

JINA F. MENTEL  
RECORDER

2024-019881

STATE OF INDIANA  
LAKE COUNTY  
RECORDED AS PRESENTED

9:52 AM 2024 Jul 26

**TOWN OF SCHERERVILLE, INDIANA**

ORDINANCE NO. 2010

**AN ORDINANCE ESTABLISHING THE SANITARY SERVICE AREA FOR THE TOWN OF SCHERERVILLE, INDIANA, AND REGULATING THE FURNISHING OF SANITARY SERVICE THEREIN**

**WHEREAS**, the Town of Schererville, Indiana ("Town"), owns and operates the Town's municipal sewer system; and

**WHEREAS**, Ind. Code § 36-9-23-2 and Ind. Code § 36-9-23-36 permit a municipal utility to exercise powers granted by Ind. Code § 36-9-23-2 in areas within ten (10) miles outside its corporate boundaries; and

**WHEREAS**, Ind. Code § 8-1.5-6 permits the Town to adopt a "regulatory ordinance" which can then be submitted to the Indiana Utility Regulatory Commission ("Commission") for its review and approval and said regulatory ordinance allows the Town to regulate the furnishing of Sanitary service in areas within ten (10) miles outside the Town's corporate boundaries; and

**WHEREAS**, the Town wishes to establish a specific Sanitary service area in an area that is within ten (10) miles of its corporate boundaries as permitted by Indiana law, excluding any area within the authorized service area of another Sanitary utility.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SCHERERVILLE, LAKE COUNTY, INDIANA, AS FOLLOWS:**

**SECTION 1.** The Town of Schererville Sanitary Service Area is hereby defined and established as those areas within the corporate boundaries of the Town, as well as certain areas within ten (10) miles outside the Town's boundaries, excluding any area within the authorized service area of another Sanitary provider. A map and description detailing the Town of Schererville Sanitary Service Area is attached hereto as Exhibit A.

**SECTION 2.** Upon adoption of this Ordinance and its approval by the Commission, the Town shall hold an exclusive license to furnish and regulate Sanitary service in the Town of Schererville Sanitary Service Area, and the Town shall be the exclusive provider of Sanitary utility service to the public within the Town of Schererville Sanitary Service Area.

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# NOT AN OFFICIAL DOCUMENT

**SECTION 3.** Upon adoption of this Ordinance and its approval by the Commission, no other utilities are permitted to provide Sanitary service within the Town of Schererville Sanitary Service Area. This Ordinance does not: (i) mandate the Town to extend service to areas where technically or financially not feasible; or (ii) prevent the use of onsite disposal systems where the Town does not currently have facilities available. Rather, this Ordinance expressly prohibits other utilities from furnishing Sanitary service to customers within the Town of Schererville Sanitary Service Area.

**SECTION 4.** No end service user shall permit a connection to Sanitary service within the Town of Schererville Sanitary Service Area by any other Sanitary service provider.

**SECTION 5.** Any person, firm, or corporation that violates this Ordinance shall be subject to a civil penalty of two thousand dollars (\$2,000.00) per violation, and each day of violation shall be deemed a separate violation.

**SECTION 6.** The Town's existing rules and regulations for Sanitary service, as amended from time to time, shall apply to and within the Town of Schererville Sanitary Service Area.

**SECTION 7.** If any one or more of the terms, provisions, or sentences of this Ordinance, or portions of the Town of Schererville Sanitary Service Area, shall be deemed by a court or a tribunal of competent jurisdiction to be contrary to law, then such term or provision shall be deemed severable from the remaining terms and shall in no way affect the validity of the other provisions of this Ordinance.

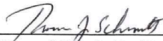
**SECTION 8.** The Town hereby authorizes the Town Manager, Town Attorney, and Bose McKinney & Evans LLP to pursue any and all necessary approvals for the implementation, effectiveness, and enforcement of this Ordinance, including, but not limited to, seeking approval of this Ordinance by the Commission, and intervening in any Commission proceedings which may impact the Town's service rights in and around the Town of Schererville Sanitary Service Area (e.g. Cause No. 46035).

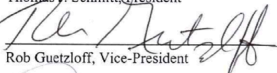
**SECTION 9.** That this Ordinance shall take effect, and be in full force and effect, from and after its passage and adoption by the Town Council of the Town of Schererville, Lake County, Indiana, and publication in conformance with applicable law.


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ALL OF WHICH IS PASSED AND ADOPTED THIS 10 DAY OF July, 2024, BY THE TOWN COUNCIL OF THE TOWN OF SCHERERVILLE, LAKE COUNTY, INDIANA.

