

**ORDINANCE NO. 2012-12 -CM**  
**AMENDING TIPPECANOE COUNTY CODE**  
**REPEALING CHAPTER 50.58 AND**  
**ADDING NEW CHAPTER 50.58**  
**ESTABLISHING TIPPECANOE COUNTY**  
**SOLID WASTE MANAGEMENT DISTRICT**

**WHEREAS**, the Wildcat Creek Solid Waste Management District will be dissolved effective as of February 29, 2012; and

**WHEREAS**, the Board of Commissioners of Tippecanoe County, Indiana desires to designate and establish Tippecanoe County as the Tippecanoe County Solid Waste Management District in accordance with IC 13-21-3-1;

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of Tippecanoe County, Indiana, that the Tippecanoe County Code be amended to repeal Chapter 50.58 Solid Waste Management and add a new chapter 50.58 Tippecanoe County Solid Waste Management District reading as follows:

**§ 50.581**      TIPPECANOE COUNTY SOLID WASTE MANAGEMENT DISTRICT

- A.      There is hereby established the Tippecanoe County Solid Waste Management District which shall consist of all of the incorporated and unincorporated territory of Tippecanoe County.
- B.      The District shall exercise all powers granted to solid waste management districts pursuant to IC 13-21-3, including without limitation thereby, IC 13-21-3-12 and IC 13-21-3-12.2, as from time to time amended.

**§ 50.582**      BOARD OF DIRECTORS

- A.      The District shall be governed by a Board of Directors consisting of the following members:
  - 1.      Three (3) members of the Board of Commissioners of Tippecanoe County.
  - 2.      One (1) member appointed by the Tippecanoe County Council from the membership of the County Council.
  - 3.      The Mayor of the city of Lafayette, Indiana
  - 4.      One (1) member of the Lafayette City Council appointed by the Lafayette City Council.
  - 5.      The Mayor of the city of West Lafayette, Indiana.
- B.      Subject to subsection (C), the term of office of a member of the board who is appointed from the membership of an executive, legislative, or fiscal body is

coextensive with the member's term of office on that body.

- C. All members of the board serve at the pleasure of the appointing authority.
- D. The board shall exercise all powers granted to the board of directors of a solid waste management district pursuant to IC 13-21-3, including without limitation thereby, IC 13-21-3-13, as from time to time amended.

**§ 50.583 OFFICERS**

- A. The board shall select the following:
  - 1. A chairperson and vice chairperson from the board's membership.
  - 2. A controller who is not a member of the board.
- B. The controller shall perform the duties set forth in IC 13-21-3-10, as from time to time amended, and such other duties as may be prescribed by the board.
- C. If a controller selected by a board under this section is the fiscal officer of a county or municipality, the duties of the controller under a statute or an ordinance are in addition to the duties the controller has while serving as the fiscal officer of the county or municipality.

**§ 50.584 CITIZEN SOLID WASTE MANAGEMENT ADVISORY COMMITTEE**

- A. The board of directors shall appoint a citizen solid waste management advisory committee, in accordance with IC 13-21-3-11, consisting of the following members:
  - 1. Representatives of the solid waste management industry operating in the district.
  - 2. Representatives of the environmental community and other citizens who are:
    - (A) knowledgeable about and interested in environmental issues; and
    - (B) not employed directly or indirectly by the solid waste management industry.
  - 3. At least fifty percent (50%) of the members of an advisory committee must be made up of the representatives of the environmental community and other citizens.
  - 4. All members of the committee must be residents of the district.
  - 5. In the resolution establishing an advisory committee, the board shall specify the terms of the members and the purposes of the committee.
- B. Duties of the Committee: The advisory committee shall do the following:
  - 1. Study the subjects and problems specified by the board and recommend to

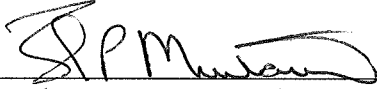
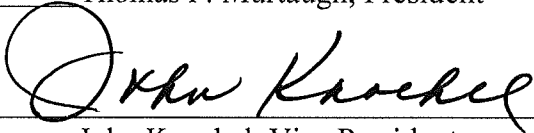
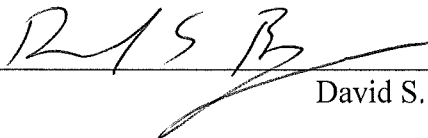
- the board additional problems in need of study and discussion.
2. If invited by the board to do so, participate, without the right to vote, in the deliberations of the board.
  3. The advisory committee shall report only to the board. Reports of the committee must:
    - A. accompany a final district plan when the plan is submitted to the commissioner under IC 13-21-5; and
    - B. be made available to members of the public.
  4. The advisory committee may choose to study and report on matters that are not specified by the board if the committee determines a study is warranted.
  5. The advisory committee and board shall conduct at least two (2) joint meetings each year to discuss current and future issues. The advisory committee shall submit into the record at the next meeting of the board advice on the topics discussed at the joint meeting.
  6. The advisory committee shall do the following:
    - A. Meet after the first publication of the district's proposed annual budget.
    - B. Submit written comments concerning the proposed budget at a public hearing that is held to review the proposed budget.

This Ordinance shall be in full force and effect immediately upon its passage and signing on the 29<sup>th</sup> day of February, 2012.

Presented to the Board of Commissioners of Tippecanoe County, Indiana, and approved on first reading this 6<sup>th</sup> day of February, 2012, by the following vote:

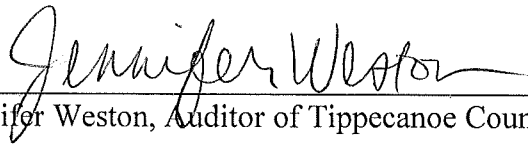
BOARD OF COMMISSIONERS OF  
TIPPECANOE COUNTY

VOTE

|          |   |
|----------|---|
| <u>y</u> | <br>Thomas P. Murtaugh, President |
| <u>y</u> | <br>John Knochel, Vice President  |
| <u>y</u> | <br>David S. Byers, Member         |

ATTEST:





Jennifer Weston, Auditor of Tippecanoe County

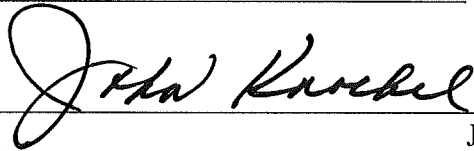
Presented to the Board of Commissioners of Tippecanoe County, Indiana, and approved on second reading this 20<sup>th</sup> day of February, 2012, by the following vote:

BOARD OF COMMISSIONERS OF  
TIPPECANOE COUNTY

VOTE



Thomas P. Murtaugh, President

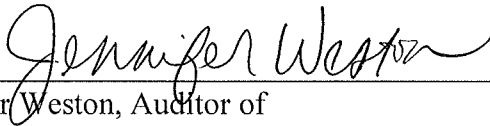


John Knochel, Vice President



David S. Byers, Member

ATTEST:



Jennifer Weston, Auditor of  
Tippecanoe County