

1992

1992 ORDINANCES & RESOLUTIONS

| ORDINANCE NUMBER | DATE PASSED | DESCRIPTION |
|------------------|-------------|---|
| 518 | 2/10/1992 | AMENDMENT TO ORDINANCE# 508 |
| 519 | 2/24/1992 | AMENDMENT TO ORDINANCE # 516 |
| 520 | 3/23/1992 | ESTABLISHING BUILDING COMMISSIONER |
| 521 | 2/8/1993 | ADOPTING BUILDING CODES |
| 523 | 3/30/1992 | VACATING AN ALLEY |
| 524 | 4/13/1992 | AMENDMENT ORDINANCE # 92-518 |
| 525 | 4/13/1992 | AMENDMENT ORDINANCE # 428 |
| 526 | 4/27/1992 | ORDINANCE ADOPTING SEWAGE WORK PROJECT /LATERAL LINES |
| 527 | 4/27/1992 | ORDINANCE REPEALING ANNEXATION ORDINANCE # 458 |
| 528 | 5/11/1992 | ANNEXATION OF MT TABLOR PARTNERSHIP PROPERTY |
| 529 | 8/12/1992 | SALARY/HOLDIAY/LONGETIVITY PAY |
| 529-A | 5/26/1992 | AMENDMENT OF ORDINANCE # 92-524 |
| 530 | 5/26/1992 | RESTRICTIONS THE RIGHT TO KEEP, OWN, TRADE, CERTAIN ANIMALS |
| 531 | 6/8/1992 | AMENDMENT TO ORDINANCE # 386 |

| RESOLUTION NUMBER | DATE PASSED | DESCRIPTION |
|-------------------|-------------|---|
| 1992-1 | 1/13/1992 | FINANCIAL AID FOR SEWAGE TREATMENT PLAN |
| 1992-2 | 6/8/1992 | AMENDMENT RESOLUTION# 128 ECONOMIC REVITILATION |
| 1992-3 | 10/26/1995 | 25% LOTTERY REVENUES TO LOCAL GOVERNMENT |
| 1992-4 | N/D | DESIGNATION OF BLIGHTED AREA |
| 1992-5 | 10/12/1992 | PLANNING GRANT |

ORDINANCE NO. 92-518

AN ORDINANCE AMENDING ORDINANCE NO. 508

WHEREAS, the Sellersburg Town Council did on the 12th day of August, 1991, adopt an ordinance approving 1992 salary, holiday and longevity pay of the Sellersburg Town employees; and

WHEREAS, it has come to the attention of the Sellersburg Town Council, by David L. Kinder, Chief of the Sellersburg Police Department of a mistake in the calculation of longevity pay approved for police officers of the Town of Sellersburg; and

WHEREAS, it has come to the attention of the Sellersburg Town Council, by town employee Earl J. Blevins, that a mistake has been made in the amount of his weekly salary; and

WHEREAS, the Sellersburg Town Council desires to pass the herein ordinance in order to amend and correct the salary, holiday and longevity pay of the effected employees of the Town of Sellersburg; and

WHEREAS, said amended ordinance is necessary for the efficient administration of town government;

BE IT THEREFORE ORDAINED that Ordinance No. 508 to amended as follows regarding annual/weekly/hourly wage, holiday and longevity pay, paid to the following employees, from the funds as indicated, made retroactive to January 1, 1992;

SEWER DEPARTMENT

Laborer

\$315.60

POLICE DEPARTMENT

| | |
|------------------------------|-----------|
| Chief | \$ 202.64 |
| Deputy Chief | \$ 405.28 |
| Detective Captain | \$2026.40 |
| Sergeant with Captain Salary | \$1621.20 |
| Sergeant | \$1519.80 |
| Patrolman | \$ 202.64 |
| Patrolman | \$ 303.96 |
| Patrolman | \$ 607.92 |
| Patrolman | \$ 709.24 |
| Patrolman | \$ 709.24 |

SO ORDAINED, on this 10 day of February, 1992.

Stanley E. Tucker

STANLEY E. TUCKER

Aulton D. Eddings

AULTON D. EDDINGS

David L. Broady

DAVID BROADY

ROY E. EVERITT

Karl N. Truman

KARL N. TRUMAN

ATTEST: *Linda H. Schaffer*
LINDA SCHAFFER
CLERK-TREASURER

DATE: 2-10-92

ORDINANCE NO. 92-519

ORDINANCE AMENDING AMENDED ORDINANCE NO. 516

WHEREAS, the Sellersburg Town Council did on the 23rd of December, 1991, adopt an amended ordinance establishing a schedule of service charges for the collection of refuse and garbage in the Town of Sellersburg, Clark County, Indiana; and

WHEREAS, the Sellersburg Town Council feels it necessary for the administration of efficient town government to make further amendments to said amended ordinance; and

WHEREAS, this matter was open for public discussion before the Sellersburg Town Council on February 10, 1992, at which time owners or occupants of property served by municipal refuse and garbage collection service were provided an opportunity to be heard and voice their concerns; and

WHEREAS, the Sellersburg Town Council desires to amend the Amended Ordinance No. 516 as follows:

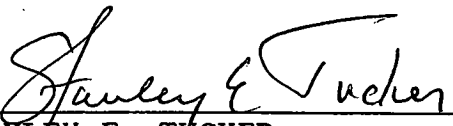
1. No refuse or garbage collection service will be provided for private or commercial dumpsters, other than the three (3) Town of Sellersburg dumpsters, located at the Waste Water Treatment Plant; the Sellersburg Police Department; and the Sellersburg Swimming Pool respectively.

2. No refuse or garbage collection service will be provided for cans in excess of four (4) thirty-two (32) gallon garbage cans. That the four garbage cans can be thirty-two (32) gallons or less. No garbage will be picked up unless placed in a garbage can with lid covering the receptacle.

BE IT THEREFORE ORDAINED that no refuse or garbage collection service will be provided for private or commercial dumpsters, other than the three (3) Town of Sellersburg dumpsters located at the Waste Water Treatment Plant, the Sellersburg Police Department and the Sellersburg Swimming Pool respectively.

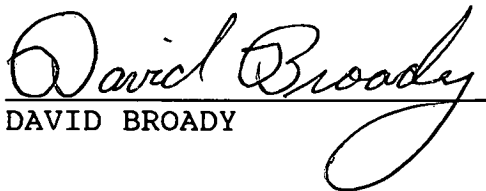
BE IT FURTHER THEREFORE ORDAINED that no refuse or garbage collection service will be provided for cans in excess of four (4) thirty-two (32) gallon garbage cans. That the four garbage cans can be thirty-two (32) gallons or less. No garbage will be picked up unless placed in a garbage can with lid covering the receptacle.

SO ORDAINED, this _____ day of February, 1992.


STANLEY E. TUCKER


AULTON D. EDDINGS


ROY E. EVERITT


DAVID BROADY


KARL N. TRUMAN

ATTEST: _____
LINDA SCHAFFER
CLERK-TREASURER

DATE: _____

ORDINANCE NO. 92-519

ORDINANCE AMENDING AMENDED ORDINANCE NO. 516

WHEREAS, the Sellersburg Town Council did on the 23rd of December, 1991, adopt an amended ordinance establishing a schedule of service charges for the collection of refuse and garbage in the Town of Sellersburg, Clark County, Indiana; and

WHEREAS, the Sellersburg Town Council feels it necessary for the administration of efficient town government to make further amendments to said amended ordinance; and

WHEREAS, this matter was open for public discussion before the Sellersburg Town Council on February 10, 1992, at which time owners or occupants of property served by municipal refuse and garbage collection service were provided an opportunity to be heard and voice their concerns; and

WHEREAS, the Sellersburg Town Council desires to amend the Amended Ordinance No. 516 as follows:


1. No refuse or garbage collection service will be provided for private or commercial dumpsters, other than the three (3) Town of Sellersburg dumpsters, located at the Waste Water Treatment Plant; the Sellersburg Police Department; and the Sellersburg Swimming Pool respectively.

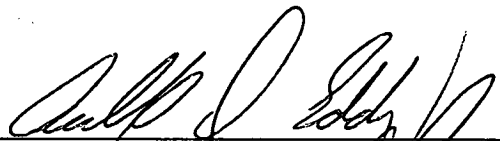
2. No refuse or garbage collection service will be provided for cans in excess of four (4) thirty-two (32) gallon garbage cans. That the four garbage cans can be thirty-two (32) gallons or less. No garbage will be picked up unless placed in a garbage can with lid covering the receptacle.

BE IT THEREFORE ORDAINED that no refuse or garbage collection service will be provided for private or commercial dumpsters, other than the three (3) Town of Sellersburg dumpsters located at the Waste Water Treatment Plant, the Sellersburg Police Department and the Sellersburg Swimming Pool respectively.


BE IT FURTHER THEREFORE ORDAINED that no refuse or garbage collection service will be provided for cans in excess of four (4) thirty-two (32) gallon garbage cans. That the four garbage cans can be thirty-two (32) gallons or less. No garbage will be picked up unless placed in a garbage can with lid covering the receptacle.

SO ORDAINED, this 24 day of February, 1992.



STANLEY E. TUCKER


AULTON D. EDDINGS


ROY E. EVERITT


DAVID BROADY


KARL N. TRUMAN

ATTEST: 
LINDA SCHAFFER
CLERK-TREASURER

DATE: _____

ORDINANCE NO. 92-520

AN ORDINANCE OF THE TOWN OF SELLERSBURG, INDIANA,
AUTHORIZING SELLERSBURG TOWN COUNCIL TO APPOINT THE
SELLERSBURG BUILDING COMMISSIONER AND ESTABLISH
DUTIES, POWERS, COMPENSATION AND TERM OF SERVICES
OF THE SELLERSBURG BUILDING COMMISSIONER

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that it is desirable, beneficial and in the best interest of the Town of Sellersburg and necessary for the operation of an efficient town government that the Sellersburg Town Council appoint the building commissioner for the Town of Sellersburg, Indiana; and

WHEREAS, the building commissioner for the Town of Sellersburg, Indiana, has heretofore received appointment by the Sellersburg Town Planning and Zoning Commission; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, desires to make appointment of the building commissioner for the Town of Sellersburg; and

WHEREAS, the building commissioner for the Town of Sellersburg, Indiana, has heretofore served the Town of Sellersburg without an established term of service, and the Town Council for the Town of Sellersburg desires to appoint a building commissioner for a specific length of service; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined the length of service for the appointed Sellersburg Town building commissioner should be on a calendar

year basis ending on the 31st day of December of a given year, at which time the Sellersburg Town Council should be authorized to extend said term of service for an additional like period, upon majority vote of the Sellersburg Town Council; and

WHEREAS, the Town Council for the Town of Sellersburg, has determined the duties of the Sellersburg building commissioner shall be as follows:

(a) The building commissioner as head of the bureau of buildings, shall have charge of the enforcement of the provisions of the town building code and of all ordinances, statutes, rules and regulations pertaining to the erection, construction, alteration, repair, condemnation, demolition, or removal of buildings and structures, and of electric wiring, plumbing, heating installations and piping in connection therewith, in this Town (Sellersburg), or other territory authorized by law. He shall also perform all other duties imposed upon him by this code, or by law.

(b) He shall keep, or cause to be kept, a record of all applications for permits, which shall be regularly numbered in the order of their issue; also a record showing the number, description and size of all buildings erected in the town during the term of office, of what material constructed, and of the aggregate of the number, kind and cost of all buildings constructed, and of the inspections, removal, and condemnation of buildings, and all other matters proper to be recorded.

(c) It shall be the duty of the building commissioner, upon being served with a written notice requiring him to visit and inspect any building upon or in which work is being done, under any of the provisions of this code, to do so in person, or by his representative, within forty-eight (48) hours from the time of receiving such notice.

(d) It shall be his duty to sign all certificates and notices required to be issued by him under this code, except as otherwise provided herein, to make complaint of all violations of the town building code, or of ordinances, statutes, rules and regulations referred to hereof, to the town board, to cause to be kept in proper books a record of all transactions of the office of said department and to submit to the town board a monthly statement of all such transactions.

