

STATE OF INDIANA  
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

**ORDINANCE NO. 2024 – OR – 013**

**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 for Sellersburg, Indiana (the “Town”) and the President of this 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 functions of the Town; and,

**WHEREAS**, this Council now desires to amend §52.01.

**NOW THEREFORE BE IT ORDAINED** by this Town Council of Sellersburg, Indiana the following:

1. Section 52.01 is hereby repealed and replaced as follows:

**§ 52.01 WASTEWATER SUMMER AVERAGING.**

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:

(A) In the event that water usage for the months of June, July, August, September, **and October** (“Summer Months”) is greater than the average amount of water used by said residential user during November, December, January, **February, and March** (“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.

(B) 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.

(C) 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.

2. This ordinance supersedes any and all other previously enacted ordinances that may be in effect and shall further 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 23rd day of SEPTEMBER, 2024.

*[Signature page to follow]*

“Aye”

“Nay”

*Brad Amos*

Brad Amos  
Council President

Brad Amos  
Council President

*Terry Langford*

Terry Langford  
Council Vice President

Terry Langford  
Council Vice President

*Scott McVoy*

Scott McVoy  
Council 2<sup>nd</sup> Vice President

Scott McVoy  
Council 2<sup>nd</sup> Vice President

*Absent 9/23/24*

Matthew Czarnecki  
Council Member

Matthew Czarnecki  
Council Member

*Randall Mobley*

Randall Mobley  
Council Member

Randall Mobley  
Council Member

*Michelle D. Miller*

Attested by: Michelle Miller  
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 9/23/24

MOTION: McVoy

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

APPROVAL:

DATE: 9/23/24

MOTION: McVoy

SECOND: Langford

VOTE: 4 AYE 0 NAY 0 ABSTAIN

