FILED
APR 26 2016
CITY CLERK

GENERAL ORDINANCE NO. 6, 2016

AN ORDINANCE TO AMEND *TERRE HAUTE CITY CODE* CHAPTER 2 TO CREATE A NON-REVERTING FUND FOR THE RECEIPT OF WASTE AND REFUSE COLLECTION MONIES.

WHEREAS, pursuant to Indiana Code 36-9-25-11, the Board of Sanitary Commissioners (the "Board") of the Terre Haute Sanitary District (the "Sanitary District") has determined that it is fair and equitable to establish a fee for residential users to pay the Waste and Refuse Collection Costs and, following a public hearing thereon, has adopted a resolution approving such a fee; and,

WHEREAS, the Common Council has determined that it is fair and equitable to establish a fee for residential users to pay the Waste and Refuse Collection Costs; and,

WHEREAS, the Common Council for the City of Terre Haute wishes to establish a non-reverting fund to be used solely for the purpose of paying the City's annual contract for Waste and Refuse collection Costs, including administrative fees associated with the collection of the charges outlined in Section 9-116.

IT IS HEREBY ORDAINED by the Common Council of the City of Terre Haute as follows:

Section 1. *Terre Haute City Code* Chapter 2, Article 9, Section 2-123 is hereby created with the text as follows:

. . .

Sec. 2-128 Waste and Refuse Collection Cost Fund

a. A special non-reverting operating account, entitled Waste and Refuse Collection Cost Fund, is established for the monthly charges collected pursuant to Section 9-116, and any penalties and collection costs collected resulting from delinquent payments.

b. Such funds shall be used solely for the purpose of paying the City's annual contract for Waste and Refuse Collection Cost, including administrative fees associated with the collection of charges outlined in Section 9-116.

c. Such funds shall be subject to appropriation by the Common Council of the City of Terre Haute, Indiana.

. . .

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. This ordinance shall be in full force and effect from and after its passage by the Common Council of Terre Haute, Indiana and approval of the Mayor and publication as required by law.

Introduced by: _____Todd Nation, Councilman

Passed in open Council this _____ day of _____, 2016.

_____, Todd Nation, President

ATTEST: _____ Charles P. Hanley, City Clerk

Presented by me to the Mayor this _____ day of _____, 2016.

_____ Charles P. Hanley, City Clerk

Approved by me, the Mayor, this _____ day of _____, 2016.

_____ Duke A. Bennett, Mayor

ATTEST: _____ Charles P. Hanley, City Clerk