<u>2020</u> (Effective 1/1/2020)	<u>2021</u> (Effective 1/1/2021)	<u>2022</u> (Effective 1/1/2022)
\$5.00	\$5.61	\$6.02	\$6.17	\$6.32
Outside Town Limits				
\$5.75	\$6.45	\$6.92	\$7.09	\$7.26

BASE RATE (per month)

Inside Town Limits					
<u>Meter Size</u>	<u>2018</u> (Effective 1/1/2018)	<u>2019</u> (Effective 1/1/2019)	<u>2020</u> (Effective 1/1/2020)	<u>2021</u> (Effective 1/1/2021)	<u>2022</u> (Effective 1/1/2022)
5/8 – 3/4-inch	\$ 16.74	\$ 18.78	\$ 20.15	\$ 20.65	\$ 21.17
1-inch	39.76	44.61	47.87	49.07	50.30
1-1/2-inch	90.55	101.60	109.02	111.75	114.54
2-inch	154.91	173.81	186.50	191.16	195.94
3-inch	354.75	398.03	427.09	437.77	448.71
4-inch	631.23	708.24	759.94	778.94	798.41
6-inch	1,414.68	1,587.27	1,703.14	1,745.72	1,789.36
Outside Town Limits					
5/8 – 3/4-inch	\$ 19.23	\$ 21.58	\$ 23.15	\$ 23.73	\$ 24.32
1-inch	45.68	51.26	55.00	56.38	57.79
1-1/2-inch	104.04	116.74	125.26	128.40	131.61
2-inch	177.99	199.71	214.29	219.64	225.14
3-inch	407.61	457.34	490.73	503.00	515.57
4-inch	725.28	813.77	873.17	895.00	917.37
6-inch	1,625.47	1,823.77	1,956.91	2,005.83	2,055.97

NON-METERED USER (per month)

Inside Town Limits				
\$46.74	\$52.44	\$56.27	\$57.68	\$59.12

Outside Town Limits				
\$53.70	\$60.25	\$64.65	\$66.27	\$67.93

Section 53.21 Billing Cycle, Delinquency.

- (A) Usage Period. The usage period is the month or any part of the month during which sewer service is provided or is available to be provided to a customer of the utility or the month or part of the month that a customer's property is physically connected to Town's water system.
- (B) Reading Date. The Reading Date shall be the first work day of the month, on which date the Town of Geneva shall read the water meter at each customer's property.
- (C) Billing Date. The Billing Date upon which monthly sewer bills are sent to customers shall be the tenth (10th) day of the month in which the water meter is read, or if such date is on a weekend or legal holiday, then the first (1st) business day thereafter. The sewer bill shall be separately itemized on the same billing as the water bill.
- (D) Due Date. The Due Date shall be the 25th day of the month in which the sewage bill is sent. Each monthly bill will state the date the bill is due and the date after which the bill is considered delinquent and delinquent fees will be added. The total bill shall be due and payable without penalty by the close of business (4:00 p.m.) no later than the 25th day of the month in which the billing is sent. However, if the 25th day of the month is on a Saturday, Sunday or legal holiday, then the Due Date shall be on 4:00 p.m. on the first (1st) business day after such weekend or holiday.
- (E) Delinquent Date. The Delinquent Date shall be on and after 4:01 p.m. on the 25th day of the month. However, if the 25th day of the month is on a Saturday, Sunday or legal holiday, then the Delinquent Date shall be on and after 4:01 P.M. on the first (1st) business day after such weekend or holiday.
- (F) Penalties. A penalty of ten percent (10%) of the unpaid bill for sewage, trash, storm water and the first \$3.00 of water charges shall be assessed as of the Delinquent Date.
- (G) Delinquent Letter. If a monthly bill remains unpaid as of the Delinquent Date, then a Delinquent Letter shall be sent by regular U.S. Mail to the customer stating that the delinquent amount, with penalties, shall be paid on or before 4:00 p.m. on the seventh (7th) day after such Delinquent Letter is sent. However, if the Delinquent Letter Due Date is on a Saturday, Sunday or legal holiday, then the Delinquent Letter Due Date shall be on 4:00 p.m. on the first (1st) business day after such weekend or holiday.