WHEREAS, the Town Council for the Town of Sellersburg, has determined that the powers of the Sellersburg building commissioner shall be:

(a) The building commissioner shall have full discretionary power to pass upon any question arising under the provisions of this code relative to the matter of construction or materials to be used in the erection, alteration or repair of any building; provided, however, that should any question arise between the building commissioner and the owner or architect of any building, or should the owner or architect object to any order or decision of said commissioner, the matter shall be referred to the town board and its decision shall be final and conclusive, unless any interested person files a written request for arbitration, as provided in section (25) of the Sellersburg Town Code.

(b) The building commissioner, and his authorized assistants, are hereby given authority to enter any building, structure, or premises in the town, in the performance of their duties, and to order and compel the immediate suspension and correction of any work completed, or being done, or planned to be done, in violation of the provisions of this code, and to prohibit the use of any defective or improper materials and to remove samples thereof for testing purposes, and to prohibit the maintenance or operation of any machinery, in all instances where so found to be in violation of the provisions of this

code, or of any ordinances of the town, or statutes.

(c) No person shall continue the construction of any building, or use any such materials or machinery in, on or about any building, or on any premises, after the building commissioner, or his regularly authorized assistants, have directed the suspension thereof, or changes therein.

(d) The building commissioner, and his regularly authorized assistants, are hereby given authority to make such tests as may be necessary to determine the conditions, with respect to safety, of any building, material, or machinery inspected by him or them, under the provisions of this code. The cost of such test(s) shall be borne by the owner, or his agent, or the building commissioner may require this owner or his agent to make such test(s) as may be required and a written statement to be furnished to the building commissioner of the nature and result(s) thereof.

(e) The building commissioner, or his authorized assistants, shall procure materials from any building or repair job for test(s) at any time he is or they are in doubt as to the strength of such materials. Such materials shall be considered condemned and shall be destroyed by the inspector if he finds that the materials do not meet the standards required by this code, or by any statutes.

(f) The building commissioner shall perform all duties of the office and assistants during their absence.

WHEREAS, the Town Council for the Town of Sellersburg, has authorized assistants to serve under the Sellersburg town building commissioner and the responsibilities and duties of said assistant shall be:

(a) All of the assistants appointed to serve under the building commissioner and all

employees in the department, under the direction and supervision of such commissioner, shall enforce this code and shall perform their duties as prescribed by the commissioner, who as the head of the office, shall be the director of all the functions and work therein.

(b) The title which any employee under the commissioner may hold shall not prevent him from being required to do such other work as the commissioner may at any time direct, without any change in his regular compensation.

(c) Each inspector shall keep a complete record of his inspection work and make a report thereon to the commissioner at least once every two (2) weeks, or as directed by the commissioner. In case the commissioner shall appoint any inspector over any certain territory, said inspector shall perform his duty properly and be responsible for the inspection work under his direction and within that district. Each inspector shall receive inspection slips and shall thereon keep a complete record of any inspections made and shall attach the final inspection tag on the building permit, as provided in this code.

(d) The commissioner shall inspect and check all plans submitted to the office for any buildings, structures, and equipment, to see that they are in conformity with this code and relevant statutes and with standard current engineering practices.

WHEREAS, the Town Council for the Town of Sellersburg, has determined that the compensation or salary for the Sellersburg town building commissioner shall be as follows:

(a) The salary of the building commissioners shall be calculated as ninety percent (90%) of all fees and/or penalties paid to, or collected by, the Clerk-Treasure of the Town of Sellersburg, Indiana. A check for the calculated amount shall be prepared by the Clerk-Treasure, on the following business

day, after the second town board meeting of each month.

WHEREAS, the Town Council for the Town of Sellersburg, has determined the responsibilities of the Sellersburg building commissioner as follows:

(a) The building commissioner shall be responsible for obtaining all office supplies needed to properly operate his department effectively.

(b) The building commissioner shall be responsible for obtaining business cards, badge, and any other forms of identification necessary for verification of his position with the Town of Sellersburg.

(c) The building commissioner shall be responsible for any professional dues and/or memberships that are pertinent to his position for professional development.

(d) The building commissioner shall be responsible for any costs encountered while attending any, schools, lectures, classes, and seminars, as well as costs of travel incurred enroute to any schools, lectures, classes, and seminars.

WHEREAS, the Town Council for the Town of Sellersburg, has determined that the Town of Sellersburg shall be responsible for:

(a) The Town of Sellersburg shall provide the building commissioner with office space to include the following:

- (1) desk and chair
- (2) file space
- (3) phone, and
- (4) the use of a copying machine.

(b) The Town of Sellersburg shall pay the annual membership fee for membership in I.C.B.O. (International Conference of Building Officials). This fee is currently seventy-

five dollars (\$75.00) per year.

WHEREAS, the Town Council for the Town of Sellersburg, that the term of office of the Sellersburg town building commissioner shall be at the pleasure of the Town Board of Sellersburg, Indiana and that said term shall be no less than one (1) year and no more than four (4) years in length, starting from January 1 of any given year through December 31 of that same year; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has in an open meeting, discussed, considered and determined that for the purpose of efficient and beneficial town government that the Sellersburg Town Council should appoint a Sellersburg town building commissioner for a specific length of service and extend said term for an additional like period upon majority vote of the Sellersburg Council.

BE IT THEREFORE ORDAINED, by the Town Council for the Town of Sellersburg, Indiana, that the Sellersburg Town Council shall hereafter appoint the Building Commissioner for the Town of Sellersburg, Indiana, that the specific length of service should be on a calendar year basis ending on the 31st day of December of a given year, and that upon majority vote of the Sellersburg Town Council said appointment shall be extended by the Sellersburg Town Council for an additional like period.

BE IT FURTHER THEREFORE ORDAINED, that the Sellersburg Town Building Commissioner shall be appointed under the aforesaid and above listed conditions and with all of the aforesaid and above listed

ORDINANCE NO. 92-521

AN ORDINANCE ADOPTING BUILDING CODE
FOR THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined it desirable, beneficial and in the best interest of the Town of Sellersburg, as well as necessary for the operation of efficient town government that the Sellersburg Town Council adopt a Building Code for the Town of Sellersburg, Indiana; and

WHEREAS, the Sellersburg Town Council desires to adopt a Building Code to regulate the construction, alteration, repair, location and use of buildings and structures in the Town of Sellersburg, Indiana; and to provide for the issuance of permits therefore; providing for penalties for any violation of said Building code; and to make uniform all ordinances which have heretofore been utilized, and repeal all prior ordinances or parts of ordinances in conflict with the proposed Building Code for the Town of Sellersburg; and to provide minimum standards for public safety and welfare and for the conservation of energy in the design of construction of buildings and structures; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has in an open meeting, discussed, considered and determined that for the purpose of efficient and beneficial town government that the Sellersburg Town Council should adopt a Building Code for the Town of Sellersburg, Indiana.

BE IT THEREFORE ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA, AS FOLLOWS:

duties, powers, responsibilities and obligations, and receive compensation for said position at a rate of ninety percent (90%) of all fees and or penalties paid to, or collected by, the Clerk-Treasure for the Town of Sellersburg, Indiana.

SO ORDAINED, on this 23 day of March, 1992.

Stanley E Tucker
STANLEY E. TUCKER

Roy Eddy
AULTON D. EDDINGS

Roy E. Everitt
ROY E. EVERITT

David Broady
DAVID BROADY

Karl N. Truman
KARL N. TRUMAN

ATTEST: Linda H Schaffer
LINDA SCHAFFER
CLERK-TREASURER

DATE: 3-23-92

**BUILDING ORDINANCE
TOWN OF SELLERSBURG**

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**BUILDING ORDINANCE
TOWN OF SELLERSBURG**

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SECTION 1: ADOPTION. THIS ORDINANCE IS HEREBY ADOPTED PURSUANT TO PROVISIONS OF INDIANA LAW I.C. 22-11-1, I.C. 36-7-2 AND I.C. 36-7-10. THIS ORDINANCE SHALL REPEAL ALL PREVIOUS ORDINANCES AND ALL AMENDMENTS THERETO AND SHALL BECOME THE CODE OF ORDINANCES OF THE TOWN OF SELLERSBURG, INDIANA.

SECTION 2: TITLE. THIS ORDINANCE, AND ALL ORDINANCES SUPPLEMENTAL OR AMENDATORY HERETO, SHALL BE KNOWN AS THE "BUILDING CODE OF THE TOWN OF SELLERSBURG, INDIANA", MAY BE CITED AS SUCH AND WILL BE REFERRED TO HEREIN AS "THIS CODE".

SECTION 3: PURPOSE. THE PURPOSE OF THIS CODE IS TO PROVIDE MINIMUM STANDARDS FOR THE PROTECTION OF LIFE, LIMB, HEALTH, ENVIRONMENT, PUBLIC SAFETY AND WELFARE AND FOR THE CONSERVATION OF ENERGY IN THE DESIGN AND CONSTRUCTION OF BUILDINGS AND STRUCTURES.

SECTION 4: AUTHORITY. THE TOWN BUILDING COMMISSIONER AND HIS DULY AUTHORIZED REPRESENTATIVES ARE HEREBY AUTHORIZED AND DIRECTED TO ADMINISTER AND ENFORCE ALL OF THE PROVISIONS OF THIS CODE. WHENEVER IN THIS CODE, IT IS PROVIDED THAT ANYTHING MUST BE DONE TO THE APPROVAL OF OR SUBJECT TO THE DIRECTION OF THE COMMISSIONER, HIS DULY AUTHORIZED REPRESENTATIVES OR ANY OTHER OFFICER OF THE BUILDING COMMISSION, THIS SHALL BE CONSTRUED TO GIVE SUCH PERSON ONLY THE DISCRETION OF DETERMINING WHETHER THE RULES AND STANDARDS ESTABLISHED BY ORDINANCE HAVE BEEN COMPILED WITH; AND NO SUCH PROVISION SHALL BE CONSTRUED AS GIVING ANY OFFICER DISCRETIONARY POWERS AS TO WHAT SUCH REGULATIONS, CODES, OR STANDARDS SHALL BE, OR POWER TO REQUIRE CONDITIONS NOT PRESCRIBED BY ORDINANCES OR TO ENFORCE ORDINANCE PROVISIONS IN AN ARBITRARY OR DISCRIMINATORY MANNER.

**BUILDING ORDINANCE
TOWN OF SELLERSBURG**

SECTION 5: SCOPE. THE PROVISIONS OF THIS CODE APPLY TO THE CONSTRUCTION, ALTERATIONS, REPAIR, USE, OCCUPANCY MAINTENANCE, DEMOLITION, MOVING AND ADDITIONS TO ALL BUILDINGS AND STRUCTURES, INCLUDING FENCES, IN THE TOWN OF SELLERSBURG, INDIANA.

SECTION 6: ADOPTION OF BUILDING RULES, CODES, AND STANDARDS BY REFERENCE.

