

GREENWOOD COMMON COUNCIL

ORDINANCE NO. 16-75

AN ORDINANCE AMENDING GREENWOOD COMMON COUNCIL ORDINANCE NO. 88-75, AS AMENDED, AND GREENWOOD MUNICIPAL CODE (1993), AS AMENDED, CHAPTER 2, ARTICLE 6, SECTION 2-38, TO AMEND THE SCHEDULE OF ORDINANCES SUBJECT TO THE JURISDICTION OF THE ORDINANCE VIOLATIONS BUREAU

WHEREAS, the City of Greenwood established an Ordinance Violations Bureau (“OVB”) for the acceptance and appearance of waivers of trial, of admissions of certain ordinance violations and of the payment of civil penalties pursuant to Ind. Code § 33-6-3-1 *et seq.* by Greenwood Common Council Ordinance No. 88-75, “An Ordinance to Establish an Ordinance Violations Bureau, Schedule of Ordinances Subject to Admission of Violation and Repeal of Ordinances or Parts Thereof in Conflict Therewith”;

WHEREAS, the City of Greenwood has from time to time adopted ordinances that designate that violations thereof be processed through the OVB but omitted to amend the schedule of ordinances subject to the jurisdiction of the OVB to add the violation;

WHEREAS, the City of Greenwood has from time to time repealed ordinances that provided for enforcement of penalties by the OVB and omitted to amend the schedule of ordinances to remove the repealed violation;

WHEREAS, Greenwood Common Council Ordinance No. 88-75, as amended, and Greenwood Municipal Code (1993), as amended, Chapter 2, Article 6, Section 2-38 need to be amended to include the portions of ordinances that provide for the enforcement of penalties by the Ordinance Violations Bureau which have been omitted and to remove the portions of ordinances that provided for enforcement by the OVB which have been repealed,

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENWOOD, INDIANA, THAT:

Section 1. Greenwood Common Council Ordinance No. 88-75, Section 4, as amended, and Greenwood Municipal Code Section 2-38, Schedule of Ordinances and Civil Penalties, as amended, are hereby amended to amend the list of ordinances scheduled for the jurisdiction of the Ordinance Violations Bureau with stated specific penalties, as follows:

A. By repealing the following ordinances from the schedule list:

<u>“Ordinances or Code Provisions</u>	<u>Civil Penalty</u>
<u>Code Provisions</u>	
Sec. 6-15 Animal noise violations (First offense) REPEALED (Ord. 16-17, § 1, 4-5-16)	\$25.00
Sec. 6-18, 6-26 Animal running at large (First offense) REPEALED (Ord. 16-17, § 1, 4-5-16)	\$15.00
Sec. 6-272 Allowing nuisances to exist REPEALED (Ord. 16-14, § 7, 4-8-16)	\$15.00
Sec. 6-296 Littering of public way REPEALED (Ord. 12-45, § 1, 10-16-12)	\$15.00
Sec. 8-2 Failure to follow direction of Traffic Control Devices REPEALED (Ord 12-87, § 3, 1-7-13)	\$15.00
Sec. 8-55(c) No Right Turn on Red violations (First violations in a Calendar year) REPEALED (Ord. 12-87, § 3, 1-7-13)	\$15.00
Sec. 10-88 (Subsec. 6.04.05) Storage & Parking of Trailers, Boats & Commercial Vehicles REPEALED (Ord. 12-68, § 2, 1-15-13)	\$15.00

B. By adding the following ordinances to the scheduled list:

<u>Ordinances or Code Provisions</u>		<u>Civil Penalty</u>
<u>Code Provisions</u>		
Sec. 6-84	Smoking or carrying fire-producing devices in certain places; removal of “no smoking” sign (Ord. 91-50, § 5-38, 2-3-92; Ord. 12-39, § 1, 10-8-12)	\$50.00
Sec. 6-350	Sale or burning synthetic cannabinoids in public places (Ord. 10-31, §1, 9-9-10)	\$50.00 for the 1 st violation
Sec. 6-353	Littering of public ways (Ord. 16-25, § 2, 5-5-16)	\$15.00
Sec. 8-31	No overnight parking in public parking lots (Ord.13-68, § 2, 12-17-13)	\$15.00
Sec. 8-30	Storage of Trailers, Boats, RVs and Commercial Vehicles (Ord. 13-28, § 1, 8-19-13)	\$50.00 for the 1 st violation \$75.00 for the 2 nd citation \$100.00 for each citation in excess of two
Sec. 10-137	Zoning Code (Ord. 00-39, § 1, 10-17-00)	\$50.00 for the 1 st violation \$75.00 for the 2 nd citation \$100.00 for each citation in excess of two
Sec. 10-503	Subdivision Control Ordinance (Ord. 02-12, § 1, 4-1-02)	\$50.00 for the 1 st violation \$75.00 for the 2 nd citation \$100.00 for each citation in excess of two

C. By amending the following ordinances on the scheduled list to read as follows: Amend “Sec. 4-166 Distribution of Handbills” to “Sec 4-167 Distribution of Handbills” and amend Sec. 6-91 Fire Lane Violations” to “Sec. 6-91, 6-135 Fire Lane Violations”.

Section 3. This Ordinance does not affect any other sections of the Greenwood Municipal Code or other ordinances except as provided herein and all other sections of the Code and other ordinances shall remain the same.

Section 4. The sections, paragraphs, sentences, clauses, phrases and words of this Ordinance are separable, and if any word, phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs and sections of this Ordinance.

Section 5. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

Adopted by the Common Council of the City of Greenwood, Indiana, this 4th day of January, 2017.

Michael Campbell
Mike Campbell, President
Greenwood Common Council

FOR:

AGAINST:

Linda S. Gibson

Linda S. Gibson

Ezra J. Hill

Ezra J. Hill

Bruce Armstrong

Bruce Armstrong

Ronald Bates

Ronald Bates

J. David Hopper

J. David Hopper

David Lekse

David Lekse

Michael Campbell

Michael Campbell

Brent Corey

Brent Corey

Charles Landon

Charles Landon

ATTEST:

Jeannine Myers
Jeannine Myers, Clerk

The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 4th day of January, 2017, is presented by me this 6th day of January, 2017, at 2:00 O'Clock P.M, to the Mayor of the City of Greenwood, Indiana.

Jeannine Myers
Jeannine Myers, Clerk

The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 4th day of January, 2017, is signed and approved by me this 6th day of January, 2017, at 5:00 O'Clock P.M.

Mark W. Myers
MARK W. MYERS, Mayor of
the City of Greenwood, Indiana