

BEFORE THE COMMON COUNCIL OF THE
CITY OF CHARLESTOWN, INDIANA

ORDINANCE 2019-OR-17

AN ORDINANCE ESTABLISHING SANITARY BOARD

WHEREAS, Ind. § 36-9-23-3 authorizes the Common Council of the City of Charlestown, Indiana (the “Common Council”) to adopt an ordinance transferring the supervision and control of the construction, acquisition, improvement, operation, and maintenance of sewage works from the municipal works board to a Sanitary Board; and,

WHEREAS, the Common Council desires to exercise its statutory authority to establish a Sanitary Board to perform those duties and responsibilities as allowed under Indiana law.

THEREFORE, IT IS HEREBY ORDAINED by the Common Council of the City of Charlestown, Indiana, that a Sanitary Board is hereby established.

IT IS FURTHER ORDAINED that the supervision and control of the construction, acquisition, improvement, operation, and maintenance of sewage works under the present and future jurisdiction of the City of Charlestown be hereby transferred from the Board of Public Works and Safety to the Sanitary Board.

IT IS FURTHER ORDAINED that the Sanitary Board shall consist of the following members: 1) the Mayor, 2) one (1) person appointed by the Common Council of the City of Charlestown, and (3) one (1) person appointed by the Common Council, who must be a registered professional engineer in Indiana. The Mayor and non-engineer appointee to the Sanitary Board shall be residents of the City of Charlestown. The engineer and non-engineer appointees to the Sanitary Board shall not be officers or employees of the City of Charlestown.

IT IS FURTHER ORDAINED that the original engineer appointee to the Sanitary Board shall serve for a term of two (2) years and the non-engineer appointee to the Sanitary Board shall serve for a term of three (3) years.

IT IS FURTHER ORDAINED that when the term of a member of the Sanitary Board expires, a successor shall be appointed for a term of three (3) years consistent with the aforementioned procedures. In the event of a vacancy on the Sanitary Board, said vacancy shall be filled for the unexpired term consistent with the aforementioned procedures.

IT IS FURTHER ORDAINED that the Mayor shall serve as chair of the Sanitary Board.

IT IS FURTHER ORDAINED that the Sanitary Board shall select a vice chair from its members and shall select a Secretary-Treasurer, who need not be a member of the Board. The Secretary-Treasurer serves at the pleasure of the Board.

IT IS FURTHER ORDAINED that the Common Council may compensate each member of the Sanitary Board in an amount not to exceed one thousand dollars (\$1,000.00) per month as a salary or as payment for meetings attended, provided that said compensation is fixed by the Mayor upon the approval of the Common Council. Each member of the Sanitary Board is also entitled to payment for reasonable expenses incurred in the performance of his or her duties. The aforementioned compensation and expenses may be adjusted annually by the Common Council.

IT IS FURTHER ORDAINED that the Common Council may also compensate the Secretary-Treasurer of the Sanitary Board, provided that said compensation is fixed by the Mayor upon the approval of the Common Council.

IT IS FURTHER ORDAINED that the Common Council shall fix the bond required of each member of the Sanitary Board and of the Treasurer of the Board. These bonds shall be filed with the county recorder under Ind. § 5-4-1-5.1.

IT IS FURTHER ORDAINED that the Sanitary Board shall provide the Common Council with written reports and updates as to the status of the sewage works at each regularly scheduled council meeting and more frequently if so requested by the Common Council.

IT IS FURTHER ORDAINED that the Sanitary Board may establish rules and by-laws as necessary for its own governance.

IT IS FURTHER ORDAINED that the Sanitary Board shall become effective on January 1, 2020.

This Ordinance shall be in full force and effect upon its passage and adoption.

ALL OF WHICH IS ORDAINED BY THE COMMON COUNCIL OF THE CITY OF CHARLESTOWN ON THIS ____ DAY OF _____, 2019.

**Voted
In Favor**

**Voted
Against**

Brian Hester

Brian Hester

Tina Barnes

Tina Barnes

Ted Little

Ted Little

Mike Vaughn

Mike Vaughn

J.T. Cox

J.T. Cox

SEEN AND APPROVED BY ME THIS ____ DAY OF _____ 2019, BY:

Mayor G. Robert Hall

ATTEST:

Date

Donna Coomer, City Clerk/Treasurer