- (H) Water Service Disconnection (Hang Up Notice). Since the sewage rates and charges are based on the quantity of water used on or in the property or premises as the same is measured by the water meter in use, plus a base charge based on the size of the water meter installed, if a monthly bill, with penalty, remains unpaid at 4:01 p.m. on the Delinquent Letter Due Date, then the Town shall post upon the property upon which service was billed a disconnect notice along with an updated bill, including penalty, and said notice shall state that if the bill is not paid on or before the close of business (4:01 p.m.) two (2) days after the notice is posted, the Town shall disconnect water service or otherwise turn off the water service without further notice. However, if the second (2nd) day after the posting of the notice falls on a Friday, Saturday, Sunday or legal holiday, then the Town shall disconnect water service or otherwise turn off such service without further notice after 4:01 p.m. on the first (1st) business day after such weekend or holiday. There shall be a charge of \$25.00 added to the account upon the posting of the hang up disconnection notice. All water service subject to disconnection shall be disconnected by the Town utility personnel. Any customer water service that is disconnected for non-payment can only be reconnected after full payment is received plus the reconnection fee as set forth in Section 53.24 of Chapter 53.
- (I) Filing of Sewage Lien. When unpaid sewage charges and penalties amount to \$300.00 or more, and no later than 20 days after the charges and penalties become 60 days delinquent, the Town shall send, by first class mail or by certified mail, return receipt requested, to the customer and owner a pre-lien letter pursuant to IC 36-9-23-32, giving 14 days for said account to be paid current in order to prevent a sewage lien being filed, and if said account is not paid current, then a lien shall be filed with the recorder of Adams County in the next month of April or October, whichever is earlier.

Section 53.22 Sewage Bill Adjustments.

A customer may apply to the Town for adjustment for an unusually high sewage bill caused by leaks in water lines or equipment on the customer's property that the customer could not reasonably have known about with normal diligence as approved by IC 8-1.5-3.5-4. The reason for providing a method for reducing these bills is to relieve possible unforeseen financial hardship on residents and businesses caused by lack of maintenance or a change in activity at the residence or business.

- (A) Adjustments to sewer bills may be considered when all of the following procedures and conditions are met:
- (1) Water use volume for the billing period is 200% of the previous 12 months' average usage history, or the previous full billing period if no history exists.
 - (2) If the cause of the unusually high bill is unknown, upon request by the

customer or owner, the Town will reread or data log the meter in order to ascertain whether data was properly recorded for the billing in question.

- (3) If the cause of the unusually high bill is found to be a leak, the customer must provide documentation that the leak has been repaired showing bills for materials required for the repair or documentation from a licensed plumber.
 - (4) The customer's account shall not be delinquent (with only the current period's usage billing owed). An approved payment plan agreed upon by customer and the Town does not constitute a delinquency.
- (B) If all of the procedures and conditions in section A are met, then the Town will give the customer a one time leak adjustment on the customer's highest bill by adjusting the sewage use charges to the average of the previous 3 months. However, the Town shall not grant to a customer more than 1 adjustment within a 12 month period.

Section 53.23 Irrigation Meters and Charges, Sprinkling Credit, Filling Swimming Pools.

At the request of a customer, the Town may install a second meter for the sole purpose of irrigation of lawns, landscaping and planting beds. The Town shall provide a meter at the cost to the Town plus 10% of such cost. The regular meter charge pursuant to Sections 52.02 and 52.03 shall be charged for the use of water through an irrigation meter, but there shall be no sewage charge levied thereon. For the billing months of July through October, for customers who sprinkle their lawns, but do not have a dedicated irrigation system, if the customer contacts the Town and requests a sprinkling credit prior to the use of water for sprinkling purposes, the Town will credit the customer's account by calculating the wastewater charge during such months at the three (3) month average (mean) wastewater billing during the previous months of January, February and March. For customers who intend to fill a swimming pool, if the customer contacts the Town and requests a credit prior to the use of water to fill said pool, the Town will credit the customer's account by calculating the wastewater charge during the month in which the pool is filled at the three (3) month average (mean) wastewater billing during the previous months of January, February and March.