A. BUILDING RULES OF THE INDIANA FIRE PREVENTION AND BUILDING SAFETY COMMISSION AS SET OUT IN THE FOLLOWING ARTICLES OF TITLE 675 OF THE INDIANA ADMINISTRATIVE CODE ARE HEREBY INCORPORATED BY REFERENCE IN THIS (ORDINANCE, CHAPTER, CODE) AND SHALL INCLUDE LATER AMENDMENTS TO THOSE ARTICLES AS THE SAME ARE PUBLISHED IN THE INDIANA REGISTER OR THE INDIANA ADMINISTRATIVE CODE WITH EFFECTIVE DATES AS FIXED THEREIN:

1. ARTICLE 13 - BUILDING CODES

- (a) FIRE AND BUILDING SAFETY STANDARDS
(675 IAC 13-1)
- (b) INDIANA BUILDING CODE
(675 IAC 13-2)
- (c) INDIANA BUILDING CODE STANDARDS
(675 IAC 13-3)
- (d) INDIANA HANDICAPPED ACCESSIBILITY
CODE
(675 IAC 13-4)

2. ARTICLE 14 - ONE AND TWO FAMILY DWELLING
CODES

- (a) COUNCIL OF AMERICAN BUILDING
OFFICIALS ONE AND TWO FAMILY
DWELLING CODE
(675 IAC 14-1)
- (b) CABO ONE AND TWO FAMILY DWELLING
CODE; AMENDMENTS
(675 IAC 14-2.1)
- (c) STANDARD FOR PERMANENT INSTALLATION
OF MANUFACTURED HOMES
(675 IAC 14-3)

3. ARTICLE 16 - PLUMBING CODES

- (a) INDIANA PLUMBING CODE
(675 IAC 16-1)

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4. ARTICLE 17 - ELECTRICAL CODES

- (a) INDIANA ELECTRICAL CODE
(675 IAC 17-1.1)
- (b) SAFETY CODE FOR HEALTH CARE
FACILITIES
(675 IAC 17-2)

5. ARTICLE 18 - MECHANICAL CODES

- (a) INDIANA MECHANICAL CODE
(675 IAC 18-1)

6. ARTICLE 19 - ENERGY CONSERVATION CODES

- (a) INDIANA ENERGY CONSERVATION CODE
(675 IAC 19-1)
- (b) MODIFICATIONS TO THE MODEL ENERGY
CODE
(675 IAC 19-2)

7. ARTICLE 20 - SWIMMING POOL CODES

- (a) INDIANA SWIMMING POOL CODE
(675 IAC 20-1)

B. COPIES OF ADOPTED BUILDING RULES, CODES AND STANDARDS ARE ON FILE IN THE OFFICE OF THE BUILDING COMMISSION.

SECTION 7:

APPLICATION FOR PERMITS. THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE MAY REQUIRE AS A PART OF THE APPLICATION FOR A PERMIT THE SUBMISSION OF A PLAT OF THE PROPOSED LOCATION SHOWING LOT BOUNDARIES AND PLANS AND SPECIFICATIONS SHOWING THE WORK TO BE DONE. ALL PLANS AND SPECIFICATIONS FOR CONSTRUCTION UNDER THE AUTHORITY OF THE FIRE PREVENTION AND BUILDING SAFETY COMMISSION MUST ALSO BE FILED WITH THE STATE BUILDING COMMISSIONER. NO LOCAL PERMITS SHALL BE ISSUED HEREUNDER UNTIL A COPY OF A DESIGN RELEASE FOR CONSTRUCTION FROM THE STATE BUILDING COMMISSIONER AND A COPY OF THE PLANS AND SPECIFICATIONS APPROVED AND STAMPED BY THE STATE BUILDING COMMISSIONER ARE RECEIVED BY THE BUILDING COMMISSION.

SECTION 8:

PERMIT REQUIRED. ALL BUILDING PERMITS AND MECHANICAL PERMITS ARE REQUIRED TO BE OBTAINED PRIOR TO COMMENCING WORK FROM THE BUILDING COMMISSION IN THE FOLLOWING INSTANCES:

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A. BUILDING PERMIT

1. ALL CONSTRUCTION, ALTERATION, REMODELING OR REPAIR OF ANY BUILDING OR STRUCTURE, THE COST OF WHICH EXCEEDS ONE HUNDRED DOLLARS (\$100.00).
2. ALL ROOFING AND SIDING INSTALLATIONS.
3. THE DEMOLITION OF ANY BUILDING OR STRUCTURE.
4. THE MOVING OF ANY BUILDING OR STRUCTURE.
5. THE CONSTRUCTION OF A PUBLIC SWIMMING POOL.
6. THE INSTALLATION OF A MODULAR OR MANUFACTURED HOME ON A PERMANENT FOUNDATION.

B. ELECTRICAL PERMIT

1. THE INSTALLATION, ALTERATION, EXTENSION OR REPLACEMENT OF ELECTRICAL WIRING, PANELS AND DEVICES WITHIN THE SERVICE AREA OF PUBLIC SERVICE INDIANA, INCLUDING ALL NEW, TEMPORARY OR REPLACEMENT ELECTRICAL SERVICE PROVIDED BY PUBLIC SERVICE INDIANA, NEW OR REPLACEMENT ELECTRIC DISTRIBUTION PANELS, WIRING FOR ADDITIONAL CIRCUITS, REWIRING AND CIRCUIT REPLACEMENT, AND WIRING FOR APPLIANCES AND EQUIPMENT INCLUDING SIGNS.
2. THE INSTALLATION, ALTERATION, EXTENSION OR REPLACEMENT OF ALL HEATING AND AIR CONDITIONING SYSTEMS, EQUIPMENT, APPARATUS OR DEVICES.
3. THE INSTALLATION, ALTERATION, EXTENSION OR REPLACEMENT OF ALL PLUMBING, PIPING, FIXTURES, APPLIANCES AND APPURTENANCES IN CONNECTION WITH SANITARY DRAINAGE, LIQUID WASTE AND SEWERAGE SYSTEMS, VENTING SYSTEMS AND WATER SUPPLY SYSTEMS.
4. THE INSTALLATION OF ALL NEW OR REPLACEMENT WATER HEATERS, REGARDLESS OF COST.

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5. THE INSTALLATION OR REPLACEMENT OF TANKS AND DISPENSING EQUIPMENT FOR FLAMMABLE AND COMBUSTIBLE LIQUIDS OR GASES.
6. MECHANICAL INSTALLATION PERMITS ARE NOT REQUIRED IN THE FOLLOWING INSTANCES:
 - (a) THE INSTALLATION OR REPLACEMENT OF LIQUID PETROLEUM GAS (LPG) STORAGE FACILITIES HAVING A TOTAL CAPACITY OF NOT MORE THAN FOUR THOUSAND (4,000) GALLONS AND NO SINGLE TANK HAVING A CAPACITY OF MORE THAN TWO THOUSAND (2,000) GALLONS MEASURED AS GALLONS OF WATER.
 - (b) THE INSTALLATION OR REPLACEMENT OF STORAGE TANKS FOR CLASS I, II, IIIA OR IIIB LIQUIDS, HAVING A CAPACITY OF SIX HUNDRED SIXTY (660) GALLONS OR LESS, THAT MEET THE REQUIREMENTS OF SECTION 4-2 OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) STANDARD 30 AS INCORPORATED BY REFERENCE IN 675 IAC 22-1.
 - (c) PUBLIC UTILITIES: INSTALLATION OF PUBLIC UTILITIES WITH RESPECT TO CONSTRUCTION, MAINTENANCE AND DEVELOPMENT WORK PERFORMED IN THE EXERCISE OF THEIR PUBLIC FUNCTION.
 - (d) RAILWAY UTILITIES: INSTALLATION OF ELECTRICAL EQUIPMENT EMPLOYED BY A RAILWAY UTILITY DIRECTLY IN THE EXERCISE OF ITS FUNCTIONS AS A PUBLIC CARRIER AND LOCATED OUTDOORS OR IN BUILDINGS USED EXCLUSIVELY FOR THAT PURPOSE.
 - (e) PORTABLE APPLIANCES: THE INSTALLATION OF A PORTABLE HEATING APPLIANCE OR OF A PORTABLE AIR CONDITIONING APPLIANCE.
 - (f) RADIO TRANSMITTING STATIONS: EQUIPMENT USED FOR RADIO TRANSMISSION, WHETHER ERECTED ON A BUILDING OR ON THE GROUND. SUCH EXCEPTION DOES NOT EXTEND TO EQUIPMENT AND WIRING FOR POWER SUPPLY AND THE INSTALLATION OF RADIO TOWERS AND ANTENNA AND GROUNDING MEANS.

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- (g) MAINTENANCE: THE MAINTENANCE OR SERVICING OF AN EXISTING ELECTRICAL, HEATING, AIR CONDITIONING, FIRE-EXTINGUISHING, FIRE-ALARM OR PLUMBING SYSTEM OR FLAMMABLE AND COMBUSTIBLE LIQUID OR GAS TANK AND DISPENSING EQUIPMENT FOR THE PURPOSE OF MAINTAINING IT IN SAFE OPERATING CONDITION IN CONFORMANCE WITH THE PROVISIONS OF THIS CODE.
- (h) WELL DRILLING AND WATER SOFTENING EQUIPMENT: THE DRILLING OF WELLS AND THE INSTALLATION OF PUMPS, PRESSURE TANKS AND PIPING INCIDENTAL TO A WELL SYSTEM. THE INSTALLATION OF WATER SOFTENING EQUIPMENT.

C. PERMIT OBTAINED PRIOR TO COMMENCING WORK

IT SHALL BE THE DUTY OF THE PROPERTY OWNER, OR HIS AUTHORIZED AGENT TO OBTAIN ALL NECESSARY PERMITS BEFORE ANY WORK HAS BEEN STARTED. EXCEPT THAT IN CASES WHERE THIS CODE REQUIRES THAT WORK BE PERFORMED BY A LICENSED CONTRACTOR IT SHALL BE THE RESPONSIBILITY OF THE LICENSED CONTRACTOR TO OBTAIN ALL NECESSARY PERMITS PRIOR TO COMMENCING WORK.

D. PERMIT TO BE POSTED ON SITE

A BUILDING PERMIT CARD SHALL BE REQUIRED TO BE POSTED ON THE JOB SITE IN A CONSPICUOUS PLACE IN FULL VIEW OF THE PUBLIC DURING THE CONSTRUCTION, ALTERATION, REMODELING OR REPAIR OF A BUILDING OR STRUCTURE UNTIL SAID WORK SHALL BE COMPLETED AND FINALLY INSPECTED. A COPY OF THE RESPECTIVE PERMIT SHALL BE REQUIRED TO BE AVAILABLE ON THE JOB SITE PENDING INSPECTION.

E. CHANGES NOT TO BE MADE IN PLANS AFTER PERMIT IS ISSUED

NO CHANGES SHALL BE MADE IN ANY PLANS, SPECIFICATIONS, OR CONSTRUCTION, AFTER THE PLANS AND SPECIFICATIONS HAVE BEEN RELEASED BY THE STATE BUILDING COMMISSIONER AND/OR A BUILDING PERMIT OR MECHANICAL PERMIT HAS BEEN ISSUED, UNLESS SUCH CHANGE IS APPROVED IN WRITING BY THE STATE BUILDING COMMISSIONER AND/OR BY THE DEPARTMENT OF BUILDING COMMISSION.

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**F. NON-CONFORMITY TO LAW DISCOVERED AFTER
PERMIT ISSUED OR PLANS APPROVED**

THE ISSUANCE OF A PERMIT PURSUANT TO THE PROVISIONS OF THIS CODE OR THE APPROVAL OF PLANS, PRINTS, OR SPECIFICATIONS, SHALL NOT BE DEEMED TO AUTHORIZE ANY ERECTION, CONSTRUCTION, ALTERATION OR REPAIR, OR THE PERFORMANCE OF ANY WORK, IN VIOLATION OF ANY OF THE PROVISIONS OF THIS CODE, NOR SHALL SUCH ISSUANCE OR APPROVAL, BE A GUARANTY, WARRANT OR ASSURANCE TO ANY PERSON THAT ANY SUCH PLANS, PRINTS OR SET OF SPECIFICATIONS, ARE IN CONFORMITY TO THE PROVISIONS OF THIS CODE AND TO ALL LAWS AND ORDINANCES. UPON THE DISCOVERY OF ANY DEPARTURE OF ANY SUCH PLANS, PRINTS, OR SPECIFICATIONS, FROM THE REQUIREMENTS OF THIS CODE, SUCH DEPARTURE SHALL BE CORRECTED IMMEDIATELY, AND THE ERECTION, CONSTRUCTION, REPAIR OR WORK SHALL BE MADE TO CONFORM TO THE PROVISIONS OF THIS CODE.

