

STATE OF INDIANA  
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

**ORDINANCE NO. 2021 – OR – 010**

**AN ORDINANCE AMENDING § 52.01 OF THE CODE OF ORDINANCES  
FOR THE TOWN OF SELLERSBURG, INDIANA**

**WHEREAS**, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

**WHEREAS**, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of the functions of the town; and,

**WHEREAS**, from time to time, this Council deems it necessary to make amendments to the Code of Ordinances (the “Code”) for the Town of Sellersburg, Indiana.

**NOW THEREFORE BE IT ORDAINED** by this Town Council of Sellersburg, Indiana as follows:

1. Section 52.01 of the Code is repealed and replaced in its entirety as follows:

**§ 52.01 WASTEWATER SUMMER AVERAGING**

(A) All “Residential” users (as defined below) connected to the town wastewater treatment plant may be exempt from payment for certain sewer use charges only on the water not specifically discharged into the town’s sewage system under the following terms and conditions:

(1) In the event that water usage for the months of June, July, August, and September (“Summer Months”) is greater than the average amount of water used by said residential user during October, November, December, and January (“Winter Months”) of the preceding year, then billing for sewage service for Summer Months shall be based upon the average of the water usage during the Winter Months.

(2) In the event that water usage is less during the Summer Months as compared to the Winter Months, then billing shall be based upon the actual water usage in said months.

(3) The term “Residential” user shall mean and apply to each lot, parcel of real estate or building which is occupied and used **solely** as a residence. The summer rate does not apply to any premises, which are partially or wholly, used for commercial or industrial

purposes including, but not limited to, hotels/motels, retirement/nursing home facilities, rooming house, apartment complexes, multi-family complexes, resident training or educational facilities, other commercial properties housing groups of individuals or anything similar thereto.

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 26<sup>th</sup> day of April, 2021

“Aye”

“Nay”

Brad J. Amos  
Brad Amos  
Council President

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Brad Amos  
Council President

Matthew Czarnecki  
Matthew Czarnecki  
Council Vice President

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Matthew Czarnecki  
Council Vice President

Terry Langford  
Terry Langford  
Council Member

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Terry Langford  
Council Member

Scott McVoy  
Scott McVoy  
Council Member

\_\_\_\_\_  
Scott McVoy  
Council Member

Randall Mobley  
Randall Mobley  
Council Member

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Randall Mobley  
Council Member

Michelle D. Miller  
Attested by: Michelle Miller  
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 4/26/2021

MOTION: M<sup>e</sup>Voy

SECOND: Mohley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 4/26/2021

MOTION: Gzamecki

SECOND: M<sup>e</sup>Voy

VOTE: 5 AYE 0 NAY 0 ABSTAIN