Section 53.24 Reconnection Charge.

Any person, firm, corporation, partnership or association who shall hereafter request a reconnection into the Sanitary Sewer System of the Town shall pay a reconnection charge in the amount of \$40.00 prior to reconnection into the Sanitary Sewer System.

Section 53.25 Tampering With or Obstructing Meters.

Any customer or owner who tampers with or obstructs a water meter, or allows a water meter to be tampered with or obstructed, without authorization of the Town, will be subject to a charge of \$50.00 per occurrence, plus the costs of any repairs, plus the normal invoicing for the water, sewer and other charges for the use thereof, and shall further be subject to criminal prosecution therefor.

All ordinances and parts of ordinances in conflict herewith are hereby repealed, but all remaining provisions of Chapter 53 shall remain effective as set forth therein. This ordinance shall be effective upon passage.

Duly passed, adopted and resolved by the Board of Trustees of the Town of Geneva, State of Indiana, on April 9, 2019.

BOARD OF TRUSTEES OF THE TOWN OF GENEVA

Agnes Schoch
Agnes Schoch, President

Richard Clutter
Richard Clutter, Trustee

Gary Hendershot
Gary Hendershot, Trustee

Arlen Mitchell
Arlen Mitchell, Trustee

James Timmons
James Timmons, Trustee

ATTEST:

Jane Kaverman
Jane Kaverman, Clerk-Treasurer

ORDINANCE NO. 2019-3

**AN ORDINANCE OF THE TOWN OF GENEVA, INDIANA ADOPTING
THE PROVISIONS OF INDIANA CODE IC 36-7-9
ENTITLED UNSAFE BUILDING LAW**

WHEREAS, the Board of Trustees of the Town of Geneva ("Town") heretofore enacted Ordinance No. 2012-3 adopting provisions of the Unsafe Building Law as set forth in IC 36-7-9; and

WHEREAS, said Ordinance No 2012-3 was codified in the Geneva Town Code as Article IX, Chapter 97; and

WHEREAS, the Board of Trustees believes that said Article IX, Chapter 97 of the Geneva Town Code should be amended in order to identify the Enforcement Authority under said statute as well as the composition of the Hearing Authority under said statute; and

WHEREAS, the Town of Geneva is committed to protect and promote the physical and mental health and social well being of the people, to prevent and control the incidence of communicable diseases, to reduce environmental hazards to health and safety and to regulate privately and publicly owned dwellings for the purpose of maintaining adequate sanitation and public health by establishing legislation which provides for the administration and enforcement of minimum standards for safety from fire and accidents, the use, location and amount of space for human occupancy and the determination of the responsibilities of owners, operators and occupants of buildings, and

WHEREAS, the Board of Trustees of the Town of Geneva, being the legislative body of the municipality may adopt IC 36-7-9, entitled "Unsafe Building Law" by ordinance; and

WHEREAS, the ordinance must specify the executive department of the unit responsible for the administration of IC 36-7-9 or establish such a department; and

WHEREAS, the ordinance must also incorporate by reference the definition of "substantial property interest".

NOW THEREFORE, BE IT RESOLVED AND ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF GENEVA, INDIANA THAT ARTICLE IX, CHAPTER 97 OF THE GENEVA TOWN CODE IS AMENDED AS FOLLOWS:

§97.01. ADOPTION OF STATE LAW.

(A) Under the provisions of IC 36-7-9, there is hereby established the Town of Geneva Unsafe Building Law.

