

ORDINANCE NO. 2011-12

AN ORDINANCE CREATING THE INGALLS ORDINANCE VIOLATIONS BUREAU

WHEREAS, the Town Council of the Town of Ingalls, Indiana, at the suggestion of the Ingalls Town Marshal, and upon consultation with the Town Attorney, believe that an Ordinance Violations Bureau (OVB) for the Town of Ingalls, Indiana, is in the best interest of the health, safety and welfare of the citizens of Ingalls, Indiana, and said Ordinance Violations Bureau; and

WHEREAS, the Council now believes it is in the best interest of the health, safety, and welfare of the citizens of the Town to adopt a fine schedule for ordinance violations paid through the OVB, and upon recommendation by the Town Marshal, believes the schedule of fines set forth below are reasonable and appropriate.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF INGALLS, INDIANA:

SECTION I

The Code of Ordinances of the Town of Ingalls, Indiana is hereby amended by the addition of a new Chapter 36-8-1 to read as follows'

36-8-1-1 ORDINANCE VIOLATIONS BUREAU. Pursuant to Indiana Code 33-36-2-1 et seq. and all Acts amendatory or supplemental thereto, there is hereby created an Ordinance Violations Bureau to be denominated the Ingalls Ordinance Violations Bureau. The Clerk-Treasurer of the Town of Ingalls, Indiana, and/or his appointed deputy, shall be considered the Violations Clerk having the duties and responsibilities set forth under Indiana Code 33-36-2-3, including, but not limited to, the ability to accept the following: (1) written appearances; (2) waivers of trial; (3) admissions of violations; and(4) payment of civil penalties up to two hundred fifty dollars (\$250.00) in ordinance violation cases.

36-8-1-2 PAYMENT OF FINES

- (A) A person who has been cited for violation one of the ordinances designated by the Town Council may pay the amount designated by the Town Council from time to time to the Ingalls Ordinance Violations Bureau.
- (B) Failure to pay the penalty within 14 business days will result in an action brought by the Town to collect such greater penalties as are permitted by the ordinance that is violated.
- (C) The schedule of fines to be paid, pursuant to **36-8-1-3** shall be all fines created by all ordinances within the Code of Ordinances of the Town of Ingalls, Indiana, in existence as of October 1, 2012, all ordinances amendatory or supplemental thereto, and any fines imposed by any subsequent ordinance.

36-8-1-3 (a) Schedule of Fines. Except for violations listed in subsection (b), for all violations of the Code of Ordinances of the Town of Ingalls, Indiana, payable through the Ordinance Violations Bureau, the following schedule of fines shall be imposed, which may only be paid by cash, cashier's check or money order made payable to the Town of Ingalls, 227 N. Swain Street, Ingalls, IN 46048, within 14 business days of issuance of the notice of violation:

<u>Violation</u>	<u>Fine</u>
(1) Miscellaneous Motor Vehicle	
(i) Stop Sign Violations.....	\$50.00
(ii) Parking Violations.....	\$25.00
(2) Speeding	
(i) 1-10 MPH over posted limit.....	\$50.00
(ii) 11-20 MPH over posted limit.....	\$75.00
(iii) 21-25 MPH over posted limit.....	\$100.00
(3) Curfew Violations	
(i) First Offense.....	\$25.00
(ii) Second Offense.....	\$50.00
(iii) Third Offense.....	\$100.00
(4) All other violations (Except those listed in subsection (b)).	
(i) First Offense.....	\$25.00
(ii) Subsequent Offenses.....	\$25.00 +\$10 x the number of prior violations of the same ordinance

(b) **Violations Included in Schedule.** Violations of the Code of Ordinances of the Town of Ingalls, Indiana for the following specific ordinances are included in the Schedule of Fines in subsection (a) and shall be subject to the respective terms and provisions set forth under the code of Ordinances of the Town of Ingalls, Indiana for each including, but not limited to, the monetary and non-monetary penalties:

- (1) Vehicle weight limits
- (2) Cutting weeds and rank vegetation
- (3) Unsightly premises
- (4) Licensing
- (5) Clearance of private trees over public right-of-way
- (6) Public nuisance of tree, shrub, or groundcover
- (7) Harming public trees
- (8) License of tree care firm on public trees
- (9) Unsafe buildings

(c) **Non-monetary Penalties.** In addition to the fines provided in subsection (a), the Town may also enforce any non-monetary penalty and/or remedy provided in the ordinance for the violation including, but not limited to, towing.

(d) **Conflicting Penalties.** Any provision contained in any prior ordinance that conflicts with the Schedule of Fines provided in subsection (a) is hereby repealed.

SECTION II

The Ordinance shall be in full force and effect from and after its passage and due publication.

TOWN OF INGALLS, INDIANA, BY ITS TOWN COUNCIL