

IC 36-11-5

Chapter 5. Powers and Duties of Districts

IC 36-11-5-1

District rights, powers, and duties

Sec. 1. Upon establishment of the district, the district may exercise all the rights, powers, and duties conferred upon the district by this article.

As added by P.L.161-2002, SEC.2 and P.L.172-2002, SEC.7.

IC 36-11-5-2

District powers

Sec. 2. A district may do the following:

- (1) Make contracts for the services necessary for the operations of the district, including management of the district by any public or private entity.
- (2) Adopt, amend, and repeal bylaws for the administration of the district's affairs.
- (3) Fix, alter, charge, and collect reasonable rates and other charges, to be imposed by the governing body, in the area served by the district with respect to every person whose premises are, whether directly or indirectly, served by the district, for the following purposes:
 - (A) To fulfill the terms of contracts made by the district.
 - (B) To pay the other expenses of the district.
- (4) Refuse the services of the district if the rates and other charges are not paid by the user.
- (5) Control and supervise all licenses, money, contracts, accounts, books, records, maps, or other property rights and interests conveyed, delivered, transferred, or assigned to the district.
- (6) Make provision for, contract for, or sell the district's byproducts or waste.
- (7) Adopt and enforce rules:
 - (A) to establish procedures for the governing body's actions;
or
 - (B) for any other lawful subject necessary to the operation of the district and the exercise of the power granted.

As added by P.L.161-2002, SEC.2 and P.L.172-2002, SEC.7.

IC 36-11-5-3

District contracts and obligations

Sec. 3. A district may make contracts or incur obligations only if the contracts or obligations are payable solely from:

- (1) revenue the district is permitted to raise under this article; or
- (2) federal, state, or other grants or contributions.

As added by P.L.161-2002, SEC.2 and P.L.172-2002, SEC.7.

IC 36-11-5-4

District action to benefit a property with available sanitary sewer

Sec. 4. (a) Except as provided in subsection (b), a district may not make expenditures or take any other action for the benefit of a property served by a system if there is an available sanitary sewer within three hundred (300) feet of the property line.

(b) A district may make expenditures or take other action for the benefit of a property referred to in subsection (a) if the sanitary system operator refuses connection.

As added by P.L.161-2002, SEC.2 and P.L.172-2002, SEC.7.