

ORDINANCE 2023- 23

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WHITESTOWN,
INDIANA, RETRANSFERRING RESPONSIBILITY FOR
UTILITY BILLING AND COLLECTION**

WHEREAS, the Town of Whitestown, Indiana (“Town”) owns and operates a water and wastewater utility generally known as Whitestown Municipal Utilities (collectively, the “Utility”); and

WHEREAS, pursuant to Ordinance 2014-13 (as amended by Ordinance 2014-27), the Utility Manager of the Town is currently responsible for overseeing and handling the billing and collection of the Utility’s rates and charges ("Utility Billing"); and

WHEREAS, pursuant to Indiana law, the Town Council may transfer responsibility for Utility Billing to the Clerk-Treasurer; and

WHEREAS, it is in the best interest of the Town and the Utility to retransfer responsibility for the Utility Billing to the Clerk-Treasurer, who is otherwise responsible for and familiar with the financial accounting of the Town.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Whitestown as follows:

Section 1. Effective January 1, 2024, responsibility for the Utility Billing shall be retransferred to the office of the Clerk-Treasurer. The Clerk-Treasurer may designate specific employees or contractors of the Clerk-Treasurer to be responsible for the Utility Billing, subject to the approval of such designation by the Town Council. Effective January 1, 2024, the Utility Manager shall no longer be responsible for the Utility Billing, provided that the Utility Manager shall cooperate with the Clerk-Treasurer in assisting with the transfer of such responsibility.

Section 2. All prior Ordinances or parts thereof that may be inconsistent with any provision of this Ordinance, including but not limited to Ordinance 2014-13, are hereby superseded. The provisions of this Ordinance are separable, and if a court of competent jurisdiction declares any portion of this Ordinance unconstitutional, invalid, or unenforceable for any reason, such declaration shall not affect the remaining portions of this Ordinance.

[Signature page follows]

PASSED AND ADOPTED by the Whitestown, Indiana Town Council this _____ day of _____, 20____, by a vote of ____ in favor and ____ against.

THE TOWN COUNCIL OF THE TOWN
OF WHITESTOWN, INDIANA

Eric Nichols, President

ATTEST:

Matthew Sumner, Clerk-Treasurer
Town of Whitestown, Indiana

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