(B) IC 36-7-9-1 through 36-7-9-29 are hereby adopted by reference as the Town of Geneva Unsafe Building Law and two copies of the same are on file in the office of the Clerk-

Treasurer. All proceedings within the Town for the inspection, repair, and removal of unsafe buildings shall be governed by this law and the provisions of this subchapter. In the event the provisions of this subchapter conflict with the provisions of IC 36-7-9-1 through 36-7-9-29, then the provisions of the state statute shall control.

§97.02. DECLARATION OF PUBLIC NUISANCE.

All buildings or portions thereof within the Town which are determined after inspection by the Building and Planning Director to be unsafe as defined in this subchapter are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition, or removal.

§97.03. ADMINISTRATION.

(A) The Building and Planning Director, as the Enforcement Authority, shall be authorized to administer and to proceed under the provisions of this law in ordering the repair or removal of any buildings found to be unsafe as specified therein or as specified hereafter.

(B) Whenever in the building regulations of the Building Department or the Town of Geneva Unsafe Building Law, it is provided that anything must be done to the approval of or subject to the direction of the Building and Planning Director, or any other officer of the Building Department, this shall be construed to give that officer only the discretion of determining whether the rules and standards established by the ordinance have been complied with; and no such provision shall be construed as giving any office discretionary powers as to what such regulations or standards shall be, power to require conditions not prescribed by ordinance, or to enforce ordinance provisions in an arbitrary or discretionary manner.

§97.04. DEFINITIONS.

(A) "Enforcement Authority" shall be the Town's Building and Planning Director, and he shall have all of the duties and authority as set forth for an Enforcement Authority in IC 36-7-9-1 through 36-7-9-29.

(B) "Hearing Authority" shall be a committee composed of the Clerk-Treasurer and two (2) members of the Board of Trustees, and said committee shall have all of the duties and authority as set forth for a Hearing Authority in IC 36-7-9-1 through 36-7-9-29.

(C) "Known or Recorded Substantial Property Interest" as set forth in IC 36-7-9-2 is hereby incorporated by reference herein as if copied in full.

(D) "Unsafe Building" contained in IC 36-7-9-4 is hereby incorporated by reference herein as if copied in full, but is also supplemented to provide minimum standards for building conditions or maintenance in the Town by adding the following definition:

Any building or structure which has any or all of the conditions or defects hereinafter described shall be deemed to be an unsafe building, provided that such conditions or defects exist to the extent that life, health, property, or safety of the public or its occupants are in danger.

1. Whenever any door, aisle, passageway, or other means of exit is not of sufficient width or size of is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
2. Whenever the stress in any materials, member, or portion thereof, due to all dead and live loads, is more than one and one-half times the working stress or stresses allowed for new buildings or similar structure, purpose, or location.
3. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements for new buildings of similar structure, purpose, or location.
4. Whenever any portion, member or appurtenance thereof is likely to fail, to become detached or dislodged, or to collapse and thereby injure persons or damage property.
5. Whenever any portion of a building, or any member, appurtenance, or ornamentation on the exterior thereof is attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified for new buildings of similar structure, purpose, or location without exceeding the working stresses permitted for such buildings.
6. Whenever any portion thereof has cracked, warped, or buckled, or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
7. Whenever the building or structure, or any portion thereof, because of dilapidation, deterioration, or decay; faulty construction; the removal, movement, or instability of any portion of the ground necessary for the purpose of supporting such building; the deterioration, decay, or inadequacy of its foundation; or any other cause, is likely to partially or completely collapse.
8. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
9. Whenever the exterior walls of other vertical member list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.
10. Whenever the building or structure, exclusive of the foundation, shows 33% or more damage or deterioration of its supporting member or members, or 50% damage or deterioration of its non-supporting members, enclosing or outside walls or coverings.

11. Whenever the building or structure has been so damaged by fire, wind, earthquake, or flood or has become so dilapidated or deteriorated as to become an attractive nuisance to children, or freely accessible to persons for the purpose of committing unlawful acts.

12. Whenever the building or structure has been constructed, exists, or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of the Building Department or of any law or ordinance of this state or county relating to the condition, location, or structure of buildings.

13. Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances has in any non-supporting part, member, or portion less than 50% or in any supporting part, member, or portion less than 66% of the strength, fire resisting qualities and characteristics, or weather resisting qualities or characteristics required by law in the case of a newly construction building of like area, height, and occupancy in the same location.

14. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangements, inadequate light, air, or sanitation filters or otherwise, is determined by the Adams County Health Officer to be unsanitary, unfit for human habitation, or in such condition that it is likely to cause sickness or disease.

15. Whenever any building or structure because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire resistive construction, faulty electric wiring, gas connections, or heating apparatus, or other cause, is determined by the Fire Chief to be a fire hazard.

16. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

§97.05. UNSAFE BUILDING FUND.

An Unsafe Building Fund is hereby established in the operating budget of the Town in accordance with the provisions of IC 36-7-9-14.

§97.06. WORK STANDARDS.

All work for the reconstruction, alteration, repair, or demolition of buildings and other construction shall be performed in a good and workmanship manner accordance to the accepted standards and practices in the trade. The provisions of the rules pertaining to the construction, plumbing, electrical, mechanical, and one and two family dwellings, promulgated by the Administrative Building Council of Indiana, shall be considered standard and acceptable practice

for all matters covered by this subchapter or orders issued pursuant to this subchapter by the Building and Planning Director of the Town.

§97.07. COMPLIANCE REQUIRED.

No person, firm, or corporation, whether as owner, lessee, sublessee, or occupant, shall erect, construct, enlarge, alter, repair, move, improve, remove, demolish, equip, use, occupy, or maintain any building or premises, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this subchapter or any other issued by the Building and Planning Director of the Town.

§97.08. PENALTY.

(A) Any person violating any provision of this chapter may be subject to a fine in any sum not exceeding \$2,500. The assessment of a monetary penalty shall in no way limit the operation of the penalties provided elsewhere in this chapter.

(B) Any person violating the provisions of this Ordinance or IC 36-7-9 as incorporated herein, commits a Class C infraction for each day such violation continues pursuant to IC 36-7-9-28.

§97.09. EFFECTIVE DATE.


This Ordinance shall be in full force and effect upon passage of the Town of Geneva Board of Trustees and due publication thereof.

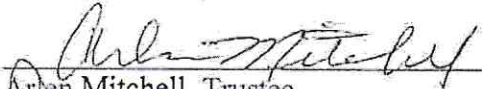
PASSED AND ADOPTED by the **Board of Trustees of the Town of Geneva** by all members present and voting on May 14, 2019.

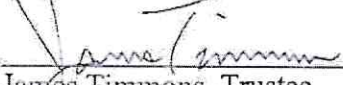
BOARD OF TRUSTEES OF THE TOWN OF GENEVA


Agnes Schoch, President

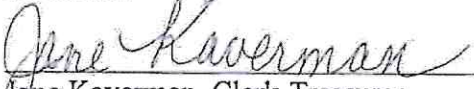

Richard Clutter, Trustee


Gary Hendershot, Trustee


Arlen Mitchell, Trustee


James Timmons, Trustee

ATTEST:


Jane Kaverman, 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 otherwise required by law. David N. Baumgartner

PREPARED IN THE LAW OFFICES OF
BAUMGARTNER
ATTORNEYS PC

BY DAVID N. BAUMGARTNER
TOWN OF GENEVA ATTORNEY

360 West Main Street • Berne, IN 46711-1436
Telephone: (260) 589-3139 • Fax: (260) 589-3130
Email: dbaum@baumgartnerattorneys.com
www.BaumgartnerAttorneys.com

2019-4

2019-5

DID NOT
PRESENT

ORDINANCE NO. 2019-6
AN ORDINANCE TRANSFERRING DORMANT FUND BALANCES
TO THE GENERAL FUND OF
THE TOWN OF GENEVA, INDIANA

WHEREAS, the Town of Geneva presently holds funds in several dormant accounts, including Fund #205 (Resident's Sidewalk Share Fund), Fund #228 (Abandoned Vehicle Fund), Fund #231 (USDA RD Grant Fund), and Fund #448 (Excess Levy Fund); and

WHEREAS, the Board of Trustees believes that said fund balances in said dormant accounts would be better utilized if transferred to the General Fund (Fund #101).

