

ORDINANCE NO. SD 63

**A JOINT ORDINANCE OF THE ST. JOHN SANITARY DISTRICT
AND THE TOWN OF ST. JOHN CONFIRMING ORDINANCE
NO. SD 48/972 AND AMENDING ORDINANCE NO. 537 BEING AN ORDINANCE
ESTABLISHING A SCHEDULE OF RATES AND CHARGES TO BE COLLECTED BY
THE TOWN OF ST. JOHN BY THE OWNERS OF PROPERTIES
SERVED BY THE SEWAGE WORKS OF SAID TOWN AND
OTHER MATTERS IN CONNECTION THEREWITH**

WHEREAS, Ordinance No. SD-48/972 of the St. John Sanitary District and the Town of St. John, duly adopted the 6th day of October, 1994, authorizes and provides for the determination of a sewage treatment capacity fee charge; and

WHEREAS, said Ordinance does not provide for a mechanism whereby said sewage capacity charge is actually computed and collected; and

WHEREAS, the members of the Board of Sanitary Commissioners of the Town of St. John have been made aware of the fact that, in the past, computation and collection of the sewer capacity charge has not been accomplished on a fair, equitable and uniform basis.

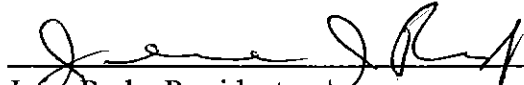
NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SANITARY COMMISSIONERS OF THE SANITARY DISTRICT OF THE TOWN OF ST. JOHN AND THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, AS FOLLOWS:

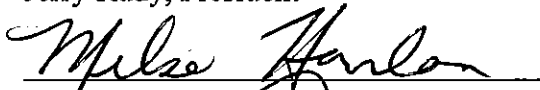
SECTION ONE: Section 6, subparagraphs (f) and (g) of Ordinance No. 537 of the Town of St. John, Lake County, Indiana adopted July 14, 1980 and paragraph (B) of Ordinance No. SD 48/972 of the Town of St. John, adopted the 6th day of October, 1994, are hereby amended as follows:

- (a) That as to all non-single family dwelling units, or multiple-dwelling units served through a single connection, the following method of calculation of sewer treatment capacity charge shall be employed:
 1. The Petitioner/Developer shall provide to the members of the Board of Sanitary Commissioners calculations and other detailed records designed to reasonable demonstrate anticipated water flow to the project, and further, shall provide any and all other evidence deemed necessary by the members of the Board of Sanitary Commissioners to properly calculate water flow for the purpose of determining the sewage treatment capacity charge.

2. That after having obtained said information from the Petitioner/Developer, it shall be the responsibility of the engineer/engineering firm employed by the Board of Sanitary Commissioners, or, in the absence of the same, the Town Engineer, to calculate and determine, pursuant to the terms and conditions of Ordinance No. SD48/972, the appropriate sewage capacity charge assessed to said user, and thereafter, recommend the same to the members of the Board of Sanitary Commissioners, at a public meeting, for their review and final determination and approval.
3. That thereafter, the members of the Board of Sanitary Commissioners shall then forward the calculated final figure to the Clerk-Treasurer's Office and/or the Office of Building & Planning Department (Planning and Zoning Administrator) for submission to said user for payment concomitant with payment of any and all other building fees and charges, which fees shall be paid prior to issuance of a building permit.
4. **NO BUILDING PERMIT SHALL BE ISSUED UNTIL SAID SEWAGE TREATMENT CAPACITY CHARGE, CALCULATED AND DETERMINED AS SET FORTH ABOVE, HAS BEEN FULLY PAID.**

PASSED AND ADOPTED by the members of Board of Sanitary Commissioners of the Town of St. John on the 20th day of August, 1998 by a vote of 4 in favor and 0 against.


Jerry Rudy, President


Mike Hanlon


Bob Thomas

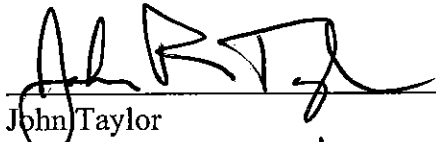

Ken Johnston

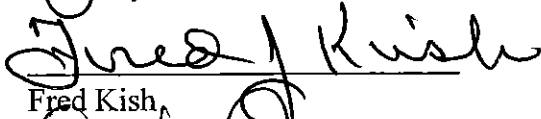
Kim Norris
Board of Sanitary Commissioners,
Sanitary District
Town Of St. John

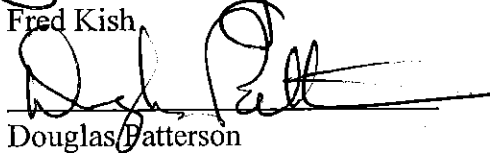
ATTEST:


Judith L. Companik - Clerk Treasurer

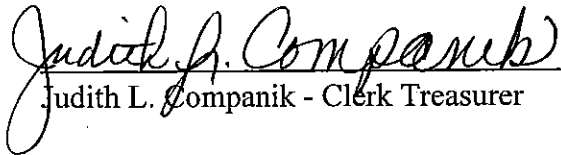
PASSED AND ADOPTED by the members of Town Council of the of the Town of St. John on the
27th day of August, 1998.


John Taylor


Fred Kish


Douglas Patterson

ATTEST:


Judith L. Companik - Clerk Treasurer