ORDINANCE 2014-13

AN ORDINANCE OF THE CUMBERLAND TOWN COUNCIL AMENDING TOWN CODE CHAPTER 50, SANITARY SEWER

WHEREAS, the Town of Cumberland adopts and amends ordinances in the Town Code from time to time;

AND WHEREAS, the Director of Public Works has reviewed the current regulations for sanitary sewer including but not limited to their construction, permitting, and rates and charges;

AND WHEREAS, during this review the Director of Public Works has found certain technical amendments necessary to address moving the billing department from the Clerk Treasurer’s Office to the Utility Division;

AND WHEREAS, technical amendments are also recommended for procedural aspects of the ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CUMBERLAND, INDIANA AS FOLLOWS:

Section 1. Title 5, Chapter 50, Section 00-05-50-001 be amended to add the following:

"C. This Chapter, its references, and any associated construction standards shall apply to all sanitary sewer districts and territories owned and/or operated by the Town of Cumberland. For purposes of this Chapter, all rules, regulations and ordinances apply to the Cumberland sanitary system, GEM sanitary system, and any other sanitary system owned and/or operated by the Town of Cumberland."

Section 2. Title 5, Chapter 50, Section 00-05-50-002 be amended by amending the following definitions:

NEW CONSTRUCTION. A building, either under construction or completed, and connected or to be connected to the Cumberland sanitary system, GEM sanitary system, or any sanitary system owned and/or operated by the Town of Cumberland, which following issuance of a sewer permit and a building permit, has not been occupied.

OCCUPIED. A building, or a unit of a double residence connected to the Cumberland sanitary system, GEM sanitary system, or any sanitary system owned and/or operated by the Town of Cumberland.

SEWER UTILITY BOARD. The Cumberland Sanitary Board.

All other definitions which are not expressly amended shall remain unaffected by this ordinance.

Section 3. Title 5, Chapter 50, Section 00-05-50-013(A) be amended to strike "Clerk-Treasurer" and insert "Department of Public Works."

Section 4. Title 5, Chapter 50, Section 00-05-50-101 (c) (2-3) be amended to strike "Clerk-Treasurer" and insert "Director of Public Works" in its place.

Section 5. Title 5, Chapter 50, Section 00-05-50-102 be amended to strike "Clerk-Treasurer" and insert "Director of Public Works" in its place.
Section 6. Title 5, Chapter 50, Section 00-05-50-104(A) (2) (b-d) be amended to strike “Clerk-Treasurer” and insert “Department of Public Works” in its place.

Section 7. Title 5, Chapter 50, Section 00-05-50-104 (E) (2 a) be amended to strike “Clerk-Treasurer” and insert “Department of Public Works” in its place.

Section 8. Title 5, Chapter 50, Section 00-05-50-104(G) be amended to strike “Clerk-Treasurer” and insert “Department of Public Works” in its place.

Section 9. Title 5, Chapter 50, Section 00-05-50-105 (C) be amended to strike “Clerk-Treasurer” and insert “Department of Public Works” in its place.

Section 10. Title 5, Chapter 50, Section 00-05-50-106 be amended by deleting the section and reserving it for future use.

Section 11. Title 5, Chapter 50, Section 00-05-50-126(A) (2) be amended to read “The Director of Public Works may utilize a collection agency to pursue repayment of outstanding fines, fees, etc. Additionally, the Town reserves the right to pursue all other legal remedies available to itself.”

Section 12. This ordinance shall be effective upon adoption.

Adopted this 1st day of October, 2014.

CUMBERLAND TOWN COUNCIL

Joe Siefker, President

Anna Pea, Vice President

Nicole Bell, Member

Brian Gritter, Member

Mark Reynolds, Member

Attest: Grace Heck, Clerk-Treasurer