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GENEVA, INDIANA, AS FOLLOWS:

SECTION 1.

That the fund balance in the sum of \$220.52 in Fund #205 (Resident's Sidewalk Share Fund) be transferred to the General Fund (Fund #101).

SECTION 2.

That the fund balance in the sum of \$14.88 in Fund #228 (Abandoned Vehicle Fund) be transferred to the General Fund (Fund #101).

SECTION 3.

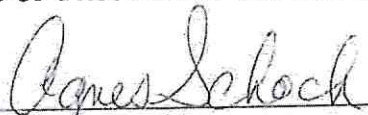
That the fund balance in the sum of \$503.80 in Fund #231 (USDA RD Grant Fund) be transferred to the General Fund (Fund #101).

SECTION 4.

That the fund balance in the sum of \$51.82 in F Fund #448 (Excess Levy Fund) be transferred to the General Fund (Fund #101).

Duly passed, adopted and resolved by the Board of Trustees of the Town of Geneva, State of Indiana, on September 10, 2019.

BOARD OF TRUSTEES OF THE TOWN OF GENEVA



Agnes Schoch, President

Richard Clutter
Richard Clutter, Trustee

Gary Hendershot
Gary Hendershot, Trustee

Arlen Mitchell
Arlen Mitchell, Trustee

James Timmons
James Timmons, Trustee

ATTEST:

Jane Kaverman
Jane Kaverman, Clerk-Treasurer

ORDINANCE NO. 2019-7
AN ORDINANCE ESTABLISHING A
UNSAFE BUILDING FUND (FUND #241)
FOR THE TOWN OF GENEVA, INDIANA

WHEREAS, on May 14, 2019, the Board of Trustees of the Town of Geneva passed Ordinance No. 2019-3, adopting the provisions of the Indiana Code IC 36-7-9 entitled Unsafe Building Law; and

WHEREAS, pursuant to §97.05 of the Geneva Town Code, an Unsafe Building Fund was established in the operating budget of the Town in order to fund the procedures and responsibilities of the Town as set forth in said Ordinance; and

WHEREAS, in order that the Town may commence enforcement and procedures under said Unsafe Building Ordinance, the Town will be required to incur some expenses that would be normally be paid from said Unsafe Building Fund; and

WHEREAS, the Board of Trustees believes that enforcement of said Unsafe Building Ordinance may require funds before the Unsafe Building Fund is funded through the 2020 budget.

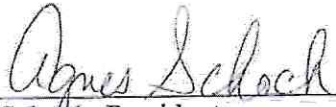
NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GENEVA, INDIANA, AS FOLLOWS:

SECTION 1.

That the sum of \$5,000.00 be transferred from the General Fund (Fund #101) to the Unsafe Building Fund (Fund #241).

Duly passed, adopted and resolved by the Board of Trustees of the Town of Geneva, State of Indiana, on September 10, 2019.

BOARD OF TRUSTEES OF THE TOWN OF GENEVA



Agnes Schloch, President

Richard Clutter
Richard Clutter, Trustee

Gary Hendershot
Gary Hendershot, Trustee

Arlen Mitchell
Arlen Mitchell, Trustee

James Timmons
James Timmons, Trustee

ATTEST:

Jane Kaverman
Jane Kaverman, Clerk-Treasurer

ORDINANCE NO. 2019.8
AN ORDINANCE ESTABLISHING A
LOCAL ROAD AND BRIDGE MATCHING GRANT FUND
FOR THE TOWN OF GENEVA, INDIANA

WHEREAS, the Town of Geneva, from time to time, applies for grant funding for maintenance and improvements of streets and roads within the limits of the Town; and

WHEREAS, the Indiana State Board of Accounts has mandated that the Town's matching funds for any such grants received by the Town be transferred into a separate state grant fund entitled Local Road and Bridge Matching Grant Fund; and

WHEREAS, the Board of Trustees of the Town of Geneva ("Board of Trustees"), now desires to establish said Local Road and Bridge Matching Grant Fund, pursuant to the directives of the Indiana State Board of Accounts.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GENEVA, INDIANA, AS FOLLOWS:

SECTION 1.