G. EXPIRATION OF PERMITS

EVERY PERMIT SHALL EXPIRE BY LIMITATION IF ACTIVE WORK SHALL NOT HAVE BEEN COMMENCED WITHIN SIXTY (60) DAYS OF THE DATE OF ISSUE THEREOF. IF THE WORK AUTHORIZED BY SUCH PERMIT IS SUSPENDED OR ABANDONED AT ANY TIME AFTER WORK IS COMMENCED, FOR A PERIOD OF NINETY (90) DAYS, SUCH WORK SHALL BE RECOMMENCED ONLY AFTER THE ISSUANCE OF A NEW PERMIT. IF NO CONSTRUCTION HAS BEGUN ABOVE THE FOUNDATION OF A PROPOSED BUILDING OR STRUCTURE WITHIN ONE (1) YEAR OF THE DATE OF ISSUE OF THE PERMIT, THE PERMIT SHALL EXPIRE BY LIMITATION.

H. REVOCATION OF A PERMIT

THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE MAY REVOKE A PERMIT IF IT IS DETERMINED THAT THE PERMIT WAS ISSUED IN ERROR OR IN VIOLATION OF ANY RULES OF THE STATE OF INDIANA OR PROVISIONS OF THIS CODE OR IF THE PERMIT IS BASED ON INCORRECT OR INSUFFICIENT INFORMATION OR IF THE PERSON TO WHOM THE PERMIT WAS ISSUED CEASES WORK AND ABANDONS THE JOB PRIOR TO SAID JOB BEING COMPLETED AND FINALLY INSPECTED. A WRITTEN NOTICE OF REVOCATION SHALL BE SERVED ON THE PERSON WHO OBTAINED THE PERMIT AND THE OWNER OF THE PROPERTY

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EITHER BY DELIVERY IN PERSON OR CERTIFIED
MAIL.

SECTION 9: OTHER ORDINANCES. ALL WORK DONE UNDER ANY PERMIT ISSUED HEREUNDER SHALL BE IN FULL COMPLIANCE WITH ALL OTHER ORDINANCES PERTAINING THERETO, AND IN ADDITION TO THE FEES FOR PERMITS HEREINAFTER PROVIDED FOR, THERE SHALL BE PAID THE FEES PRESCRIBED IN SUCH ORDINANCES.

SECTION 10: FEE SCHEDULE.

A. FEES PAID TO CLERK-TREASURE

1. ALL FEES FOR PERMITS REQUIRED TO BE PAID BY ANY SECTION IN THIS CHAPTER, OR ELSEWHERE IN THIS CODE SHALL BE PAID TO THE CLERK-TREASURER WHEN SUCH PERMITS ARE ISSUED BY HIM/HER, WITH THE APPROVAL THEREOF BY THE BUILDING COMMISSIONER.
2. THE PERMIT FEE FOR ALL PUBLICALLY OWNED STRUCTURES OR STRUCTURES OWNED AND WHOLLY OCCUPIED BY RELIGIOUS OR NON-PROFIT ORGANIZATIONS SHALL BE ONE-HALF THE FEE AS STATED IN ANY SECTION OF THIS CHAPTER.

**B. FEES FOR NEW CONSTRUCTION, ADDITIONS,
ALTERATIONS FOR REPAIRS**

FEES FOR THE ISSUANCE OF THE VARIOUS PERMITS PROVIDED FOR BY THIS CODE, AND FOR VARIOUS KINDS OF CONSTRUCTION WORK AND INSPECTIONS SHALL BE AS FOLLOWS:

1. FOR EACH BUILDING PERMIT COVERING THE ORIGINAL CONSTRUCTION OF ANY BUILDING OR STRUCTURE, THE FEES SHALL BE AS FOLLOWS:

(a) RESIDENTIAL CONSTRUCTION:

FOR ALL RESIDENTIAL CONSTRUCTION THE FEE FOR PERMITS SHALL BE TWO AND ONE-HALF (\$0.02.5) CENTS PER SQUARE FOOT OF LIVING AREA INCLUDING GARAGE AREA IF APPLICABLE. PORCHES IF NOT ENCLOSED EXCLUDED FROM SQUARE FOOTAGE CHARGE. SQUARE FOOTAGE SHALL BE CALCULATED BY THE OUTSIDE DIMENSIONS OF THE STRUCTURE. BASEMENTS AND ATTICS SHALL BE EXCLUDED FROM CHARGE IF UNFINISHED.

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(b) COMMERCIAL CONSTRUCTION

FOR ALL COMMERCIAL CONSTRUCTION THE FEE FOR PERMITS SHALL BE FOUR (\$0.04) PER SQUARE FOOT OF FLOOR AREA. SQUARE FOOTAGE SHALL BE CALCULATED BY THE EXTREME OUTSIDE DIMENSIONS OF THE STRUCTURE.

(c) DETACHED GARAGE

THE FEE TO ERECT A DETACHED RESIDENTIAL GARAGE OR CARPORT SHALL BE FIFTEEN (\$15.00) DOLLARS PER CAR SPACE OR FRACTION THEREOF. ONE (1) CAR SPACE SHALL BE CALCULATED AS TEN (10 FEET) FEET BY SIXTEEN (16 FEET) FEET.

(d) UTILITY BUILDING

THE FEE TO ERECT A UTILITY BUILDING UP TO ONE HUNDRED TWENTY (120) SQUARE FEET SHALL BE TEN (\$10.00) DOLLARS. ONE HUNDRED TWENTY ONE (121) SQUARE FEET AND UP SHALL BE FIFTEEN (\$15.00) DOLLARS. ONE HUNDRED TWENTY (120) SQUARE FEET AND OVER MUST BE ON A FOUNDATION.

(e) FOR EACH BUILDING PERMIT COVERING ALTERATIONS, REPAIRS OR ADDITIONS TO ANY BUILDING OR STRUCTURE, THE FEE SHALL BE FIVE (\$5.00) DOLLARS FOR EACH ONE THOUSAND (\$1000.00) DOLLARS OR FRACTION THEREOF OF THE WRITTEN ESTIMATED COSTS FROM THE BUILDING CONTRACTOR. IN NO EVENT SHALL THIS FEE BE LESS THAN FIFTEEN (\$15.00) DOLLARS.

2. MOVING STRUCTURES

THE FEE FOR A PERMIT TO MOVE ANY BUILDING OF TWO (2) STORIES OR LESS ON OR OVER ANY STREET, ALLEY, OR PUBLIC HIGHWAY SHALL BE THREE HUNDRED (\$300.00) DOLLARS. INTENTIONS MUST BE APPROVED BY THE BOARD OF PUBLIC WORKS AND SAFETY BEFORE A MOVING PERMIT MAY BE ISSUED BY THE BUILDING COMMISSIONER.

(a) THE FEE FOR A PERMIT TO MOVE ANY STRUCTURE UPON A SELF-POWERED MOVING

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VEHICLE SHALL BE FIFTY (\$50.00) DOLLARS. INTENTIONS MUST BE APPROVED BY THE BOARD OF PUBLIC WORKS AND SAFETY BEFORE A MOVING PERMIT MAY BE ISSUED BY THE BUILDING COMMISSIONER.

(b) THE FEE FOR A PERMIT TO MOVE ANY BUILDING FROM ONE LOCATION TO ANOTHER ON ANY ONE LOT SHALL BE TWENTY-FIVE (\$25.00) DOLLARS.

3. FOUNDATION PERMIT

A FOUNDATION PERMIT FOR THE NEW LOCATION SHALL BE REQUIRED AND SHALL BE DETERMINED BY COST OF WORK AT THE RATE OF TEN (\$10.00) DOLLARS PER ONE THOUSAND (\$1,000.00) DOLLARS OF COST OR FRACTION THEREOF.

4. WRECKING

THE PERMIT FEE TO WRECK ANY STRUCTURE SHALL BE ONE (\$0.01) CENT PER SQUARE FOOT OF FLOOR AREA AS FIGURED FOR NEW STRUCTURES. THE MINIMUM PERMIT FEE TO WRECK ANY STRUCTURE SHALL BE TWENTY-FIVE (\$25.00) DOLLARS. A MINIMUM PERMIT OF TEN (\$10.00) DOLLARS ONLY IS REQUIRED FOR CONDEMNED STRUCTURES.

5. TENTS

THE FEE TO BE CHARGED FOR A PERMIT TO ERECT A TENT SHALL BE TWENTY-FIVE (\$25.00) DOLLARS. ANY PERMIT TO ERECT A TENT SHALL REQUIRE PRIOR APPROVAL OF THE BOARD OF PUBLIC WORKS AND SAFETY AND THE BUILDING COMMISSIONER AND THE CHIEF OF THE FIRE DEPARTMENT, AND SHALL BE ISSUED FOR A PERIOD OF NOT MORE THAN THIRTY (30) DAYS IN ANY ONE YEAR.

6. FLUES OR SMOKESTACKS

THE FEE FOR A PERMIT FOR THE ERECTION OR ALTERATION OF A STEEL OR BRICK STACK OR FLUE SHALL BE AS FOLLOWS:

(a) FLAT RATE OF TWENTY-FIVE (\$25.00) DOLLARS.

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7. FENCES

THE PERMIT FEE FOR THE ERECTION OF LINE FENCES SHALL BE AT THE RATE OF FIFTEEN (\$15.00) DOLLARS FOR THE FIRST ONE HUNDRED (100) LINEAR FEET OF SUCH FENCE, OR FRACTION THEREOF, AND FIVE (\$5.00) DOLLARS FOR EACH ADDITIONAL FIFTY (50) FEET OR FRACTION THEREOF.

C. SIGNS; FEES FOR NEW ERECTIONS

THE FEES TO BE CHARGED FOR THE ERECTION OF ALL SIGNS, OR ADVERTISING DISPLAYS, SHALL BE AS FOLLOWS:

1. GROUND SIGN BOARDS: (POLE SIGNS)

THE FIRST FIFTY (50) SQUARE FEET OR FRACTION THEREOF ----- \$15.00

FROM FIFTY (50) TO ONE HUNDRED (100) SQUARE FEET ----- \$20.00

FROM ONE HUNDRED (100) TO TWO HUNDRED (200) SQUARE FEET ----- \$25.00

FOR EACH ADDITIONAL FIFTY (50) SQUARE FEET OVER TWO HUNDRED (200) SQUARE FEET ADD ----- \$10.00

BILLBOARDS ----- \$100.00

2. ROOFS SIGNS:

UP TO AND INCLUDING TWO HUNDRED FIFTY (250) SQUARE FEET ----- \$50.00

OVER TWO HUNDRED FIFTY (250) SQUARE FEET THE FEE SHALL BE ----- \$75.00

3. WALL BULLETINS AND WALL SIGNS:

FOR THE FIRST TWENTY (20) SQUARE FEET OR FRACTION THEREOF ----- \$10.00

FROM TWENTY (20) SQUARE FEET TO TWO HUNDRED (200) SQUARE FEET -- \$20.00

FOR EACH ADDITIONAL ONE HUNDRED (100) SQUARE FEET OR FRACTION THEREOF OVER TWO HUNDRED (200) SQUARE FEET ADD -- \$10.00

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4. PROJECTION SIGNS:

UP TO AND INCLUDING TWENTY (20) SQUARE
FEET IN AREA ----- \$15.00

FOR EACH ADDITIONAL TWENTY (20) SQUARE
FEET OVER TWENTY (20) SQUARE FEET OR
FRACTION THEREOF ADD ----- \$10.00

THE AREA OF TWO (2) OR MORE ADVERTISING
DISPLAYS, WHEN THEIR COMBINED AREAS ARE LESS
THAN THE MINIMUM FOR THEIR CLASS, SHALL NOT BE
ADDED OR INCLUDED IN ONE PERMIT, BUT A
SEPARATE PERMIT SHALL BE TAKEN FOR EACH
DISPLAY. EACH FACE SHALL BE CALCULATED IN
DETERMINING A TOTAL FEE.

ANY SIGN OR ADVERTISING DISPLAY THAT SHALL BE
TAKEN DOWN TEMPORARILY FROM ITS FASTENINGS OR
SUPPORTS OR REPLACED IN ANY MANNER, SHALL BE
CONSIDERED AS A NEW SIGN OR DISPLAY, AND AN
ERECTION PERMIT SHALL BE REQUIRED, AS FOR A
NEW INSTALLATION BEFORE SUCH SIGN OR
ADVERTISING DISPLAY SHALL BE RE-ERECTED. ALL
WIRING FOR SIGNS MUST BE DONE IN ACCORDANCE
WITH THE PROVISIONS OF THE INDIANA ELECTRICAL
CODE.

