

## ORDINANCE 2023-1002-2

### AMENDING ORDINANCE NO. 2022-1107AN ORDINANCE AMENDING CHAPTER 16, ARTICLE 1 1 1 OF THE FOWLER TOWN CODE RELATING TO SOLID WASTE COLLECTION AND DISPOSAL ORDINANCE 2019-1021B

WHEREAS, the Town Council of the Town of Fowler, Indiana ("Fowler Town Council") has determined that it is necessary to increase the rates and charges for refuse, garbage and trash pick-up in the Town of Fowler, due to its increased cost to the Town of Fowler; and

WHEREAS, the Fowler Town Council desires to amend the current provisions of Chapter 16, Article III relating to the collection and disposal of solid waste so that the code provisions and actual practices for solid waste collection and disposal are consistent.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF FOWLER, INDIANA, that Chapter 16, Article III of the Fowler Town Code is hereby amended and replaced by the following:

#### DIVISION 1. GENERALLY

##### Sec. 16-46. - Scope and frequency of service.

The town council shall establish a garbage and unburnable trash collection and disposal service to be available to all persons residing within the corporate limits of the town. Garbage and unburnable trash collections shall be collected on Wednesday, unless there is an observed holiday on Monday of that week, in which case the trash collections shall be collected on Thursday of such weeks. Businesses shall make arrangements for garbage collection and disposal with the contractor of their choice.

##### Sec. 16-47. - Type of containers required.

Each family or person desiring trash disposal service shall utilize a 96-gallon wheeled receptacle provided by the garbage disposal contractor utilized by the Town.

Sec. 16-48. - Placing of garbage and trash containers in convenient locations.

All 96-gallon wheeled receptacles shall be placed within four (4) feet of the curb, paved surface of the public road, or closest accessible public right-of-way, or other such location designated by the contractor for the Town.

Sec. 16-49. - Failure to observe rules.

Any person, restaurant, markets, or school failing to observe or comply with any of the rules or conditions set out in the foregoing sections or any rules or conditions as may hereafter be imposed in connection with the service described in this article may be deprived of such service until full compliance has been made.

Secs. 16-50—16-71. - Reserved.

## DIVISION 2. - RATES AND CHARGES

Sec. 16-72. - Established.

There is established rates and charges for the use and service of refuse, garbage, and trash pickup within the town. Such rates or charges shall be \$14.00 per month and shall be added to the water and sewage bill each month to all residents. This new rate will start on the Oct. water billing (September water usage).

Sec. 16-73. - Delinquent payment.

The rates and charges herein established shall be collected from owners, occupants and users of any premises within the town. Delinquent garbage collection fees shall be collected in the manner set forth in chapter 2, article IV, division 1, section 2-143.

Sec. 16-74. - Discontinued service.

All trash, garbage and refuse collection shall be discontinued without further notice if the rates or charges for such services are not paid 60 days after rendition of the bill therefor.

This amendment shall be effective upon proper passage and publication as provided by law.

DATED this 2<sup>nd</sup> of October, 2023.

FOWLER TOWN COUNCIL



Linda Brouillette, Council President



Pat Claire, Council Vice President



Jason Fisher, Council Member

Mike Sanders, Council Member



Lisa Sarault, Council Member

Attest:)

  
Sara Finley, Clerk Treasurer



## LEGAL Advertising

**STATE OF INDIANA  
IN THE BENTON CIRCUIT  
COUNTY OF BENTON  
CAUSE NO.  
04C01-2306-EL-000013**  
In the Matter of the Last Will and Testament of Alice L. Roche, Deceased.  
**NOTICE OF UNSUPERVISED ADMINISTRATION**  
ESSTATE NO.  
04C01-2306-EL-000013  
In the Benton Circuit Court of Benton County, Indiana.  
Notice is hereby given that Catherine Hooper was, on September 25, 2023, appointed Personal Representative of the UnsUPERVISED Estate of Alice L. Roche, deceased, who died on July 21, 2023.  
All persons who have claims

