

**NOTICE  
OF PUBLIC HEARING**

The Centerville Town Council will hold a public hearing on Tuesday, January 12, 2021 at 7:00p.m. at 414 S. Morton Avenue, Centerville, Wayne County, Indiana, to discuss Ordinance No. 2020-13, an ordinance amending the schedule of rates and charges to be collected by the Town of Centerville from the users to be served by the division of solid waste of said town and other matters connected therewith. This meeting is open, and the public is encouraged to attend and give comment.

The hearing may be adjourned from time to time. In accordance with Executive Order 20-49 declared by Governor of Indiana, Eric J. Holcomb on December 1, 2020, this public hearing will adhere to CDC guidance on gatherings. At such hearing and prior to final adoption of said Ordinance, all interested parties may appear and be heard. A copy of Ordinance No. 2020-13 may be examined at the office of the Clerk-Treasurer, 204 E. Main Street, Centerville, Wayne County, Indiana, 47330, and online at <https://town.centerville.in.us/documents/>

PROPOSED SOLID WASTE COLLECTION RATES ACCORDING TO ORDINANCE 2020-13

USER/CUSTOMER RATE per each RESIDENTIAL UNIT per month
Nineteen Dollars and Fifty-Six Cents (\$19.56)

USER/CUSTOMER RATE per each DUMPSTER per each INDUSTRIAL or COMMERCIAL BUSINESS per month
Twenty-Six Dollars and Nine Cents (\$26.09)

SURCHARGE per USER/CUSTOMER per each VIOLATION found under Section §93.07
Shall be the actual cost incurred by the Town for the removal, collection and disposal of the rubbish and garbage

PENALTIES per USER/CUSTOMER per each VIOLATION per day
No less than One hundred dollars (\$100) or more than five hundred dollars (\$500), in the discretion of the Division of Solid Waste, Town Manager, or Building Inspector.

The User Fees fixed by this Ordinance shall become effective upon each Residential Unit and each Industrial or Commercial business on January 1, 2021, and shall be extended to cover any additional property that is subsequently served and falls within the same class, without any hearing or notice.

TOWN OF CENTERVILLE  
Susan E. Dillman  
Clerk-Treasurer

**ORDINANCE NO. 2020-13**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF CENTERVILLE,  
WAYNE COUNTY, INDIANA AMENDING CHAPTER 93.03 OF THE CODE OF  
ORDINANCES ESTABLISHING NEW RATES AND CHARGES FOR THE USE  
AND SERVICES RENDERED BY THE DIVISION OF SOLID WASTE, AND  
PROVIDE THE DATES ON WHICH THE FEES ARE DUE.**

WHEREAS, the Town Council of the Town (the “Council”) has previously established just and equitable fees for the cost of collecting, treating, and disposing of garbage in a sanitary manner, including equipment and wages, pursuant to Ordinance No. 2019-06, adopted by the Council on July 9, 2019, which contains an existing schedule of user rates; and

WHEREAS, the Town has employed Baker Tilly Municipal Advisors (the “Municipal Advisor”) to prepare a rate report reviewing the sufficiency of such existing rates and charges; and

WHEREAS, the Municipal Advisor has prepared and submitted a rate report (the “Rate Report”) which concludes that existing rates and charges are insufficient to pay all the legal and other necessary expenses incident to the operation of the division of solid waste, including maintenance costs, operating charges, upkeep, repairs, depreciation, including increases in such costs; and

WHEREAS, the Town of Centerville is purchasing a new truck for collecting garbage; and

WHEREAS, the Town of Centerville, therefore, intends to readjust the fees charged to maintain the division of solid waste in the sound physical and financial condition necessary to render adequate and efficient service, and in particular to pay for the purchase of the new truck.

WHEREAS; pursuant to IC 36-9, as amended (the “Act”), this Council may change or readjust its existing schedule of fees by ordinance after providing notice and conducting a public hearing; and

WHEREAS, the Clerk-Treasurer of the Town has given notice of the public hearing on proposed rates as provided for in the Act; and

WHEREAS, the public hearing was held before this Council on \_\_\_\_\_, at which time testimony from interested persons was received, after introduction of this ordinance and as provided for in the Act.

NOW, THEREFORE, BE IT ORDAINED IN A DULY HELD PUBLIC MEETING BY THE TOWN COUNCIL OF THE TOWN OF CENTERVILLE, INDIANA, AS FOLLOWS:

SECTION 1. The Council hereby finds and determines that, based upon the Rate Report, the existing rates and charges are insufficient to pay the legal and other necessary expenses incident to the operation of the division of solid waste, including maintenance costs, operating charges, upkeep, repairs, depreciation, including increases in such costs.

SECTION 2. The Council finds and determines that the proposed rates and charges as set forth in the Rate Report are nondiscriminatory, reasonable and just, and therefore should be adopted.

SECTION 3. The Council finds and determines that the proposed rates set forth in Exhibit A hereto are nondiscriminatory, reasonable and just, and should be adopted. Further, these rates shall be assessed and charged according to law, in accordance with this Ordinance.

SECTION 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed. The sections, subsections, paragraphs, references, clauses and phrases of this Ordinance are severable. If any phrase, clause, reference, paragraph, subsection and section of the Ordinance are declared unconstitutional, invalid or unenforceable by a court of competent jurisdiction, such declaration shall not affect the remaining provisions of this Ordinance. Notwithstanding, all parts of Chapter 93 of the Code of Ordinances and Ordinance 2019-06 not expressly amended herein shall remain in full force and effect.