D. FEES FOR ELECTRICAL PERMITS

1. RESIDENTIAL-SINGLE OCCUPANCY ONLY.
NEW OR REPLACEMENT SERVICE ENTRANCE.
THE FEE SHALL BE TWENTY-FIVE (\$0.25)
CENTS PER AMP.
2. NEW DOUBLE OR MULTI-OCCUPANCY.
RESIDENTIAL AND COMMERCIAL BUILDING.
NEW OR REPLACEMENT SERVICE ENTRANCE.
THE FEE SHALL BE FORTY (\$0.40) CENTS PER
AMP.
3. INDUSTRIAL BUILDING.
NEW OR REPLACEMENT SERVICE ENTRANCE.
THE FEE SHALL BE FIFTY (\$0.50) CENTS PER
AMP.
4. ADDITIONS OR REPAIRS TO ANY BUILDING NOT
REQUIRING NEW OR REPLACEMENT SERVICE
ENTRANCES. THE FEE SHALL BE TWENTY-FIVE
(\$25.00) DOLLARS PER INSPECTION.

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E. FEES FOR PLUMBING PERMITS

1. FOR A PERMIT FOR THE INSTALLATION AND INSPECTION OF NEW WORK, THE FEES SHALL BE AS FOLLOWS:

FIRST FIXTURE ----- \$15.00

EACH ADDITIONAL FIXTURE UP TO AND INCLUDING FIFTY (50) FIXTURES --- \$2.00

ABOVE FIFTY (50) FIXTURES ----- \$1.00

A FIXTURE SHALL BE DEFINED AS ANY RECEPTACLE INTENDED TO RECEIVE AND/OR DISCHARGE WATER, LIQUID, OR WATER CARRIED SOIL AND FOR WASTES INTO DRAINAGE SYSTEMS WITH WHICH THEY ARE CONNECTED.

2. PROCESS PIPING SUCH AS SPRINKLER SYSTEMS SHALL BE FIFTEEN (\$15.00) DOLLARS PER ONE THOUSAND (\$1,000.00) DOLLARS OR FRACTION THEREOF, OF THE WRITTEN ESTIMATED COST FROM THE BUILDING CONTRACTOR OR INSTALLER.
3. THE FEE FOR REPLACEMENT OF EXISTING PLUMBING FIXTURES AND EXISTING WATER SERVICES SHALL BE FIVE (\$5.00) DOLLARS EXCEPTING REPLACEMENT OF GARBAGE DISPOSALS. (WHEN ELECTRICAL SYSTEM IS GROUNDED TO METALLIC WATER SERVICE AND WATER SERVICE IS CHANGED TO PLASTIC, IT IS THE RESPONSIBILITY OF THE INSTALLER OF THE PLASTIC SERVICE TO SEE THAT THE ELECTRICAL SERVICE IS GROUNDED PROPERLY.)
4. ADDITIONS OR REPAIRS TO ANY BUILDING NOT REQUIRING NEW OR REPLACEMENT PLUMBING SHALL BE FIFTEEN (\$15.00) DOLLARS PER INSPECTION.

F. FEES FOR FUEL STORAGE TANKS AND GASOLINE DISPENSERS

1. FUEL STORAGE TANKS FOR FLAMMABLE LIQUIDS OR OTHER LIQUIDS.

FOR A PERMIT FOR THE INSTALLATION OF FUEL STORAGE TANK(S) FOR FLAMMABLE LIQUIDS OR OTHER LIQUIDS, THE FEES SHALL BE AS FOLLOWS:

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- (a) UP TO FIVE HUNDRED (500) GALLONS
CAPACITY ----- \$20.00
- (b) FROM FIVE HUNDRED (500) GALLONS UP
TO ONE THOUSAND (1,000) GALLONS
CAPACITY ----- \$30.00
- (c) FROM ONE THOUSAND (1,000) GALLONS UP
TO TWENTY THOUSAND (20,000) GALLONS
CAPACITY ----- \$40.00
- (d) OVER TWENTY THOUSAND (20,000)
GALLONS CAPACITY ----- \$50.00

**2. GASOLINE OR OTHER FLAMMABLE LIQUID
DISPENSERS:**

THE FEE SHALL BE TWENTY-FIVE (\$25.00)
DOLLARS FOR EACH DISPENSER.

THE FEES OF PARAGRAPHS (1) AND (2) SHALL
BE PAYABLE IN ADDITION TO ANY FEES
REQUIRED BY ANY OTHER SUBSECTION OF THIS
FEE ORDINANCE.

**G. FEES FOR REFRIGERATION MACHINERY;
REFRIGERATION MACHINERY OR EQUIPMENT WHERE
COMPRESSOR IS REMOTE FROM LOW PRESSURE
SIDE.**

- 1. UP TO AND INCLUDING ONE (1) HORSEPOWER
OF PRIME MOVERS RATING ----- \$20.00
- 2. OVER ONE (1) HORSEPOWER AND UP -- \$30.00

THESE FEES ARE BASED ON INDIVIDUAL
COMPRESSOR UNITS; PROVIDED, HOWEVER, THAT
NO PERMIT SHALL BE REQUIRED FOR THE
INSTALLATION OF ANY SELF-CONTAINED
REFRIGERATING UNIT IN WHICH BOTH THE HIGH
PRESSURE SIDE AND THE LOW PRESSURE SIDE ARE
ASSEMBLED AS ONE (1) UNIT IN THE SAME
CABINET OR STRUCTURE BY THE MANUFACTURER,
EXCEPT AS PROVIDED HEREINAFTER SPECIFIED
FOR BTU OUTPUT OF UP TO THREE HUNDRED
THOUSAND (300,000) BTU.

H. FEES FOR HEATING PERMITS

**1. THE FEES FOR HEATING, AIR CONDITIONING
AND VENTILATING ARE AS FOLLOWS:**

- (a) FORCED WARM AIR SYSTEM HEATING
PERMIT ----- \$15.00

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(b) EACH SUPPLY AND RETURN OUTLET \$1.00

(c) WALL STACK INSPECTION INCLUDING PVC
FLUES ----- \$15.00

2. CONVERSION PERMIT. THE FEE FOR A CONVERSION PERMIT, FOR ANY FUEL SHALL BE TWENTY-FIVE (\$25.00) DOLLARS.
3. THE FEE FOR A UNIT HEATER OR WALL HEATER SHALL BE FIFTEEN (\$15.00) DOLLARS PER HEATER.
4. THE FEE FOR A GAS-FIRED INCINERATOR SHALL BE FIFTY (\$50.00) DOLLARS FOR COMMERCIAL AND TWENTY-FIVE (\$25.00) DOLLARS FOR DOMESTIC (RESIDENTIAL).
5. THE FEE FOR A GAS-FIRED COMMERCIAL CLOTHES DRYER SHALL BE TWENTY-FIVE (\$25.00) DOLLARS, FIFTEEN (\$15.00) DOLLARS FOR RESIDENTIAL.
6. ELECTRIC HEATING SYSTEM. THE HEATING PERMIT FEE FOR ANY TYPE OF ELECTRIC HEATING SYSTEM SHALL BE CHARGED AT THE RATE OF TWENTY (\$20.00) DOLLARS FOR EACH ONE HUNDRED THOUSAND (100,000) BTU OR FRACTION THEREOF.

I. FEES FOR AIR CONDITIONING

1. FEES FOR INSTALLATION OF AIR CONDITIONING EQUIPMENT SHALL BE AS FOLLOWS:
 - (a) FOR EACH TON UP TO AND INCLUDING FIFTY (50) TONS ----- \$5.00
 - (b) EACH TON OVER FIFTY (50) TONS \$3.00
2. ADDITIONS OR REPAIRS TO ANY BUILDING NOT REQUIRING NEW OR REPLACEMENT HVAC THE FEE SHALL BE TWENTY (\$20.00) DOLLARS PER INSPECTION.

J. FEES FOR REINSPECTION

1. WHENEVER SO REQUESTED, OR FOR ANY USE, BECOMES THE DUTY OF THE BUILDING COMMISSIONER, ON HIS OWN MOTION, TO REINSPECT, OR CAUSE TO BE REINSPECTED, ANY BUILDING, STRUCTURE, ELECTRICAL CIRCUIT, MACHINERY DEVICE, OR APPARATUS

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OR EQUIPMENT FOR COMBUSTION, THE OWNER, LESSEE OR TENANT, OR PERSON IN POSSESSION OR CONTROL THEREOF, OR OF THE PREMISES ON OR IN WHICH THE SAME MAY BE SITUATED, SHALL PAY IN ADVANCE A FEE OF TWENTY (\$20.00) DOLLARS TO THE CLERK-TREASURER, IF HE REQUESTS SUCH REINSPECTION; OR HE SHALL PAY SUCH FEE WITHIN TEN (10) DAYS AFTER THE DELIVERY TO HIM OF A CERTIFICATE CERTIFYING THAT SUCH BUILDING, STRUCTURE, ELECTRICAL CIRCUIT, MACHINERY OR DEVICE, OR APPARATUS OR EQUIPMENT FOR COMBUSTION HAS BEEN REINSPECTED, WHEN IT WAS NOT DONE AT THE REQUEST OF SUCH PERSON.

2. UNLESS THE FEE PROVIDED BY SUBSECTION (1) OF THIS SECTION SHALL BE PAID AS HEREIN PRESCRIBED, NO REINSPECTION SHALL BE MADE WHEN SO REQUESTED BY ANY SUCH PERSON; OR IF NOT PAID AFTER REINSPECTION ON THE MOTION OF SAID BUILDING COMMISSIONER AND BEING BILLED THEREFOR, AS AFORESAID, SUCH CHARGE MAY EITHER BE COLLECTED BY SUIT, OR BE CERTIFIED BY SAID BUILDING COMMISSIONER TO THE CLERK-TREASURER, WHO SHALL ENTER THE SAME ON THE TAX DUPLICATE OF THE OWNER OF SUCH PREMISES, TO BE A LIEN THEREON AND TO BE COLLECTED AS TAXES ARE COLLECTED.

3. SHOULD THE BUILDING COMMISSIONER BE REQUESTED TO INSPECT STRUCTURES FOR WHATEVER THE REASON BY THE OWNER/OCCUPANT OF SAID STRUCTURE THE FEE SHALL BE AS FOLLOWS:

- (a) RESIDENTIAL ----- \$25.00
- (b) APARTMENT (PER UNIT) ---- \$25.00
- (c) COMMERCIAL ----- \$50.00
- (d) INDUSTRIAL ----- \$50.00

K. FEES; WHEN DOUBLED

SHOULD ANY PERSON, COPARTNERSHIP, OR ANY CORPORATION BEGIN WORK OF ANY KIND SUCH AS HEREINBEFORE SET FORTH, OR FOR WHICH A PERMIT FROM THE BUILDING COMMISSIONER IS REQUIRED BY ORDINANCE, WITHOUT HAVING SECURED THE NECESSARY PERMIT THEREFORE FROM

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THE BUILDING COMMISSIONER EITHER PREVIOUS TO, OR DURING THE DAY OF COMMENCEMENT OF ANY SUCH WORK, OR ON THE NEXT SUCCEEDING DAY WHERE SUCH WORK IS COMMENCED ON A SATURDAY OR ON A SUNDAY OR A HOLIDAY, HE SHALL, WHEN SUBSEQUENTLY SECURING SUCH PERMIT BE REQUIRED TO PAY DOUBLE THE FEES IN ADDITION TO A FLAT RATE FEE AS LISTED BELOW, HEREINBEFORE PROVIDED FOR SUCH A PERMIT, AND SHALL BE SUBJECT TO ALL THE PENAL PROVISIONS OF THIS CODE.

- (a) RESIDENTIAL ----- \$1000.00
- (b) COMMERCIAL ----- \$2500.00
- (c) INDUSTRIAL ----- \$2500.00

L. CONTINUED VIOLATION

THE CONTINUED VIOLATION OF ANY PROVISION OF THIS ORDINANCE SHALL BE AND CONSTITUTE A SEPARATE OFFENSE FOR EACH AND EVERY DAY SUCH VIOLATION SHALL CONTINUE.