## LEGAL Advertising

**NOTICE**  
The Newton County RHC will hold its Annual Meeting of Members, Thursday, December 7, 2023, virtually from the RHC office. (No in person meeting). We will be sending out information and bulletins to all members the first week of November. The person responsible for conducting this organization's non-discrimination compliance efforts is Thom Welch, General Manager. Any individual or specific class of individuals, who feels that this organization has subjected them to discrimination may obtain further information about the statutes and regulations listed above from and file a written complaint with this organization, or the Secretary, U. S. Department of Agriculture, Washington, D. C. 20250. Complaints must be filed within 180 days after the alleged discrimination. Confidentiality will be maintained to the extent possible.  
10.18.2023  
Newtown County Rural Electric Membership Cooperative is the recipient of Federal financial assistance from the Rural Utilities Service, an agency of the U. S. Department of Agriculture, and is subject to the provisions of Title VI of the Civil Rights Act of 1964, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, the Age Discrimination Act of 1975, as amended, and the rules and regulations of the U. S. Department of Agriculture which provide that no person in the United States on

## LEGAL Advertising

**Notice of Sheriff's Sale/Mary M. Garrett**  
To The Owners Of The Within Described Real Estate And All Interested Parties: Notice Of Sheriff's Sale By virtue of a certified copy of a decree to sell directed from the Clerk of the Circuit Court of Benton County, Indiana, in Cause No. 04C01-2210-MI-000161 wherein Penny Mae Loan Services, LLC, was Plaintiff, and Mary M. Garrett was the Defendant, requiring me to make the sale as provided for in said Decree with interest and costs, I will expose to public sale to the highest bidder, on the 1 day of November 2023 at the hour of 10:00 A.M. at Benton County Sheriff's Department: 105 South Lincoln Avenue, Fowler, IN 47944 or as soon thereafter as is possible, in Benton County, Indiana the fee simple of the whole body of Real Estate in Benton County, Indiana, Lot Num-

**RESULTS**  
Find them in the Benton Review

## Elementary Lunch Menu

Lunch is served from 10:45 - 12:30  
Chef Salads available - Wednesday & Friday

Wednesday 10-18	Thursday 10-19	Friday 10-20	Monday 10-23	Tuesday 10-24	Wednesday 10-25	Thursday 10-26
Spicy Chicken Patty/Bun Or Pizza Burger / Bun Sweet Potatoes	Turkey & Noodles Dinner rolls Or Italian Sub / Bun Mashed Potatoes	Cook's Choice Or Fish Sticks Mixed Salad Greens	Pizza sticks Mozzarella Or Dumplings & Fried Rice Peas Fruit Cereal	Chili / Crackers Or Turkey & Cheese / Bun Cornish & Celery sticks	Chicken Fajita Wrap Or Country Fried Steak Black beans	Sausage Gravy Biscuit Or Hamburger/Bun Potato Wedges

## Benton Central Lunch Menu

Lunch is served from 11:05 - 12:35  
Chef Salads - All Lines

Wednesday 10-18	Thursday 10-19	Friday 10-20	Monday 10-23	Tuesday 10-24	Wednesday 10-25	Thursday 10-26
Spicy Chicken Patty/Bun Or Pizza Burger / Bun Sweet Potatoes	Turkey & Noodles Dinner rolls Or Italian Sub / Bun Mashed Potatoes	Pepperoni Pizza Or Fish Nugget Wrap Mixed Salad Greens	Pizza sticks Dinner rolls Or Dumplings & Fried Rice Peas Fruit Cereal	Chili / Crackers Or Turkey & Cheese / Bun Cornish & Celery sticks	Chicken Fajita Wrap Or Golden Crispy Chicken Black beans	Sausage Gravy Biscuit Or Hamburger/Bun Potato Wedges

