

GREENWOOD COMMON COUNCIL

ORDINANCE NO. 24-05

AN ORDINANCE TO AMEND GREENWOOD MUNICIPAL CODE (1993), AS AMENDED, CHAPTER 6, ARTICLE 10, TO ALLOW CODE ENFORCEMENT PERSONNEL TO ENFORCE REGULATIONS REGARDING STREET AND SIDEWALK OBSTRUCTIONS, TREE AND SHRUB TRIMMING, AND LITTERING

WHEREAS, Ind. Code § 36-8-2-4 empowers the City of Greenwood (“City”) to regulate conduct or use or possession of property that might endanger the public health, safety or welfare;

WHEREAS, pursuant to Ind. Code § 36-8-2-4 the City adopted regulations regarding obstructions of public streets and sidewalks, the trimming of trees and shrubs that encroach upon public ways, and littering, to protect the public health, safety and welfare, as codified in Greenwood Municipal Code (1993), as amended, Chapter 6, Article 10, Section 6-339, Section 6-346, and Section 6-353, respectively (the “Regulations”);

WHEREAS, pursuant to Ind. Code § 36-8-3-6 (c)(3) police officers of a municipality have the authority to enforce municipal ordinances, and it has been determined that to promote efficiency in enforcement it is in the best interest of the City to amend the City’s Regulations to also designate the City’s Code Enforcement officers as an enforcement authority for the Regulations,

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

Section 1. Greenwood Municipal Code (1993), as amended, Chapter 6, Article 10, Specific Activities Regulated for the Public’s Health and Safety, is hereby amended as follows:

- A. In Section 6-339 Obstructions of Streets and Sidewalks Prohibited, by amending subsection (b) to read:

“(b) When any alley or sidewalk is obstructed so as to impede or interfere with the free use thereof, the Chief of Police or designated enforcement official may remove such obstruction to some suitable place.”

- B. In Section 6-339 Obstructions of Streets and Sidewalks Prohibited, by adding an additional subsection, (d), to read:

“(d) City of Greenwood Code Enforcement Officers, in addition to members of the Greenwood Police Department, are designated as enforcement officials for enforcement of this Section.”

- C. In Section 6-346 Trimming of Trees or Shrubs Required, by adding an additional subsection (d) to read:

“(d) City of Greenwood Code Enforcement Officers, in addition to members of the Greenwood Police Department, are designated as enforcement officials for enforcement of this Section.”

- D. In Section 6-353 Littering, by adding an additional sentence to the end of the Section to read: “City of Greenwood Code Enforcement Officers, in addition to members of the Greenwood Police Department, are designated as enforcement officials for enforcement of this Section.”

Section 2. 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 3. 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 4. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

Passed by the Common Council of the City of Greenwood, Indiana, this 4th day of March, 2024.


Michael Campbell, President
Greenwood Common Council

ATTEST:

I hereby certify that the foregoing within and attached ordinance was duly passed by the Common Council of the City of Greenwood, Indiana, at a meeting thereof held on the 4th day of March, 2024, by the following vote:

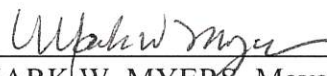
	AYE:	NAY:
Erin Betron	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Linda S. Gibson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ezra J. Hill	<input checked="" type="checkbox"/>	<input type="checkbox"/>
J. David Hopper	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Lekse	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Teri Manship	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Steve Moan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>



The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 4th day of March, 2024, is presented by me this 7th day of March, 2024, at 12:30 o'clock P.m., to the Mayor of the City of Greenwood, Indiana.


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 March, 2024, is approved by me this 7th day of March, 2024, at 9:00 o'clock A.m.


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