

**PASSED 11/14/11 BY A VOTE OF 6-0
ORDINANCE NO. 30-2011**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO,
INDIANA, AMENDING CHAPTER 50 OF THE CODE OF ORDINANCES ENTITLED
“WATER WORKS”**

WHEREAS, Chapter 50 of the Code of Ordinances for the City of Valparaiso, Indiana, previously established the City’s Department of Water Works; and

WHEREAS, on January 10, 2005, the Common Council of the City of Valparaiso, Indiana, adopted Ordinance No. 45-2004 which created the Valparaiso Utilities Board thereby combining the Valparaiso Water Department and Valparaiso Water Reclamation Department; and

WHEREAS, Ordinance No. 45-2004 also amended § 50.02 of Chapter 50 of the Code of Ordinances to change the Valparaiso Board of Water Works to the Valparaiso City Utilities Board and to add thereto the additional responsibilities of oversight and operation of the Water Reclamation Department; and

WHEREAS, the Common Council is now desirous of further amending § 50.02 of Chapter 50 of the Code of Ordinances in order to revise the qualifications to be appointed to the Valparaiso Utilities Board of Directors.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Valparaiso, Indiana, that certain sections of Chapter 50 of the Code of Ordinances shall be amended to read as follows:

§ 50.02 BOARD OF DIRECTORS.

(A) The Valparaiso City Utilities shall be under the exclusive management and control of a Board of Directors, to be known and designated as the Valparaiso City Utilities Board. The Valparaiso City Utilities Board shall consist of five members, each of whom shall be a resident of the area served by the Valparaiso City Utilities.

BE IT ORDAINED THAT, if any portion of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other portion or provision of this Ordinance.

BE IT FURTHER ORDAINED THAT, all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency. It is provided, however, that such repeal shall be only to the extent of such inconsistency, and in all other respects the ordinances or parts of ordinances are hereby ratified, re-established and confirmed.

This Ordinance shall be in full force and effect from and after its adoption and any publication required by law.

PASSED by the Common Council of the City of Valparaiso, Indiana, by a 6-0 vote of all members present and voting this 14th day of November, 2011.

/s/ Jon Costas, Mayor

ATTEST:

/s/ Sharon Swihart, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 14th day of November, 2011, at 7:35 o’clock p.m.

/s/ Sharon Swihart, Clerk-Treasurer

This Ordinance approved and signed by me this 14th day of November, 2011, at 7:35 o’clock p.m.

/s/ Jon Costas, Mayor