

**ORDINANCE NO. 2004- 7**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF ROCKPORT, INDIANA, TRANSFERRING JURISDICTION, OPERATION AND RESPONSIBILITY FOR BILLING AND COLLECTION OF CITY OWNED WATER AND SEWER UTILITY RATES AND CHARGES TO THE COMMON COUNCIL OF THE CITY OF ROCKPORT, INDIANA.**

**WHEREAS, Indiana Code 8-1.5-3-3 authorizes the legislature body of a municipality, by ordinance, to provide for the control of any or all of its municipality owned utilities; and**

**WHEREAS, the common council of the City of Rockport deems it necessary and essential, and in the public interest, to assume exclusive responsibility for the billing and collection of the Water and Sewer rates and charges.**

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF ROCKPORT, INDIANA:**

**Section One: That the Common Council for the City of Rockport shall be empowered with the authority of appointing a utility clerk who shall be responsible for the billing and collection of accounts of its municipal-owned utility.**

**Section Two: That the person who serves as utility clerk shall be a resident of the City of Rockport.**

**Section Three: That the person appointed by the legislative body shall serve at the pleasure of the said body.**

**Section Four: That the legislative body shall have exclusive authority in the appointing of employees to assist the utility clerk.**

**Section Five: Upon passage of this Ordinance the Clerk-Treasurer of the City of Rockport shall deliver all books, data, files and all papers related to the billings and charges to the legislative body for delivery to the utility clerk.**

**Section Six: That the office of city Clerk-Treasurer shall have no jurisdiction, nor authority, over the utility clerk, nor any involvement in the exercise of the day-to-day duties of the utility clerk.**

**Section Seven: The duties of the Clerk-Treasurer of the City of Rockport shall be limited to those specifically designated and established in Indiana Code 36-4-6-9.**

Section Eight: This ordinance shall be in full force and effect upon passage by the common council of the City of Rockport, signature of the Mayor and publication as provided by law..

DULY ADOPTED BY THE CITY OF ROCKPORT, INDIANA. This the 8 day of July, 2004.

COMMON COUNCIL OF THE CITY OF ROCKPORT, INDIANA

By: T. W. Keener  
President, Councilman

Dean Frakes  
Councilman

Gerald Payne  
Councilman

Quentin  
Councilman

Dobrie Kelley  
Councilman

ATTEST:  
Seri Papp  
Clerk-Treasurer

Be. Parker  
Mayor

Presented for vote on the 8<sup>th</sup> day of July, 2004 at 7:45 O'clock p.m.

4 Voted Yea  
0 Voted Nae

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COMMON COUNCIL OF THE CITY OF ROCKPORT, INDIANA

By: T. Wayne Keener  
President, Councilman

Dean Lusk  
Councilman

Gerald Payne  
Councilman

Quent Wells  
Councilman

Robbie Kelley  
Councilman

ATTEST:  
Jeri Post  
Clerk-Treasurer

\_\_\_\_\_  
Mayor

Presented for vote on the 8<sup>th</sup> day of July, 2004  
at 7:45 O'clock p.m.

4 Voted Yea  
0 Voted Nae