

**RESOLUTION NO. 1-02**

**RESOLUTION OF BASS LAKE CONSERVANCY DISTRICT  
BOARD OF DIRECTORS CONCERNING PORTA-POTTIES**

**WHEREAS**, pursuant to Section 2(a) of the Sewer Use Ordinance, it is "unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the District or in any area under the jurisdiction of said District, any human excrement, garbage or other objectionable waste."

**WHEREAS**, pursuant to Section 2(g) of the Sewer Use Ordinance, it is "unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or use of the disposal of sewage."

**WHEREAS**, pursuant to Section 2(h) of the Sewer Use Ordinance, "The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the District and abutting on any street, alley or right-of-way in which there is now located a public sanitary sewer of the District is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance...."

**WHEREAS**, pursuant to Section 3(a) of the Sewer Use Ordinance, "When a public sanitary sewer is not available, under the provisions of Section 2(h), the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article."

**WHEREAS**, the Board of Directors is sensitive to the needs of builders and recreational facilities, who may need the use of a Porta-Potty for an extended period. The Board also acknowledges the need of residents to use a Porta-Potty for a weekend or short period.


**WHEREAS**, for purposes of this Resolution, a Porta-Potty shall mean a devise, whose primary purpose is to hold human waste.

**WHEREFORE**, the Board of Directors of the Bass Lake Conservancy District conclude that any Property Owner within the jurisdiction of the Bass Lake Conservancy District, must obtain the permission of the Bass Lake Conservancy District for the placement of a Porta-Potty within the District's territory for a period extending beyond thirty (30) days.

Should a Porta-Potty be placed within the jurisdiction of the District in excess of 30 days without prior permission being granted by the Board, a fine of \$100 shall be assessed, plus \$25 for each day thereafter, with each day of non-compliance being considered a separate offense.


Adopted by the Board of Directors of the Bass Lake Conservancy District, Starke County, Indiana on the 11 day of <sup>APRIL</sup> ~~March~~, 2002

  
Joseph-P. Carey, President

  
Mr. Robert Lorenz

Mr. Jim O'Hara

  
Ms. Patti Bush

  
Mr. Dean McMahon

Attest:

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Secretary

## NOTICE OF PENALTY

The Bass Lake Conservancy District held its monthly meeting on April 13, 2002 at 10:00 a.m. At that meeting, *Resolution No. 1-02*, concerning Porta-Potties was adopted. Among other things, the *Resolution* provides for the following:

1. Any Property Owner within the jurisdiction of the Bass Lake Conservancy District, must obtain the permission of the Bass Lake Conservancy District for the placement of a Porta-Potty within the District's territory for a period extending beyond thirty (30) days.

2. Should a Porta-Potty be placed within the jurisdiction of the District in excess of thirty (30) days without prior permission being granted by the Board, a fine of \$100 shall be assessed, plus \$25 for each day thereafter, with each day of non-compliance being considered a separate offense.

A full copy of *Resolution 1-02* is available for inspection by contacting Joseph Carey, President of the Bass Lake Conservancy District, any other Board of Director, or Patrick Lyp - Blachly, Tabor, Bozik & Hartman, 56 South Washington Street, Valparaiso, Indiana, 46383 (219/462-1041), counsel for the Bass Lake Conservancy District.

**Authorization for Publication:** Joseph Carey, President of the Bass Lake Conservancy District