SECTION 5. This ordinance shall be in full force and effect from and after its passage and the signature of the President of the Town Council. This ordinance shall be effective for bills rendered on and after the day after adoption of this ordinance or such later date as set forth in Exhibit A hereto.

Introduced and filed on the 8th day of December, 2020. On the \_\_\_\_\_ day of \_\_\_\_\_, a motion to consider on first reading was offered and sustained by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed, pursuant to I.C. 36-5-2-9.8. On the \_\_\_\_\_ day of \_\_\_\_\_, a motion on second reading was offered and sustained by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed. Thereafter, on the \_\_\_\_\_ day of \_\_\_\_\_, a motion on third reading by title only and for adoption was offered and sustained by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed.

DULY ORDAINED PASSED AND ADOPTED on this \_\_\_\_\_ day of \_\_\_\_\_, by the Town Council of the Town of Centerville, Indiana, having been passed by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed.

**THE TOWN COUNCIL OF CENTERVILLE, WAYNE COUNTY, INDIANA**

AYE

NAY

_____	Dan Wandersee, President	_____
_____	Gary Holbert, Vice President	_____
_____	Mark Tucker, Member	_____
_____	Jack Bodiker, Member	_____
_____	James Bullen, Member	_____

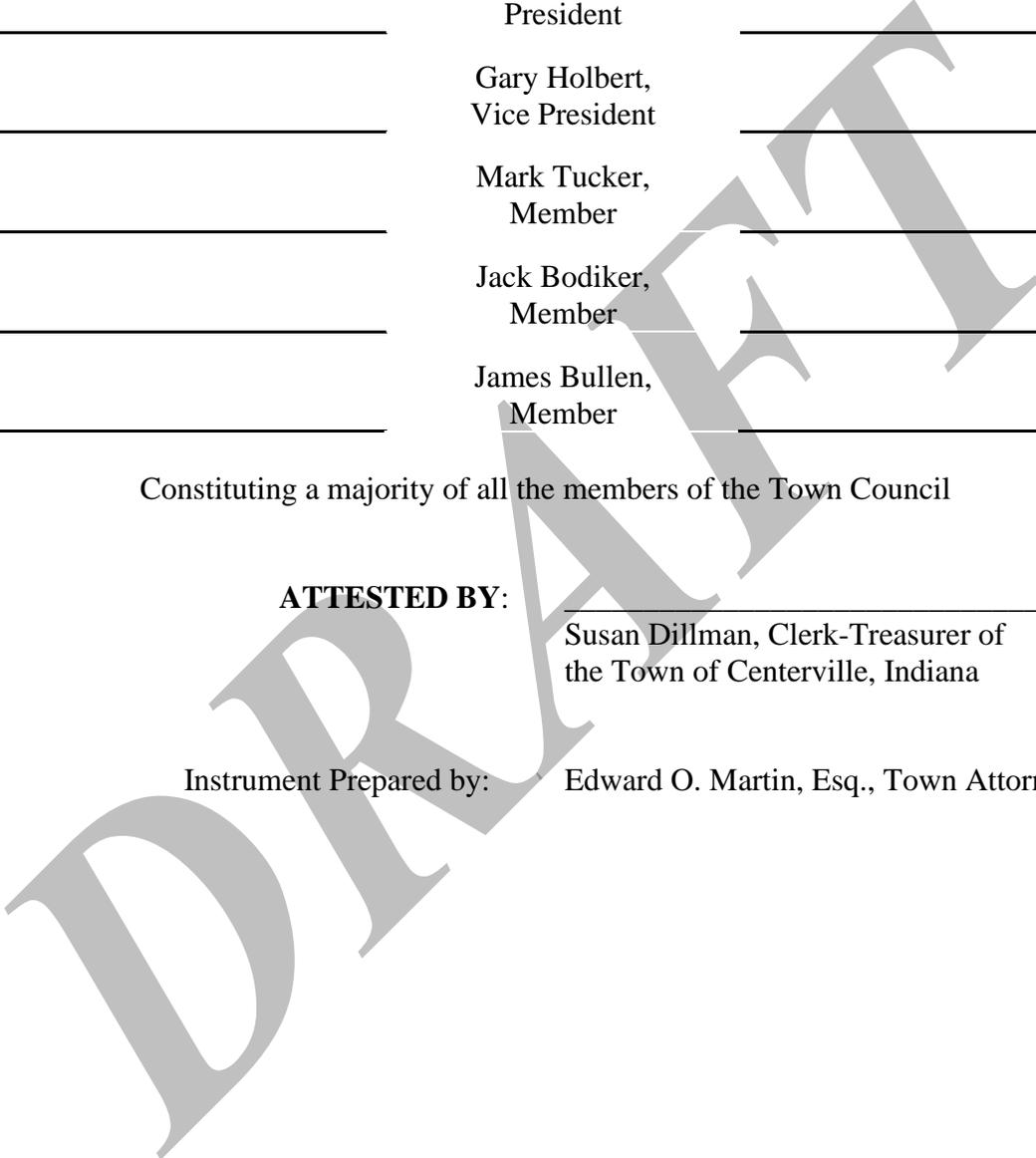
Constituting a majority of all the members of the Town Council

**ATTESTED BY:**

\_\_\_\_\_  
Susan Dillman, Clerk-Treasurer of  
the Town of Centerville, Indiana

Instrument Prepared by:

Edward O. Martin, Esq., Town Attorney



**EXHIBIT A**

**CENTERVILLE (INDIANA) SOLID WASTE COLLECTION**

**SCHEDULE OF RATES AND CHARGES**

USER/CUSTOMER RATE per each RESIDENTIAL UNIT per month
Nineteen Dollars and Fifty-Six Cents (\$19.56)

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