## Benton Community Schools Breakfast

Breakfast: 7:50 - 8:10, Middle Crossing: 7:45 - 8:05  
Central: 8:00 - 8:25

Wednesday 10-18	Thursday 10-19	Friday 10-20	Monday 10-23	Tuesday 10-24	Wednesday 10-25	Thursday 10-26
Cereal / Granola Or Chocolate Cinnamon	Cereal / Granola Or Bacon & Egg pizza	Cereal / Granola Or Cinnamon Roll	Cereal / Granola Or Cinnamon Muffin	Cereal / Granola Or Sausage Sandwich	Cereal / Granola Or Yogurt / Granola	Cereal / Granola Or Breakfast Bagel Pasta

**BOSWELL CHASE GRAIN, LLC**  
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www.boswellchasegrain.com

## LEGAL Advertising

**LEGAL NOTICE OF GENERAL (OR SPECIAL) ELECTION**  
The voters of BENTON County are notified by the county election board in accordance with Indiana Code 5-10-2 that a general (or special) election will be held in the county on November 7, 2023, with the polls open for voting from 6:00 a.m. until 6:00 p.m., prevailing local time.  
In accordance with the list of candidates and the public questions certified to me by the State of Indiana or this county's election board, and the certificates of candidate selection filed in the office of the circuit court clerk of this county for the Labor or Farm Community election districts, the following offices and public questions or judicial retention questions, if applicable, will be on the general (or special) election ballot:  
**OFFICES TO BE FILLED BY VOTERS**  
**TOWN COUNCIL MEMBER, EARL PARK**  
**IN-PERSON ABSENTEE OR MAILING VOTING INFORMATION**  
The dates, times and locations of in-person voting at the circuit court clerk's office and, if applicable, at satellite offices, are as follows:  
Location Address Location Hours  
BENTON COUNTY COURTHOUSE : Open Saturday 10/28/2023  
706 P. STREET Unit Saturday 10/28/2023  
FOWLER, IN 47944 from 8:00AM to 12:00PM  
Open Sunday 11/04/2023  
Unit Saturday 11/04/2023  
from 8:00AM to 12:00PM  
Unit Sunday 11/04/2023  
from 8:00AM to 12:00PM  
DATED, THIS 23TH DAY OF SEPTEMBER, 2023  
J. Jennifer R. Greenberg  
10.11 & 10.18.2023  
hwy

## LEGAL Advertising

**ORDINANCE 2023-1062-2**  
**AMENDING ORDINANCE NO. 2022-1107AN ORDINANCE AMENDING CHAPTER 16, ARTICLE 111 OF THE FOWLER TOWN CODE RELATING TO SOLID WASTE COLLECTION AND DISPOSAL**  
**ORDINANCE 2019-1021B**  
WHEREAS, the Town Council of the Town of Fowler, Indiana ("Fowler Town Council") has determined that it is necessary to amend the rules and changes for refuse, garbage and trash pickup in the Town of Fowler, due to its increased cost to the Town of Fowler; and WHEREAS, the Fowler Town Council desires to amend the current provisions of Chapter 16, Article 111 relating to the collection and disposal of solid waste so that the code provisions and actual practices for solid waste collection and disposal are consistent.  
NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF FOWLER, INDIANA, IN CONFORMANCE WITH THE PROVISIONS OF THE FOWLER TOWN CODE as hereby amended and replaced by the following:  
**DIVISION 1. - GENERAL**  
Sec. 16-6 - Scope and frequency of service.  
The town council shall establish a garbage and refuse collection and disposal service in its jurisdiction in all persons residing within the corporate limits of the town. Garbage and refuse collection shall be collected on Wednesday, unless there is an observed holiday on Monday of that week, in which case the trash collection shall be collected on Thursday of such week. Businesses shall make arrangements for garbage collection and disposal with the contractor of their choice.  
Sec. 16-7 - Type of containers required.  
Each family or person desiring trash disposal service shall utilize a 96-gallon wheeled receptacle provided by the garbage disposal contractor utilized by the town.  
Sec. 16-8 - Placing of garbage and trash containers in convenient locations.  
All 96-gallon wheeled receptacles shall be placed within four (4) feet of the curb, paved surface of the public road, or elevated nonpublic right-of-way, or other such location designated by the contractor for the Town.  
Sec. 16-9 - Failure to observe rules.  
Any person, restaurant, markets, or school failing to observe or comply with any of the rules or conditions set out in the foregoing sections or any rules or conditions as may hereafter be imposed in connection with the service described in this article may be deemed to be in violation of the Fowler Town Code.  
Sec. 16-10 - Repealed.  
**DIVISION 2. - RATES AND CHARGES**  
Sec. 16-12 - Established.  
There is established rates and charges for the use and service of refuse, garbage, and trash pickup within the town. Such rates or charges shall be \$14.00 per month and shall be added to the water and sewer bill each month in all residences. This new rate will start on the Oct. water billing (September water usage).  
Sec. 16-13 - Delinquent payment.  
The rates and charges herein established shall be collected from owners, occupants and users of any premises within the town. Delinquent garbage collection fees shall be collected in the manner set forth in chapter 2, article IV, division 1, section 2-43.  
Sec. 16-14 - Discontinued service.  
All trash, garbage and refuse collection shall be discontinued without further notice if the rates or charges for such services are not paid 60 days after their rendition of the bill therefor.  
This amendment shall be effective upon proper passage and publication as provided by law.  
DATED this 2nd of October, 2023.  
**FOWLER TOWN COUNCIL**  
Linda Ufford, President  
Pat Clure, Vice President  
Jason Ziskar, Council Member  
Liam Smith, Council Member  
Athena  
Sara Finley, Clerk-Treasurer  
10.18 & 10.25.2023  
hwy

