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**ORDINANCE 15-40**

**AN ORDINANCE OF THE CITY OF WESTFIELD REPLACING  
ORDINANCE 14-12**

**WHEREAS**, The City of Westfield, (“City”) is a duly formed municipal corporation within the State of Indiana, governed by its duly elected Mayor and Common Council (“Council”); and,

**WHEREAS**, it is the duty and the responsibility of the Council to maintain the fiscal integrity of the finances of the City by maintaining appropriate fees for services performed by the City such as garbage and rubbish , and

**WHEREAS**, the Council from time to time may find it necessary to amend previously adopted ordinances to assure that the desired purposes are carried out as contemplated by the Council; and,

**WHEREAS**, the current fees have been set and amended by Ordinance 14-12; and,

**WHEREAS**, it has been deemed necessary to adopt the following amendments to the Westfield Code of Ordinances.

**NOW, THEREFORE, BE IT ORDAINED** by the Westfield City Common Council meeting in session as follows that:

- Section 1.** The Westfield Code of Ordinances is hereby ordered to replace Ordinance 14-12 and incorporate the amendments included in Exhibit “A” of this Ordinance attached hereto and incorporated by reference herein.
- Section 2.** Any other amendments to any rates, policies or procedures previously adopted or authorized by this Council are hereby also ordered amended pursuant to the contents of Exhibit “A”.
- Section 3.** This Ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All ordinances or parts thereof that are in conflict herewith are hereby ordered repealed. Any portion of this Ordinance later deemed void shall not operate to negate the remaining portion herein. All acts undertaken to create this Ordinance are hereby ratified.

ALL OF WHICH IS ORDAINED/RESOLVED THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2015.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

  
\_\_\_\_\_  
Jim Ake

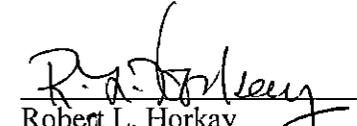
\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Jim Ake

  
\_\_\_\_\_  
Steven Hoover

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Steven Hoover

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Steven Hoover

  
\_\_\_\_\_  
Robert L. Horkay

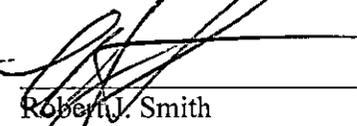
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Robert L. Horkay

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Robert L. Horkay

  
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Charles Lehman

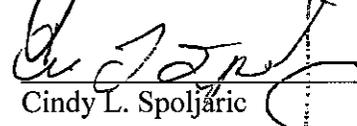
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Charles Lehman

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Charles Lehman

  
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Robert J. Smith

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Robert J. Smith

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Robert J. Smith

  
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Cindy L. Spoljaric

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Cindy L. Spoljaric

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Cindy L. Spoljaric

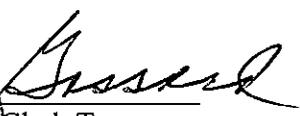
  
\_\_\_\_\_  
Robert W. Stokes

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Robert W. Stokes

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Robert W. Stokes

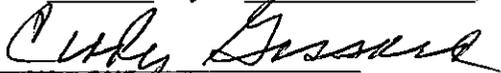
ATTEST:



  
\_\_\_\_\_  
Cady Gossard, Clerk Treasurer

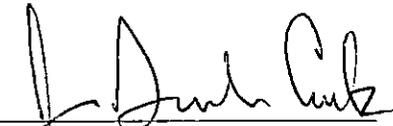
I hereby certify that ORDINANCE 15-40 was delivered to the Mayor of Westfield

on the 24 day of Nov, 2015, at 9:52Am.

  
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 15-40

this 25 day of November, 2015.

  
J. Andrew Cook, Mayor

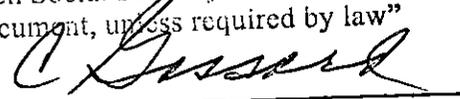
I hereby VETO ORDINANCE 15-40

this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
J. Andrew Cook, Mayor

This document prepared by  
Brian J. Zaiger, Esq.  
KRIEG DEVAULT, LLP  
(317) 238-6266

"I affirm, under the penalties of perjury,  
that I have taken reasonable care to redact  
each Social Security Number in this  
document, unless required by law"

  
Signed

**EXHIBIT A**

**CITY OF WESTFIELD**

**City Services – Administration Rates and Charges  
For Residential Solid Waste Removal Services**

**Section A. Constant Charges.**

Section A.1	Collection Fee	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>
		\$11.32	\$11.55	\$11.78	\$12.02	\$12.26

Section A.2 Disposal Fee            Included in Collection Fee above

**Section B. Other Charges.** In addition to the fees set forth above, all customers located within the corporation limits of the City shall be billed the following charges when deemed appropriate.

Section B.1            Administrative Account Change Fee. All customers shall be subject to an administrative account change of \$10.00 when the customer requests changes to be made to their account; for example: Set-up fee, name change, billing address change, etc.

Section B.2            Administrative Fee. All customers shall be subject to a monthly administrative fee to recoup administrative costs associated with management and billing. At no time shall this fee exceed two dollars (\$2) per month.

2016: \$1.00

Section B.3            Service Cycle. All customers will pay for service quarterly in advance. On a new start your first bill will be prorated to include the prior month(s) in the previous quarter.

Section B.4            User rates and charges.

1. The rates and charges for associated trash/recycling service and fees will be billed to the owner of record of the property served, unless otherwise requested by the owners, but such billing accommodation will not relieve the owner from liability if payment is not made as required. Any owner of property served, shall have the right to examine the collection records of the City for the purpose of determining whether the rates and charges have

been paid by other persons, provided that such examination shall be made in the office in which the records are kept and during the hours that the office is open for business.

2. All bills shall be due and payable as indicated on the bill. Bills unpaid after the due date shall include a collection charge of ten (10) percent on unpaid billing.

Section C. Charges and Penalties

1. All customers submitting checks returned as non-negotiable or deemed to have insufficient funds will be charged \$27.00. Said fee will be added to the proceeding billing cycle and become part of the balance due.
2. In addition to any other penalty provided by the Westfield Code of ordinances, any delinquent charges and/or fees may be collected through the Noblesville City Court, the Hamilton County Circuit or Superior Courts and be subject to the addition of court costs and any attorney fees necessary for the collection thereof.

Section D. Miscellaneous

1. The City may recognize any credit or suspension of services designated by the Provider of Services and will bill the property accordingly. However, the City shall not be required to issue a credit for less than \$5.00.