

GENERAL ORDINANCE NO. 5, 2024

AN ORDINANCE AMENDING THE FEE FOR THE COST OF WASTE AND REFUSE COLLECTION AND REMOVAL FOR RESIDENTIAL CUSTOMERS WITHIN THE CITY OF TERRE HAUTE.

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 necessary to amend the fee for residential users to pay the Waste and Refuse Collection Costs; and,

WHEREAS, pursuant to Indiana Code 36-9-25-11, a change in fees made substantially pro rata for all classes of service, hearing or notice is not required, but approval of the change by ordinance of the municipal legislative body is required; and,

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

WHEREAS, Indiana Code 36-9-25-11 requires that the fee for residential users to pay the Waste and Refuse Collection Costs, as approved by the Board of the Sanitary District, must be approved by Ordinance of the Common Council before taking effect and the Common Council finds that such fee should be hereby approved.

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

Section 1. *Terre Haute City Code* Chapter 9, Article 5, Sections 9-116 and 9-117 are hereby amended by adding the underlined text and removing the stricken text as follows:

Sec. 9-116 Monthly Billings and Minimum Charges.

The monthly waste and refuse collection fees shall be ~~established~~ as indicated with effective dates as follows:

- a. The rate for waste and refuse collection inside the City shall be:

~~July 1, 2017 Ten Dollars and Fifty Cents (\$10.50) per month~~

~~July 1, 2018 Ten Dollars and Seventy-five Cents (\$10.75) per month~~

~~July 1, 2019 Eleven Dollars (\$11.00) per month~~

July 1, 2024 Fifteen Dollars (\$15.00) per month

July 1, 2025 Fifteen Dollars and Fifty (\$15.50) per month

July 1, 2026 Sixteen Dollars (\$16.00) per month

The rate shall be adjusted by 5% each year to account for consumer inflation. The rate itself will be reviewed every five years to determine if an overall adjustment to the rate and yearly increases are needed.

Sec. 9-117 Available Credits.

a. Any owner-occupant of an Eligible Residential Dwelling Unit who has filed, and been granted:

(1) A claim for an over age 65 deduction for property taxes pursuant to Indiana Code 6-1.1-12-9; or

(2) A claim for a blind or disabled deduction for property taxes pursuant to Indiana Code 6-1.1-12-1; or

(3) A claim for a disabled veteran or surviving spouse deduction for property taxes pursuant to Indiana Code 6-1.1-12-13;

is eligible for a ~~twenty-five percent (25%)~~ thirty-three percent (33%) per month credit from the fee schedule in Section 9-116. A residential parcel may receive only one (1) credit even though the owner-occupant may be eligible under more than one statute listed in Section 9-117(a) above.

b. Any individual or entity receiving a bill for service pursuant to Section 9-116 shall be eligible for a recycling rebate of ~~twenty-five percent (25%)~~ fifty percent (50%) per month, to be applied after any credits received under Section 9-117(a), if the individual or entity receiving service through the City's waste and refuse collection service provider at the same service address:

- (1) Contracts for curb side recycling services with the City's waste refuse collection service provider;
- (2) Maintains an account in good standing with the City; and
- (3) Continues to hold an active account at the time;

every month for which this rebate is to be applied.

c. Eligibility for the rebate set forth in Section 9-117(b) will be evaluated quarterly by the City and, for those months which the individual or entity remains qualified shall receive a

rebate on future service bill(s). Any additional procedure regarding the implementation or application of this credit, other than what is set forth in this Section, shall be established by the Terre Haute Board of Sanitary Commissioners.

d. Any owner-occupant who has filed a claim requesting one of the available credits listed in Section 9-117(a), but does not receive the credit on the sewer bill, must submit a date stamped copy of the Owner's Affidavit requesting one of the deductions.

e. The Common Council shall annually appropriate into the Waste and Refuse Collection Fund an amount equal to the total amount of the credits ("the Credit Amount") granted by this subsection.

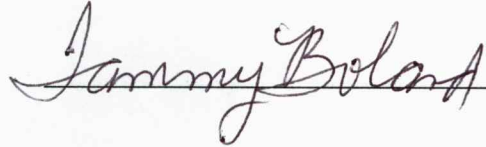
Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

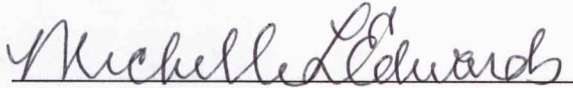
Section 3. If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

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:  Amanda Thompson, Councilperson

Passed in open Council this 9 day of May, 2024.

 Tammy Boland, President

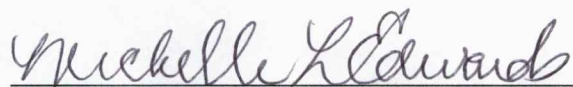
ATTEST:  Michelle L. Edwards, City Clerk

Presented by me to the Mayor this 9 day of May, 2024
at 7:17 pm o'clock.

 Michelle L. Edwards, City Clerk

Approved by me, the Mayor, this 9 day of May, 2024.

 Brandon C. Sakbun, Mayor

ATTEST:  Michelle L. Edwards, City Clerk