TOWN OF SCHERERVILLE, LAKE COUNTY, INDIANA, TOWN COUNCIL

  
\_\_\_\_\_  
Thomas J. Schmitt, President

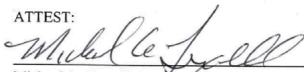
  
\_\_\_\_\_  
Rob Guetzloff, Vice-President

  
\_\_\_\_\_  
Robin Arvanitis, Member

  
\_\_\_\_\_  
Caleb S. Johnson, Member

\_\_\_\_\_  
Kevin Connelly, Member

ATTEST:

  
\_\_\_\_\_  
Michael A. Troxell, IAMC, CMC, CPFIM, CMO  
Clerk Treasurer



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EXHIBIT A

Property of Lake County Recorder

# NOT AN OFFICIAL DOCUMENT

Schererville Sanitary District Boundary

NIES Engineering, Inc., 3/25/24

## Part I

All of Sections 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17; The North Half of Section 20; All of Sections 21, 22, 23, 24, 25, 26, 35, 36; The Briar Ridge Country Club Additions Unit 1, 5 Springwood, 7 Block 4 & 2, 17 Replat, 18 The Pointe, 19 and Country Club Condominiums of Briar Ridge and Markey's Addition being part of the East Half of the East Half of Section 6; The Briar Cove Subdivision Phase 3 being part of the Northeast Quarter of the Northeast Quarter of Section 7; The Amberleigh Estates Phase 1 & 2 being part of the Northeast Quarter of Section 19, Township 35 North, Range 9 West of the Second Principal Meridian.

The following exceptions are for the above described land:

Excepting the Southeast Quarter of the Southeast Quarter of Section 36.

Also excepting the West Half of the West Half of Section 35.

Also excepting the South Half of the Southwest Quarter of Section 26.

Also excepting the West Half of the Southwest Quarter of Section 21.

Also excepting the Briar Ridge Country Club Addition Unit 9 and parcel number 45-11-06-252-010.000-034 and 45-11-05-353-014.000-034 being part of Section 5.

## Part II

All of Sections 1 & 2, Township 34 North, Range 9 West of the Second Principal Meridian.

The following exceptions are for the above described land:

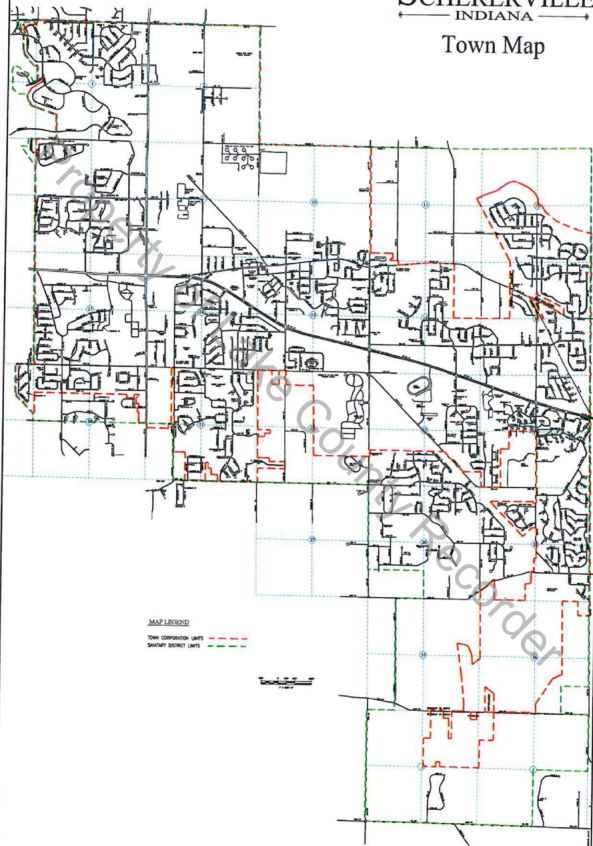
Excepting the Southeast Quarter of Section 1.

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Town of  
**SCHERERVILLE**  
INDIANA

Town Map



MAP LEGEND

- TOWN CORPORATION LIMITS
- SANITARY DISTRICT LIMITS



TOWN INCORPORATED 1849  
8,800 ACRES  
16.10 SQUARE MILES

**HESS** Engineering, Inc.  
200 S. WASHINGTON ST.  
INDIANAPOLIS, IN 46204  
317.635.1100