

**TOWN OF ST. JOHN, LAKE COUNTY, INDIANA**

**ORDINANCE NO. 1552**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, APPROVING AN OPERATING AGREEMENT WITH THE ST. JOHN SANITARY DISTRICT, REPEALING TOWN ORDINANCE NO. 643, AND ALL MATTERS RELATED THERETO**

**WHEREAS**, the Town of St. John, Lake County, Indiana (the "Town"), has heretofore established, constructed and financed municipal sewage works (the "Sewage Works"), and now owns and operates the Sewage Works pursuant to Indiana Code 36-9-23, as amended, and other applicable laws; and

**WHEREAS**, the Town has heretofore established the St. John Sanitary District (the "District") pursuant to the provisions of Town Ordinance No. 635, adopted by the then Town Board of Trustees on July 9, 1984, and the applicable provisions of I.C. 36-9-25; and

**WHEREAS**, the Town and the District through their Town Council (the "Town Council") and Board of Sanitary Commissioners, respectively, seek to enter into an agreement for the Town to operate the Sewage Works on behalf of the Town and the District (the "Operating Agreement"); and

**WHEREAS**, the acceptable form of Operating Agreement is attached hereto as Exhibit A; and

**WHEREAS**, the Town has determined that Ordinance No. 643 should be repealed as a consequence of entry into the Operating Agreement by the adoption of this approved Ordinance.

**WHEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA AS FOLLOWS:**

**SECTION ONE** That the Town Council has determined it is appropriate and necessary to enter into a contract with the District.

**SECTION TWO** That the form of Operating Agreement, attached as Exhibit A hereto, and incorporated herein, is hereby approved in substantially the form attached hereto, the final document to be completed and finalized by the Town Attorney with approval of the President of the Town Council.

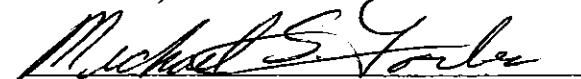
**SECTION THREE** That the Town Council President or other designee of the Town Council is hereby authorized to execute the final Operating Agreement, with same to be attested by the Clerk-Treasurer of the Town.


**SECTION FOUR** That Town Ordinance No. 643, adopted by the then Board of Trustees of the Town on September 11, 1984, is hereby repealed in its entirety.

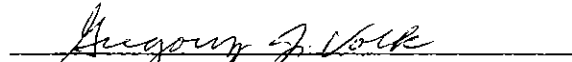
**SECTION FIVE** That this Ordinance shall take effect, and be in full force and effect, from and after its passage and adoption by the Town Council of the Town of St. John, Lake County, Indiana.


**ALL OF WHICH IS PASSED AND ADOPTED THIS 24<sup>TH</sup> DAY OF MAY, 2012, BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.**


**TOWN OF ST. JOHN, LAKE COUNTY,  
INDIANA, TOWN COUNCIL**

  
Michael S. Forbes, President

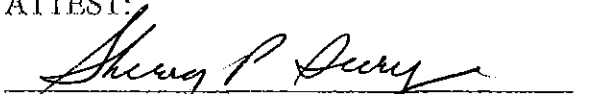
  
Mark Barenie, Vice President

  
Gregory J. Volk, Member

  
Kenneth D. Gembala, Member

  
Larry Bustamante, Member

ATTEST:

  
Sherry P. Suty, IAMC, CMC, Clerk-Treasurer