M. PERIODS COVERED BY INITIAL FEE AND ANNUAL FEE FOR ALL KINDS OF ADVERTISING DISPLAYS AND SIGNS

1. THE FEE CHARGEABLE AND PAID AT THE TIME OF THE ISSUANCE OF A PERMIT FOR THE ERECTION OF ANY KIND OF ADVERTISING DISPLAY, OR SIGN, AS PROVIDED FOR IN THIS CHAPTER, SHALL COVER ALL CHARGES FOR ANY SUCH ADVERTISING DISPLAY, OR SIGN, FOR THE REMAINDER OF THE CALENDAR YEAR IN WHICH SUCH PERMIT IS ISSUED. THE ANNUAL INSPECTION FEE FOR ANY KIND OF SUCH ADVERTISING DISPLAY, OR SIGN, SHALL BE DUE AND PAYABLE ON THE FIRST OF JANUARY OF THE NEXT YEAR FOLLOWING THE ERECTION OF ANY SUCH ADVERTISING DISPLAY OR SIGN, BUT IT SHALL NOT BE DELINQUENT UNTIL THIRTY (30) DAYS AFTER SUCH ANNUAL INSPECTION IS MADE AND A WRITTEN NOTICE THEREOF IS DELIVERED OR MAILED TO THE PERSON OWNING SAME.
2. WHEN ANY INSPECTION FEES SHALL BE UNPAID AND DELINQUENT, THE PERSON OWNING SAME OR IN CONTROL OF THE SIGN, SHALL BE AGAIN NOTIFIED IN WRITING THEREOF AND THAT UNLESS PAID WITHIN ONE (1) WEEK FROM THE MAILING OF SUCH NOTICE, OR ITS

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PERSONAL SERVICE, THE BUILDING COMMISSIONER WILL CAUSE SUCH SIGN TO BE REMOVED, AT SUCH PERSON'S EXPENSE. IF SO REMOVED, NO SIGN SHALL BE REPLACED, WITHOUT PAYMENT OF ALL ARREARS DUE AND ALSO THE NEW PERMIT FEES.

3. A SEPARATE FEE SHALL BE PAID FOR EACH AND EVERY KIND OF SIGN, OR ADVERTISING DISPLAY DESCRIBED IN THIS CODE. HOWEVER, TWO (2) OR MORE SUCH SIGNS, OR ADVERTISING DISPLAYS, MAY BE GROUPED ON ONE (1) INSPECTION SLIP, AND WHEN THE FEES THEREFOR SHALL BE PAID ONE (1) TAG MAY BE ISSUED FOR THE ENTIRE GROUP. NO REINSPECTION FEE SHALL BE REQUIRED FOR SIGNS PAINTED ON THE WALLS OR ROOF-TOPS OF BUILDINGS.

SECTION 11.

REVIEW OF APPLICATION. PRIOR TO THE ISSUANCE OF ANY PERMIT HEREUNDER, THE BUILDING COMMISSIONER OR HIS AUTHORIZED AGENT SHALL:

- A. REVIEW ALL PERMIT APPLICATIONS TO DETERMINE FULL COMPLIANCE WITH THE PROVISIONS OF THIS ORDINANCE.
- B. REVIEW ALL PERMIT APPLICATIONS FOR NEW CONSTRUCTION OR SUBSTANCIAL IMPROVEMENTS TO DETERMINE WHETHER PROPOSED BUILDING SITES WILL BE REASONABLY SAFE FROM FLOODING.
- C. REVIEW PERMIT APPLICATIONS FOR MAJOR REPAIRS WITHIN THE FLOOD PLAIN AREA HAVING SPECIAL FLOOD HAZARDS TO DETERMINE THAT THE PROPOSED REPAIR, (1) USES CONSTRUCTION MATERIALS AND UTILITY EQUIPMENT THAT ARE RESISTANT TO FLOOD DAMAGE, AND (2) USES CONSTRUCTION METHODS AND PRACTICES THAT WILL MINIMIZE FLOOD DAMAGE.
- D. REVIEW PERMIT APPLICATIONS FOR NEW CONSTRUCTION OR SUSTANCIAL IMPROVEMENTS WITHIN THE FLOOD PLAIN AREA HAVING SPECIAL FLOOD HAZARDS TO ASSURE THAT THE PROPOSED CONSTRUCTION (INCLUDING PREFABRICATED AND MOBILE HOMES), (1) IS PROTECTED AGAINST FLOOD DAMAGE, (2) IS DESIGNED (OR MODIFIED) AND ANCHORED TO PREVENT FLOTATION, COLLAPSE, OR LATERAL MOVEMENT OF THE STRUCTURE, AND (3) USES CONSTRUCTION METHODS AND PRACTICES THAT WILL MINIMIZE FLOOD DAMAGE.

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E. DETERMINE IF THE PERMIT APPLICANT MEETS THE NECESSARY LICENSING OR REGISTRATION REQUIREMENTS OF THIS CODE.

SECTION 12.

INSPECTIONS. AFTER THE ISSUANCE OF ANY PERMIT HEREUNDER, THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE SHALL MAKE INSPECTIONS OF THE WORK BEING DONE UNDER SUCH PERMIT AS ARE NECESSARY TO INSURE FULL COMPLIANCE WITH THE PROVISIONS OF THIS CODE AND THE TERMS OF THE PERMIT.

ANY PERSON, FIRM OR CORPORATION WHO HAS OBTAINED A PERMIT FROM THE BUILDING COMMISSIONER SHALL BE REQUIRED TO REQUEST AN INSPECTION OF THE WORK PERFORMED IN THE FOLLOWING INSTANCES. THE INSPECTION SHALL BE REQUESTED AT LEAST TWENTY-FOUR (24) HOURS IN ADVANCE OF THE NEED FOR SUCH INSPECTION. IT SHALL BE THE DUTY OF THE PERSON REQUESTING THE INSPECTION TO PROVIDE ACCESS TO AND MEANS FOR THE PROPER INSPECTION OF SUCH WORK. THE PERSON RESPONSIBLE FOR PERFORMING THE WORK OR HIS REPRESENTATIVE SHALL BE PRESENT ON THE JOB SITE DURING THE INSPECTION. NO PORTION OF ANY WORK SHALL BE COVERED OR CONCEALED UNTIL INSPECTED AND APPROVED. THE TOWN SHALL NOT BE LIABLE FOR ANY EXPENSE ENTAILED IN THE REMOVAL OR REPLACEMENT OF MATERIAL REQUIRED TO PERMIT INSPECTION. IT SHALL BE THE RESPONSIBILITY OF THE PERSON OBTAINING THE PERMIT TO INSURE THAT ALL PHASES OF THE WORK ARE COMPLETED BEFORE REQUESTING A FINAL INSPECTION.

- A. THE INSTALLATION OF A TEMPORARY ELECTRICAL SERVICE ON A POLE.
- B. FOOTING AND FOUNDATION EXCAVATIONS PRIOR TO THE PLACEMENT OF CONCRETE.
- C. THE INSTALLATION OF ALL UNDERGROUND AND UNDERSLAB ELECTRICAL, HEATING AND AIR CONDITIONING, PLUMBING SYSTEMS, TANKS AND DISPENSING EQUIPMENT PRIOR TO BEING COVERED.
- D. THE CONSTRUCTION OF STRUCTURAL COMPONENTS OF A NEW BUILDING OR STRUCTURE OR OF AN ADDITION TO A BUILDING OR STRUCTURE, INCLUDING FLOORS, WALLS, CEILINGS AND ROOF, PRIOR TO SAID STRUCTURAL COMPONENTS BEING COVERED.

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- F. THE INSTALLATION OF AN ELECTRICAL METER ON A BUILDING OR STRUCTURE.
- G. THE FINAL INSTALLATION OF A NEW OR REPLACEMENT TANK OR DISPENSING EQUIPMENT FOR FLAMMABLE AND COMBUSTIBLE LIQUIDS OR GASES.
- H. THE INSTALLATION OF REPLACEMENT FURNACES, HEAT PUMPS, CENTRAL AIR CONDITIONING SYSTEMS, WATER HEATERS AND DRYERS.
- I. THE DEMOLITION OF A BUILDING OR STRUCTURE IN THE FOLLOWING INSTANCES: (1) AFTER THE BASEMENT FLOOR IS BROKEN AND THE WATER AND SEWER SERVICES ARE SEALED. (2) AFTER BACKFILLING IS COMPLETED AND THE SITE IS UNIFORMLY GRADED AND ALL DEBRIS HAS BEEN REMOVED.
- J. THE EXCAVATION OF AN INGROUND SWIMMING POOL AND THE ELECTRICAL BONDING AND GROUNDING OF ALL METAL COMPONENTS PRIOR TO THE PLACEMENT OF CONCRETE.
- K. THE INSTALLATION OF A MODULAR OR MANUFACTURED HOME ON A PERMANENT FOUNDATION.

NO PERSON, FIRM OR CORPORATION SHALL CONNECT OR PERMIT TO BE CONNECTED ANY ELECTRICAL INSTALLATION, HEATING OR AIR CONDITIONING INSTALLATION OR WATER HEATER TO A SOURCE OF ELECTRICAL OR FLAMMABLE AND COMBUSTIBLE LIQUID OR GAS ENERGY UNTIL SUCH INSTALLATION HAS BEEN INSPECTED AND APPROVED BY THE BUILDING COMMISSIONER AND A CERTIFICATE OF APPROVAL HAS BEEN ATTACHED TO SUCH INSTALLATION. THE CERTIFICATE OF APPROVAL SHALL BE IN THE FORM OF A STICKER AND SHALL BE SIGNED BY THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE.

SECTION 13.

ENTRY. UPON PRESENTATION OF PROPER CREDENTIALS, WHENEVER NECESSARY TO MAKE AN INSPECTION TO ENFORCE ANY OF THE PROVISIONS OF THIS CODE OR WHENEVER THERE IS REASONABLE CAUSE TO BELIEVE THAT THERE EXISTS IN ANY BUILDING, STRUCTURE OR PREMISES ANY CONDITION OR CODE VIOLATION WHICH MAKES SUCH BUILDING, STRUCTURE OR PREMISES UNSAFE, DANGEROUS OR HAZARDOUS, THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVES MAY ENTER AT REASONABLE TIMES ANY BUILDING, STRUCTURE OR

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PREMISES IN THE TOWN OF SELLERSBURG TO PERFORM ANY DUTY IMPOSED UPON HIM BY THIS CODE.

SECTION 14.

STOP ORDER. WHENEVER ANY WORK IS BEING DONE CONTRARY TO THE PROVISIONS OF THIS CODE OR WHENEVER SATISFACTORY PROGRESS IS NOT BEING MADE IN CORRECTING WORK ORDERED BY THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE, SAID BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE MAY ORDER THE WORK STOPPED ON THAT PORTION DEEMED TO BE IN VIOLATION, OR ON THE ENTIRE PROJECT, BY POSTING A STOP WORK CARD ON THE JOB SITE. ANY PERSON, FIRM OR CORPORATION WHO SHALL CONTINUE ANY WORK ON A STOPPED PROJECT, OR PORTION THEREOF, OTHER THAN CORRECTIVE WORK, SHALL BE LIABLE TO PENALTY FOR VIOLATIONS AS SET FORTH IN THIS CODE. EACH DAY, OR PORTION THEREOF, OF ANY CONTINUED WORK SHALL BE CONSIDERED A SEPARATE OFFENSE.

SECTION 15.

