

ORDINANCE # 04-6-2

An Ordinance of the Town of Ossian, Indiana,
Creating a Department of Storm Water Management

WHEREAS, I.C. 8-1.5-5-1 et seq. allows municipalities to adopt the provisions of said chapter by ordinance thus creating a Department of Storm Water Management, the Storm Water Management Board, and the special taxing district;

WHEREAS, the Town of Ossian has reviewed the advantages and disadvantages of establishing such a Department and desires to create a Department of Storm Water Management, the Storm Water Management Board, and the special taxing district.

NOW, THEREFORE, THE TOWN OF COUNCIL OF THE TOWN OF OSSIAN, INDIANA, HEREBY ENACT THE FOLLOWING ORDINANCE CREATING A DEPARTMENT OF STORM WATER MANAGEMENT:

Section 1. The Town Council of the Town of Ossian, Indiana, hereby adopts the provisions as set out in the Storm Water Management Systems statute as found in I.C. 8-1.5-5-1 et seq. except for the exception set out in Section 4 below and as amended from time to time by the Indiana legislature.

Section 2. A Department of Storm Water Management is hereby established for the Town of Ossian, Indiana, to be controlled by a Board of Directors consisting of three (3) Directors. Directors shall be appointed by the Executive of the Town of Ossian and not more than two (2) of said Directors may be of the same political party.

Section 3. The terms of office of the Directors shall be staggered so that one of the first appointed Directors shall serve an initial term of one (1) year; one Director shall serve an initial term of two (2) years; and one Director shall serve an initial term of three (3) years. All said initial terms shall begin effective as of July 1, 2004, the Executive, when making the appointments of Directors, shall specify which Director shall serve which initial term. From and after the initial term each Director so appointed shall serve a term of three (3) years.

The Executive of the Town of Ossian may remove a Director at any time when in the judgment of the executive it is in the best interest of the Department of Storm Water Management to do so.

Section 4. The Town Council of the Town of Ossian, Indiana, replaces §8-1.5-5-6 with the following:

The Board has the powers and duties as set out below:

1. Hold hearings following public notice;
2. Make findings and determinations;
3. Install, maintain, and operate a storm water collection and disposal system;
4. Make all necessary or desirable improvements of the grounds and premises under its control; and
5. Issue and sell bonds of the district in the name of the unit served by the Department for the acquisition, construction, alteration, addition, or extension of the storm water collection and disposal system or for the refunding of any bonds issued by the Board.

Section 5. The territory initially included in the special taxing district shall be and is all the territory now and hereafter included in within the corporate limits of the Town of Ossian.

Adopted by the Town Council of the Town of Ossian, Indiana, this _____ day of _____, 2004, by the following vote:

AYE

NAY

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

ATTEST:

Mary K. Shafer

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