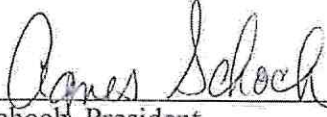
That the Local Road and Bridge Matching Grant Fund for the Town of Geneva is hereby established, all in accordance with the directives of the Indiana State Board of Accounts.

SECTION 2.


That any money that the Town is authorized to use and designates for a local street, road or bridge project as the local match for the Community Crossings Grant, or other similar grants, as well as money received as a special local income tax distribution and money in the rainy day fund that are to be designated as the local match for such grants, shall be transferred into said separate Local Road and Bridge Matching Grant Fund (Fund #457).


Duly passed, adopted and resolved by the Board of Trustees of the Town of Geneva, State of Indiana, on September 10, 2019.

BOARD OF TRUSTEES OF THE TOWN OF GENEVA

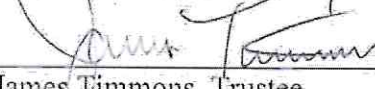


Agnes Schoch, President


Richard Clutter, Trustee


Gary Hendershot, Trustee


Arlen Mitchell, Trustee


James Timmons, Trustee

ATTEST:


Jane Kaverman, Clerk-Treasurer

ORDINANCE NO. 2019-9

**AN ORDINANCE FOR THE REGULATION OF TRAFFIC
WITHIN THE TOWN OF GENEVA, INDIANA AND AMENDING
CHAPTER 74, SCHEDULE II, SECTION M OF THE GENEVA TOWN
CODE BY THE DESIGNATION OF A NO PARKING AREA**

WHEREAS, the Town of Geneva has adopted the Geneva Town Code of Ordinances which includes traffic rules and schedules for the designation of approved traffic patterns and the designation of prohibited parking areas; and

WHEREAS, the Board of Trustees of the Town of Geneva ("Board of Trustees") believes that it is in the best interest of public safety and for the general welfare for a portion of the east side of Winchester Street to be added to the streets that are designated as having prohibited areas for parking as set forth in Chapter 74, Schedule II of the Town Code entitled Parking Schedules.

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GENEVA, INDIANA, AS FOLLOWS:

ITEM I

Title VII, Chapter 74, Schedule II, Item M of the Geneva Town Code, is hereby amended to read as follows:

(M) (1) No person shall park a motor vehicle on the west side of Winchester Street from Line Street (State Road 116) to Butcher Street.

(2) No person shall park a motor vehicle on the east side of Winchester Street from a point which is 108' south of Butcher Street to the platted alley between Butcher Street and Line Street.

(3) "No Parking" signs shall be placed along Winchester where designated above.

(4) Any person, firm or entity violating any of the provisions of this Item M shall be fined for each violation a sum of \$50 – first offense, \$75 – second offense, and \$100 for subsequent offenses, to be deposited in the Local Law Fund.

ITEM II

This Ordinance shall be in full force and effect from and after its passage and approval, and after due publication.

Adopted by the Board of Trustees on December 10, 2019.

BOARD OF TRUSTEES OF THE TOWN OF GENEVA

Agnes Schleich
Agnes Schleich, President

Richard Clutter
Richard Clutter, Trustee

Gary Hendershot
Gary Hendershot, Trustee

Arlen Mitchell
Arlen Mitchell, Trustee

James Timmons
James Timmons, Trustee

ATTEST:

Jane Kaverman
Jane Kaverman, Clerk-Treasurer