CERTIFICATE OF OCCUPANCY. AFTER THE ADOPTION OF THIS CODE, IT SHALL BE UNLAWFUL FOR ANY OWNER, LESSEE OR TENANT TO OCCUPY, USE OR PERMIT THE USE OF ANY BUILDING, STRUCTURE OR PART THEREOF THAT IS CONSTRUCTED, ERECTED, ALTERED, REPAIRED OR THE USE OF WHICH IS CHANGED, PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY BY THE BUILDING COMMISSIONER. THE FEES TO BE CHARGED FOR A CERTIFICATE OF OCCUPANCY SHALL BE AS FOLLOWS:

- (a) RESIDENTIAL ----- \$25.00
- (b) COMMERCIAL ----- \$50.00
- (c) INDUSTRIAL ----- \$50.00

NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED UNLESS SUCH BUILDING OR STRUCTURE WAS CONSTRUCTED, ERECTED, ALTERED, REPAIRED OR CHANGED IN COMPLIANCE WITH THE PROVISIONS OF THIS CODE. THE BUILDING COMMISSIONER MAY REQUIRE THAT THE OWNER AND/OR THE PROFESSIONAL INSPECTING ARCHITECT OR ENGINEER OF A CONSTRUCTION PROJECT SUBMIT TO THE BUILDING COMMISSIONER, PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY, A STATEMENT INDICATING THAT THE PROJECT CONSTRUCTION WORK IS SUBSTANTIALLY COMPLETE IN ACCORDANCE WITH THE CONSTRUCTION DOCUMENTS RELEASED BY THE STATE BUILDING COMMISSIONER. SAID STATEMENT SHALL ALSO LIST ALL REMAINING ITEMS THAT REQUIRE COMPLETION OR CORRECTION.

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SECTION 15(A). IMPROVEMENT LOCATION PERMIT. THE FEE FOR A LOCATION IMPROVEMENT SHALL BE TWENTY-FIVE (\$25.00) DOLLARS.

SECTION 16. STANDARDS. ALL WORK ON THE CONSTRUCTION, ALTERATION AND REPAIR OF BUILDINGS AND OTHER STRUCTURES SHALL BE PERFORMED IN A GOOD AND WORKMANLIKE MANNER ACCORDING TO ACCEPTED STANDARDS AND PRACTICES IN THE TRADE.

SECTION 17. LICENSE REQUIREMENTS

A. ELECTRICAL EXAMINING BOARD

1. TO CARRY OUT THE PROVISIONS OF THIS SECTION, THERE IS HEREBY RECREATED, AND ALSO CONTINUED, AS PREVIOUSLY CREATED AND ESTABLISHED A BOARD FOR THE EXAMINATION AND LICENSING OF PERSONS ENGAGED IN INSTALLING ELECTRICAL SYSTEMS, TO BE KNOWN AS THE "BOARD OF MECHANICAL CONTROLS" OF THE CITY OF JEFFERSONVILLE, INDIANA.

THE BOARD OF MECHANICAL CONTROLS (REFERRED TO BELOW AS THE BOARD) SHALL EXAMINE APPLICANTS FOR LICENSES UNDER THIS SECTION, ISSUE CERTIFICATES OF LICENSE TO QUALIFIED APPLICANTS WHO HAVE PAID THE PRESCRIBED FEES AND WHO HAVE PASSED THE EXAMINATION HEREINAFTER REQUIRED, AND REVOKE OR SUSPEND ANY LICENSE AFTER JUST CAUSE SHOWN BEFORE SUCH BOARD.

2. ANY MEMBER OF THE BOARD, SO SERVING UNDER PREVIOUS APPOINTMENTS AT THE TIME THIS CODE TAKES EFFECT, SHALL CONTINUE TO SERVE PURSUANT TO THEIR PREVIOUS APPOINTMENTS. THEREAFTER, THE BOARD SHALL CONSIST OF TEN (10) MEMBERS. THE MEMBERS ARE LISTED AS FOLLOWS:
 - (a) BUILDING COMMISSIONER OR A REPRESENTATIVE OF HIS OFFICE TO SERVE AS AN "EX OFFICIO" MEMBER;
 - (b) A REGULATORY REGISTERED ARCHITECT OF THE STATE OF INDIANA;
 - (c) A REGISTERED PROFESSIONAL ENGINEER OF THE STATE OF INDIANA;

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- (d) A REPUTABLE BUILDING CONSTRUCTION CONTRACTOR ENGAGED IN BUSINESS;
- (e) A REPUTABLE PLUMBING CONTRACTOR ENGAGED IN BUSINESS;
- (f) A REPUTABLE ELECTRICAL CONTRACTOR ENGAGED IN BUSINESS;
- (g) THE CLARK COUNTY HEALTH OFFICER OR HIS REPRESENTATIVE;
- (h) THE CITY ENGINEER;
- (i) A REPUTABLE HEATING, AIR CONDITIONING AND VENTILATING CONTRACTOR ENGAGED IN BUSINESS;
- (j) THE CHIEF OF THE FIRE DEPARTMENT OR HIS REPRESENTATIVE;

MEMBERS SHALL SERVE FOR A TERM OF ONE (1) YEAR AND SHALL HOLD OFFICE AT THE PLEASURE OF THE MAYOR. EACH TERM SHALL EXPIRE ON DECEMBER 31st OF EACH YEAR. HOWEVER, EACH MEMBER SHALL CONTINUE TO SERVE UNTIL A SUCCESSOR IS APPOINTED. VACANCIES OCCURING WITHIN A TERM SHALL BE FILLED BY THE MAYOR FOR THE UNEXPIRED PORTION OF THE TERM. THIS POSITION IS A NON-PAYING POSITION.

- 3. ON THE FIRST WEDNESDAY, IN FEBRUARY, MAY, AUGUST AND NOVEMBER THE BOARD SHALL EXAMINE APPLICANTS FOR LICENSES, PROVIDED THAT ANY SUCH APPLICATIONS ARE PENDING. THE BOARD MAY ALSO MEET AT THE CALL OF THE CHAIRMAN OF THE BOARD, AND PROVIDE FOR EXAMINATIONS AT OTHER TIMES.
- 4. THE BOARD SHALL KEEP MINUTES OF ALL MEETINGS AND A RECORD OF ALL LICENSES ISSUED AND SHALL ADOPT A PRINTED MANUAL OF ITS RULES AND REGULATIONS FOR THE CONDUCT OF MEETINGS AND EXAMINATIONS.
- 5. FIVE (5) MEMBERS OF THE BOARD SHALL CONSTITUTE A QUORUM FOR THE TRANSACTION OF BUSINESS; BUT ANY ACTION TAKEN AT A MEETING SHALL REQUIRE THE AFFIRMATIVE VOTE OF AT LEAST FOUR (4) MEMBERS.
- 6. NO NEW LICENSE UNDER THIS SECTION SHALL BE ISSUED WITHOUT APPROVAL BY THE BOARD.

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B. ELECTRICAL LICENSE

1. ALL PERSONS PERFORMING ANY INSTALLATION, ALTERATION OR REPAIR OF ANY ELECTRICAL WIRING, DEVICES, PANELS OR EQUIPMENT IN THE TOWN OF SELLERSBURG, OR WITHIN THE SERVICE AREA OF PUBLIC SERVICE INDIANA (PSI ENERGY) SHALL BE REQUIRED TO BE LICENSED BY THE CITY OF JEFFERSONVILLE AS AN ELECTRICAL CONTRACTOR OR SHALL BE IN THE EMPLOY OF A LICENSED ELECTRICAL CONTRACTOR WORKING UNDER THE SUPERVISION, DIRECTION AND RESPONSIBILITY OF SAID LICENSED CONTRACTOR.
2. NON-TRANSFERABILITY AND NON-NEGOTIABILITY. ANY LICENSE ISSUED UNDER THIS SECTION MAY NOT BE TRANSFERRED, ASSIGNED, SOLD OR NEGOTIATED TO ANOTHER PERSON. IT SHALL BE UNLAWFUL TO TRANSFER, ASSIGN, SELL OR LOAN SUCH LICENSE TO THE USE OF ANY OTHER PERSON, FIRM OR CORPORATION TO ENABLE SUCH PERSON, FIRM OR CORPORATION TO WORK ON A JOB WITHOUT OBTAINING THE PROPER LICENSE OR PERMIT.
3. ISSUANCE OF PERMITS. IT SHALL BE THE RESPONSIBILITY OF LICENSED ELECTRICAL CONTRACTORS TO SECURE PERMITS REQUIRED BY THE PROVISIONS OF THIS CODE PRIOR TO COMMENCING WORK. ALL WORK PERFORMED PURSUANT A PERMIT ISSUED TO A LICENSED CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF SAID CONTRACTOR AND THE CONTRACTOR'S LICENSE BOND SHALL PAY ALL DAMAGES, COSTS AND EXPENSES CAUSED BY NEGLIGENCE THROUGH FAILURE TO COMPLY WITH THE PROVISIONS OF THIS CODE. NO LICENSED CONTRACTOR SHALL ALLOW ANY OTHER PERSON TO DO OR CAUSE TO BE DONE ANY WORK UNDER A PERMIT SECURED BY SAID CONTRACTOR EXCEPT PERSONS IN HIS EMPLOY.
4. EXEMPTIONS. NO LICENSE UNDER THIS SECTION IS REQUIRED FOR THE EXECUTION OR PERFORMANCE OF THE FOLLOWING ELECTRICAL WORK:
 - (a) INSTALLATION OF COMMUNICATIONS SYSTEMS, INSTALLATIONS IN RECREATIONAL VEHICLES, AND INSTALLATIONS NOT COVERED BY THE

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INDIANA ELECTRICAL CODE (CURRENT NATIONAL ELECTRICAL CODE WITH INDIANA AMENDMENTS).

- (b) THE PERFORMANCE OF ELECTRICAL WORK IN A ONE (1) FAMILY DWELLING BY THE OWNER-OCCUPANT OF THE DWELLING; PROVIDED, HOWEVER, THAT THIS EXEMPTION DOES NOT APPLY TO ANY PERSON HIRED BY THE OWNER-OCCUPANT FOR COMPENSATION TO ASSIST OR TO PERFORM SUCH ELECTRICAL WORK ON THAT DWELLING, AND THAT SAID APPLICANT SIGN SUCH WAIVER REQUIRED BY THE BUILDING COMMISSIONER.
 - (c) THE MAINTENANCE OF SERVICING OF AN EXISTING ELECTRICAL SYSTEM FOR THE PURPOSE OF MAINTAINING IT IN A SAFE OPERATING CONDITION IN CONFORMANCE WITH THE PROVISIONS OF THIS CODE.
5. APPLICATION. EACH APPLICANT SHALL APPLY IN WRITING TO THE BOARD FOR A LICENSE AT LEAST FOURTEEN (14) DAYS BEFORE THE NEXT SCHEDULED MEETING DATE. THE APPLICANT SHALL INCLUDE:
- (a) THE APPLICANT'S NAME, ADDRESS, TELEPHONE NUMBER AND AGE.
 - (b) THE APPLICANT'S NUMBER OF YEARS OF EXPERIENCE.
 - (c) THE APPLICANT'S PRESENT PLACE OF EMPLOYMENT.
 - (d) PAYMENT OF SEVENTY-FIVE (\$75.00) DOLLARS FOR BLOCK AND ASSOCIATES EXAM.
 - (e) ASKING APPLICANT IF THEY ARE FAMILIAR WITH THE INDIANA ELECTRIC CODE AND/OR THE INDIANA MECHANICAL CODE.
 - (f) ASKING APPLICANT IF THEY HAVE BEEN CONVICTED OF A FELONY WITHIN THE PAST FIVE (5) YEARS.

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- (g) ASKING APPLICANT IF A JUDGEMENT HAS EVER BEEN ENTERED AGAINST THEM OR A LAWSUIT EVER SETTLED IN WHICH THEY OR THE FIRM WHERE THEY WORKED FOR AN AMOUNT IN EXCESS OF TEN THOUSAND (\$10,000.00) DOLLARS.
 - (h) INFORMING APPLICANT THAT INSURANCE IS REQUIRED BEFORE A LICENSE CAN BE GRANTED.
6. INSURANCE REQUIREMENTS. EACH LICENSE-HOLDER ACTIVELY EMPLOYED FOR HIRE IN THE TOWN OF SELLERSBURG AND DOING WORK OF THEIR RESPECTIVE TRADE SHALL, AT THE TIME APPLICATION IS MADE FOR RENEWAL AND/OR LICENSING, PROVIDE THE BUILDING COMMISSIONER WITH EVIDENCE OF LIABILITY INSURANCE FOR EACH OCCURRENCE IN THE AMOUNT OF ONE HUNDRED THOUSAND / THREE HUNDRED THOUSAND (\$100,000./\$300,000.) DOLLARS BY AN INSURANCE COMPANY LICENSED TO DO BUSINESS IN THE STATE OF INDIANA.