## LEGAL Advertising

**SUMMONS - SERVICE BY PUBLICATION**  
**STATE OF INDIANA  
COUNTY OF BENTON  
IN THE CIRCUIT COURT OF BENTON COUNTY  
FOWLER, INDIANA  
COMMUNITY RANC MORTGAGE CO. vs. PLAINFIELD**  
vs.  
BEVERLY S. ABBOTT A/K/A BEVERLY S. MCCARTNEY, DECEASED; NICK CAVAZOS; TOMMY ABBOTT IS UNKNOWN HEIRS AND DEVISEES OF BEVERLY S. ABBOTT A/K/A BEVERLY S. MCCARTNEY.  
**DECLARED: ESTATE OF BEVERLY S. ABBOTT A/K/A BEVERLY S. MCCARTNEY, DECEASED; JENNICA BROOK LEFTY; FRICKA BROOK LEFTY; TREGAN KARNES; UNKNOWN HEIRS AND DEVISEES OF PAIGE ANDERSON, DECEASED HEIR OF BEVERLY S. ABBOTT A/K/A BEVERLY S. MCCARTNEY; DECEASED ESTATE OF PAIGE ANDERSON, DECEASED HEIR OF BEVERLY S. ABBOTT A/K/A BEVERLY S. MCCARTNEY.**  
**DEFENDANTS**  
**CAUSE NO:**  
04C01-2309-MF-000147  
**NOTICE OF SORT**  
To the defendants above named, and any other person who may be concerned.  
You are notified that you have been named in the Court above named. The nature of the suit against you is the foreclosure of a mortgage upon the property legally described as follows:  
Property located in the State of Indiana, County of Benton, Part of the South Half of the Southeast Quarter of Section 13, Township 24 North, Range 9 West, described as follows:  
Beginning at a point where the North line of Indiana Route 252 intersects the West line of Michigan Avenue, said point of beginning being 40 feet West of the Southeast corner of Lot Number 1 in Marcy's Third Addition to the Original Town of Boswell, Indiana, and running North North West following and on said North line of Indiana Route 252 for a distance of 90 feet; thence in a Northernly direction on a line parallel to the West line of Michigan Avenue 146 feet; thence Easterly on a line parallel to the North line

