

ORDINANCE NO. 2011- 6

WHEREAS, the Town of Osgood owns and operates gas, sewer and water utilities which provide service to the residents of the Town of Osgood, and outlining areas; and,

WHEREAS, Indiana Code 8-1-26-1, et seq., requires persons to ascertain the location of underground utility lines by notifying the Indiana Underground Plant Protection Service, by dialing **811**, prior to excavating, demolishing or digging; and,

WHEREAS, occasionally persons do not follow the prescribed notification procedure for utility locates and are damaging, cutting or interfering with the Town's utility lines when excavating or digging; and,

WHEREAS, the Town of Osgood deems it necessary to provide a penalty for those persons who fail to properly locate the utility lines prior to excavating, demolishing or digging and who subsequently damage the Town's utility appurtenances.

BE IT, THEREFORE, ORDAINED by the Town Council for the Town of Osgood, as follows:

1. Pursuant to Indiana Code 8-1-26-1, et seq., all persons excavating, demolishing or digging on real estate must notify the Indiana Underground Plant Protection Service, by dialing **811** to locate utility lines prior to such excavation.

2. Any damage occurring to the Town of Osgood utility lines or appurtenances as a result of improper excavating, demolishing or digging on

real estate in the Town of Osgood shall be paid by the property owner/renter prior to reconnection of the Town's utility service.

3. Failure to provide "a utility locate ticket" to the Town of Osgood utility personnel when requested, after damage to the Town's utility lines or appurtenances from improper excavating, demolishing or digging, will also result in a fine of Two Hundred Dollars (\$200), which fine may be collected as such fines and penalties are collected by the Town of Osgood's Violations Bureau.

SO ORDAINED this 15 day of November, 2011.

TOWN COUNCIL OF THE TOWN OF OSGOOD,

By: Linda Krinop
LINDA KRINOP, President

Norman Kappes
NORMAN KAPPES, Member

Vicki D. Holliday
VICKI D. HOLLIDAY, Member

ATTEST:

Tamara Wilhoit
TAMARA WILHOIT, Clerk-Treasurer