

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA**

**ORDINANCE NO.:** 1500

**AN ORDINANCE AMENDING TOWN ORDINANCE NOS.: 1385 AND 1427 PERTAINING TO ESTABLISHMENT AND IMPLEMENTATION OF RULES AND REGULATIONS FOR THE MUNICIPAL WATER UTILITY OF THE TOWN, AMENDING CERTAIN RULES AND REGULATIONS FOR THE MUNICIPAL UTILITY, REPEALING ALL ORDINANCES AND TOWN CODE SECTIONS, OR PORTIONS THEREOF, IN CONFLICT HEREWITH, AND ALL MATTERS RELATED HERETO.**

**WHEREAS**, the Town Council of the Town of Cedar Lake, Lake County, Indiana (hereinafter, the "Town Council"), has reviewed its business and management practices for the Town Municipal Water Utility for water sprinkling regulations as a consequence of continuing monitoring of the administration of the Town Municipal Water Utility, as well as for responsible preservation and utilization of the existing water supply available to the Town Municipal Water Utility customers and ratepayers; and

**WHEREAS**, the Town Council, being duly informed and advised, now concurs, and agrees that the current water sprinkling usage regulations and guidelines require amendment to responsibly utilize and preserve the existing water supply available to Town customers and ratepayers of the Town Municipal Water Utility; and

**WHEREAS**, the Town Council, being duly informed and advised, and based upon its determination to responsibly preserve and utilize the existing water supply available to the Town customers and ratepayers of the Town Municipal Water Utility, as well as to manage the water supply to reduce the establishment or creation of water shortages, now concurs and agrees that amendment and modification of Town Water Usage Regulations in Town Ordinance No. 1427, which amended previously adopted Town Ordinance No. 1385, is necessary and required for such purposes; and

**WHEREAS**, the Town Council, upon its further review and assessment, concurs and agrees that continuing responsible management and operation of the Town Municipal Water Utility for the benefit of Town customers and ratepayers is essential, and that in order to preserve water supply, and properly and adequately maintain the Municipal Water Utility supply and distribution system, determines that further amendment for operational regulations is appropriate, advisable, and should be established.

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

**SECTION ONE:** That Town Ordinance Nos. 1385 and 1427, duly adopted by the Town Council of the Town of Cedar Lake, Lake County, Indiana, be, and the same are hereby amended to read and provide hereinafter as follows, namely:

“That notwithstanding anything herein to the contrary, the following water usage by customers and residents served by the Waterworks System of the Town are exempt from the aforesaid water conservation policies and regulations set forth hereinafter, namely:

A. Homeowners with newly planted or seeded lawns may water such newly planted lawns for no longer than four (4) weeks from date of newly planting or seeding such lawns, with this usage to be exempt.

B. Retail businesses offering primarily car washing services to patrons are exempt.

C. That notwithstanding the provisions set forth hereinabove, homeowners with newly planted or seeded lawns may not water any newly planted lawns for longer than four (4) weeks from the date of newly planting or seeding such lawns, unless approved by the Town Municipal Water Utility Superintendent, or Town Manager, as set forth herein. Further, the Town Municipal Water Utility Superintendent or Town Manager shall have the authority under that Sprinkling Usage Regulations Amendatory Ordinance to require homeowners in new homes with newly planted or seeded lawns to be placed on the even/odd rotation for sprinkling usage when the demands on the supply in the Municipal Water Utility system are reduced and conditions are too exigent for the safety of the system to permit unlimited usage. Further, under exigent circumstances determined by the Town Municipal Water Utility Superintendent or Town Manager to exist, including review reports and actions of a jurisdictional and authorized recognized utility administration, including local, state, and federal jurisdictional bodies, any and all property owners, including, but not limited to residential homeowners of new and/or existing homes with newly planted or seeded lawns, may, at the determination of the designated Town Municipal Water Utility Administration, withdraw such water suage approval, and ban such use for the time and direction of use appropriate to remedy the exigent circumstances giving rise to the banning of usage hereby authorized. Upon determination by the Water Utility Administration of remedy to the exigent circumstance causing partial or full water sprinkling ban such partial or full water sprinkling ban is authorized to be lifted, with full restoration to be made.”

**SECTION TWO:** That all remaining terms and provisions of Town Ordinance Nos. 1385 and 1427 adopted by the Town Council, not amended hereby, are herein ratified and reaffirmed in the entirety. That all terms in Town Ordinance Nos. 1385 and 1427 in conflict with this current and Amendatory Ordinance are repealed regarding these specific terms and provisions.

**SECTION THREE:** That all existing Ordinances and Town Code Sections, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

**SECTION FOUR:** If any section, clause, provision or portion of this Ordinance and these Regulations shall be held to be invalid or unconstitutional by a Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance and these Regulations.

**SECTION FIVE:** That this Amendatory Municipal Water Utility Ordinance and these amended Regulations, shall take effect, and be in full force and effect, from and after passage and adoption by the Town Council of the Town of Cedar Lake, Lake County, Indiana, in conformance with applicable law.

ALL OF WHICH IS PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, THIS 17 DAY OF September, 2024.

TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, TOWN COUNCIL

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Nick Recupito, President

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Greg Parker, Vice-President

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Robert H. Carnahan, Council Member

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Julie A. Rivera, Council Member

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Chuck Becker, Council Member

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Mary Joan Dickson, Council Member

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Richard C. Thiel, Jr., Council Member

ATTEST:

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Jennifer N. Sandberg, IAMC, CMC, CPFIM  
Clerk-Treasurer