## LEGAL Advertising

**COUNCIL OF THE TOWN OF OTTERBEIN, INDIANA**  
**ORDINANCE 2023-1065C**  
**AMENDING ORDINANCE NO. 2022-1107AN ORDINANCE AMENDING CHAPTER 16, ARTICLE 111 OF THE FOWLER TOWN CODE RELATING TO SOLID WASTE COLLECTION AND DISPOSAL**  
**ORDINANCE 2023-0505 IN THEIR ENTIRETY**  
**REGARDING THE DISPOSAL OF LARGE BULK ITEMS FOR THE TOWN OF OTTERBEIN**  
WHEREAS, the Council of the Town of Otterbein, Indiana is the legislative body established under the laws and statutes of the State of Indiana; and WHEREAS, the Town of Otterbein has entered into an agreement with Waste Management of Indiana for the disposal of residential garbage for the 2023-2024 year; and WHEREAS, the Council desires to protect the health, safety, and welfare of the residents and property owners of the Town of Otterbein; and NOW, THEREFORE, BE IT ORDAINED, by the Council of the Town of Otterbein, Indiana, as follows:  
1. Chapter 16 of the Otterbein Code of Ordinances shall be amended to add the following additional section.  
§22.8 - Large Bulk Item Pickup Program  
(A) Residents. Each resident shall be permitted to request a special garbage pickup from the Town for large bulk items, more than what is regularly picked up by the Town's garbage collection contractor.  
(1) Each resident shall be limited to twelve (12) large bulk items for pickup per year.  
(2) The Town shall not remove large bulk items, more than what is regularly picked up by the Town's garbage collection contractor, from residential properties.  
(3) Large bulk items from commercial or industrial properties will not be removed by the Town under this program.  
(4) Large bulk items placed at the curb, more than the twelve (12) large bulk item limit, shall be deemed a nuisance in accordance with §21.03 of the Otterbein Code of Ordinances.  
(5) Residents shall be permitted to schedule a drop-off at the Waste-water Plant. Scheduled drop-offs shall not be scheduled against the twelve (12) large bulk items permitted for pickup.  
(A) Landfill is permitted one (1) scheduled large bulk item drop off, as the Waste-water Plant, per year. Regardless of number of properties owned by said Landfill, one (1) large bulk item drop off is limited to one (1) pickup truck load.  
(B) Excess Charge. Residents that exceed the twelve (12) large bulk item pickup limit shall be charged a fee of \$100.00 per additional pickup occurring during the calendar year.  
(1) The Clerk-Treasurer, or her designee, shall be authorized to issue a "Bill for Services Rendered" to the utility enrolled at the property that the large bulk item was removed from.  
(2) If the large bulk item removal costs are not paid within the time permitted in the "Bill for Services Rendered", a lien shall be filed against the property involved in accordance with §20.03(D), as it may be for garbage collection.  
(C) Prohibited Items. In accordance with the established agreement with Waste Management of Indiana, the following items are not permitted to be disposed of through the Large Bulk Item Pickup Program.  
(1) Auto parts, engines, tires, and batteries.  
(2) Firearms, televisions, computers, printers, and the like.  
(3) Chemicals, pesticides, paint, solvents, grease, motor oil, or other household hazardous waste.  
(4) Propane tanks or gas tanks.  
(5) Deodorizers.  
(6) Fencing materials.  
(7) Concrete, dirt, rocks, sod, or stumps.  
(8) Medical waste.  
(9) Appliances that contain Freon (including but not limited to air conditioners, freezers, refrigerators, and dehumidifiers). If the Freon has been removed, the unit must bear a certification sticker indicating that the Freon has been removed by a certified technician, in accordance with Waste Management of Indiana policy.  
Passed this 5th day of October, 2023  
**THE COUNCIL OF THE TOWN OF OTTERBEIN, INDIANA**  
Jason Harnett, President  
J. Jackey Spadec, Vice President  
J. Doyle Allmon, Clerk/Treasurer  
Teresa Surber, Clerk-Treasurer  
10.18.2023  
hwy

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