THE FOLLOWING EXCEPTIONS TO THIS REQUIREMENT MAY BE ALLOWED:

- (a) IF THE LICENSEHOLDER IS CURRENTLY EMPLOYED BY A FIRM THAT CARRIES INSURANCE ON SAID INDIVIDUAL AND HE DOES NOT DO WORK FOR HIRE IN THE TOWN, HE, THEREFORE, MAY RETAIN HIS LICENSE BY RENEWAL, AND SAID LICENSE BEING INDICATED BY THE OFFICE OF THE BUILDING COMMISSIONER IN SUCH A MANNER THAT THIS INDIVIDUAL SHALL NOT BE ALLOWED TO OBTAIN PERMITS FOR WORK WITHIN THE TOWN LIMITS OF SELLERSBURG WITHOUT PROOF OF INSURANCE, EXCEPT ON THE PREMISES OF THE FIRM MAINTAINING THE INSURANCE.
- (b) IF THE LICENSEHOLDER IS CURRENTLY NOT ACTIVELY ENGAGED IN PLYING HIS TRADE BUT WISHES TO RETAIN HIS LICENSE BY RENEWAL, SAID LICENSE SHALL BE INDICATED BY THE OFFICE OF THE BUILDING COMMISSIONER IN SUCH A MANNER THAT THIS INDIVIDUAL SHALL NOT BE ALLOWED TO OBTAIN PERMITS FOR WORK WITHIN THE TOWN LIMITS OF SELLERSBURG WITHOUT PROOF OF INSURANCE AS PREVIOUSLY SET FORTH IN SECTION 17 OF THIS ORDINANCE.

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7. EXAMINATION. THE EXAMINATIONS WILL BE GIVEN IN THE MONTHS OF MARCH, JUNE, SEPTEMBER AND DECEMBER. THE EXAMINATION IN THE ELECTRICAL FIELD IS THE MASTER ELECTRICIAN EXAM FROM "BLOCK AND ASSOCIATES" THAT THE BOARD OF MECHANICAL CONTROLS SETS FORTH AS AN APPROPRIATE EXAMINATION. IF ANY APPLICANT HAS OBTAINED A SCORE ON THE "BLOCK AND ASSOCIATES" EXAMINATION IN ANY OTHER CITY, THAT IS SUFFICIENT TO MEET THE REQUIREMENTS OF THE BOARD OF MECHANICAL CONTROL, [SEVENTY (70%) PERCENTILE] THAT INDIVIDUAL MAY BE GIVEN A LICENSE FOR THAT PARTICULAR TRADE.

SHOULD AN EMERGENCY ARISE, ANY APPLICANT MAY, AT THEIR OWN EXPENSE, TAKE THE SAME "BLOCK AND ASSOCIATES" EXAMINATION (MASTER ELECTRICIAN EXAM) AT GAINESVILLE, FLORIDA, UNDER THE TESTING FIRM'S AUSPICES, OR IN ANY CITY WHERE IT IS OFFERED AND THE BOARD OF MECHANICAL CONTROL SHALL ACCEPT THE RESULTS OF THAT EXAMINATION FOR THE PURPOSES OF ISSUING A LICENSE.

8. AN APPLICANT FOR AN ELECTRICAL LICENSE SHALL SUBMIT TO AN EXAMINATION GIVEN BY THE EXAMINING BOARD OR A REPRESENTATIVE. SUCH EXAMINATION SHALL COST SEVENTY-FIVE (\$75.00) DOLLARS. THIS FEE IS A NON-REFUNDABLE FEE AND SHALL BE RETAINED WHETHER THE APPLICANT PASSES OR FAILS THE EXAMINATION.
9. ALL LICENSES SHALL BE RENEWED ON OR BEFORE JANUARY 2 OF EACH YEAR. SHOULD A LICENSEHOLDER FAIL TO RENEW HIS LICENSE WITHIN SIXTY (60) DAYS OF THAT DATE (i.e. MARCH 2) THE BUILDING COMMISSIONER SHALL NOTIFY THAT INDIVIDUAL BY REGISTERED MAIL, RETURN RECEIPT REQUESTED, THAT HE HAS THIRTY (30) DAYS IN WHICH TO RENEW HIS LICENSE. HOWEVER, THE FEE SHALL BE ONE HUNDRED (\$100.00) DOLLARS DURING THAT THIRTY (30) DAY PERIOD. SHOULD THE LICENSEE FAIL TO RENEW HIS LICENSE DURING THAT PERIOD OF TIME, HE SHALL BE REQUIRED TO PASS THE EXAMINATION FOR LICENSE ISSUANCE; PROVIDED, HOWEVER, THAT THE EXAMINING BOARD MAY, FOR A GOOD CAUSE SHOWN, WAIVE SUCH RE-EXAMINATION.

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10. THE LICENSE FEE SHALL BE SEVENTY (\$70.00) DOLLARS PAYABLE ON OR BEFORE JANUARY 2 OF THE FOLLOWING YEAR. THIS FEE SHALL GOVERN UNLESS THE LICENSEHOLDER FAILS TO OBTAIN HIS LICENSE WITHIN THE SIXTY (60) DAY PERIOD SET FORTH IN PARAGRAPH 9 ABOVE.

C. HEATING AND AIR CONDITIONING LICENSE.

1. ALL HEATING, VENTILATING AND AIR CONDITIONING SYSTEMS, EQUIPMENT, APPARATUS, OR DEVICES, AND ALL INSTALLATIONS, ALTERATIONS, IMPROVEMENTS, SHALL CONFORM TO THE INDIANA MECHANICAL CODE EXCEPT ONE AND TWO FAMILY DWELLING CODE ADOPTED IN SECTION 6.

THE INSTALLATION OF ALL ELECTRICAL EQUIPMENT AND WIRING ON CONNECTION WITH ANY HEATING, VENTILATING OR AIR CONDITIONING SYSTEM, APPARATUS OR DEVICE, SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE INDIANA ELECTRICAL CODE AS ALREADY ADOPTED.

2. NON-TRANSFERABILITY AND NON-NEGOTIABILITY. ANY LICENSE ISSUED UNDER THIS SECTION MAY NOT BE TRANSFERRED, ASSIGNED, SOLD OR NEGOTIATED TO ANOTHER PERSON. IT SHALL BE UNLAWFUL TO TRANSFER, ASSIGN, SELL OR LOAN SUCH LICENSE TO THE USE OF ANY OTHER PERSON, FIRM OR CORPORATION TO ENABLE SUCH PERSON, FIRM OR CORPORATION TO WORK ON A JOB WITHOUT OBTAINING THE PROPER LICENSE OR PERMIT.
3. ISSUANCE OF PERMITS. IT SHALL BE THE RESPONSIBILITY OF LICENSED HEATING AND AIR CONDITIONING CONTRACTORS TO SECURE PERMITS REQUIRED BY THE PROVISIONS OF THIS CODE PRIOR TO COMMENCING WORK. ALL WORK PERFORMED PURSUANT TO A PERMIT ISSUED TO A LICENSED CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF SAID CONTRACTOR AND THE CONTRACTOR'S LICENSED BOND SHALL PAY ALL DAMAGES, COSTS AND EXPENSES CAUSED BY NEGLIGENCE THROUGH FAILURE TO COMPLY WITH THE PROVISIONS OF THIS CODE. NO LICENSED CONTRACTOR SHALL ALLOW ANY OTHER PERSON TO DO OR CAUSE TO BE DONE ANY WORK UNDER A PERMIT SECURED

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BY SAID CONTRACTOR EXCEPT PERSONS IN HIS EMPLOY.

4. APPLICATION. EACH APPLICANT SHALL APPLY IN WRITING TO THE BOARD FOR A LICENSE AT LEAST FOURTEEN (14) DAYS BEFORE THE NEXT SCHEDULED MEETING DATE. THE APPLICATION SHALL INCLUDE:
 - (a) THE APPLICANT'S NAME, ADDRESS, TELEPHONE NUMBER AND AGE.
 - (b) THE APPLICANT'S NUMBER OF YEARS OF EXPERIENCE.
 - (c) THE APPLICANT'S PRESENT PLACE OF EMPLOYMENT.
 - (d) PAYMENT OF SEVENTY-FIVE (\$75.00) DOLLARS FOR THE BLOCK AND ASSOCIATES EXAM.
 - (e) ASKING APPLICANT IF THEY ARE FAMILIAR WITH THE INDIANA ELECTRIC CODE AND/OR THE INDIANA MECHANICAL CODE.
 - (f) ASKING APPLICANT IF THEY HAVE BEEN CONVICTED OF A FELONY WITHIN THE PAST FIVE (5) YEARS.
 - (g) ASKING APPLICANT IF A JUDGEMENT HAS EVER BEEN ENTERED AGAINST THEM OR A LAWSUIT EVER SETTLED IN WHICH THEY OR THE FIRM WHERE THEY WORKED FOR AN AMOUNT IN EXCESS OF TEN THOUSAND (\$10,000.00) DOLLARS.
 - (h) INFORMING APPLICANT THAT INSURANCE IS REQUIRED BEFORE A LICENSE CAN BE GRANTED.
5. INSURANCE REQUIREMENTS. EACH LICENSE-HOLDER ACTIVELY EMPLOYED FOR HIRE IN THE TOWN OF SELLERSBURG AND DOING WORK OF THEIR RESPECTIVE TRADE SHALL, AT THE TIME APPLICATION IS MADE FOR RENEWAL AND/OR LICENSING, PROVIDE THE BUILDING COMMISSIONER WITH EVIDENCE OF LIABILITY INSURANCE FOR EACH OCCURRENCE IN THE AMOUNT OF ONE HUNDRED THOUSAND / THREE HUNDRED THOUSAND (\$100,000./\$300,000.) DOLLARS BY AN INSURANCE COMPANY LICENSED TO DO BUSINESS IN THE STATE OF INDIANA.

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THE FOLLOWING EXCEPTIONS TO THIS REQUIREMENT MAY BE ALLOWED:

- (a) IF THE LICENSEHOLDER IS CURRENTLY EMPLOYED BY A FIRM THAT CARRIES INSURANCE ON SAID INDIVIDUAL AND HE DOES NOT DO WORK FOR HIRE IN THE TOWN, HE, THEREFORE, MAY RETAIN HIS LICENSE BY RENEWAL, AND SAID LICENSE BEING INDICATED BY THE OFFICE OF THE BUILDING COMMISSIONER IN SUCH A MANNER THAT THIS INDIVIDUAL SHALL NOT BE ALLOWED TO OBTAIN PERMITS FOR WORK WITHIN THE TOWN LIMITS OF SELLERSBURG WITHOUT PROOF OF INSURANCE AS PREVIOUSLY SET FORTH IN PARAGRAPH (5) OF THIS SECTION, EXCEPT ON THE PREMISES OF THE FIRM MAINTAINING THE INSURANCE.
- (b) IF THE LICENSEHOLDER IS CURRENTLY NOT ACTIVELY ENGAGED IN PLYING HIS TRADE BUT WISHES TO RETAIN HIS LICENSE BY RENEWAL, SAID LICENSE SHALL BE INDICATED BY THE OFFICE OF THE BUILDING COMMISSIONER IN SUCH A MANNER THAT THIS INDIVIDUAL SHALL NOT BE ALLOWED TO OBTAIN PERMITS FOR WORK WITHIN THE TOWN LIMITS OF SELLERSBURG WITHOUT PROOF OF INSURANCE AS PREVIOUSLY SET FORTH IN PARAGRAPH (5) OF THIS SECTION.
6. EXAMINATION. THE EXAMINATION WILL BE GIVEN IN THE MONTHS OF MARCH, JUNE, SEPTEMBER AND DECEMBER. THE EXAMINATION IN THESE AREAS SHALL BE THE "BLOCK AND ASSOCIATES" EXAMINATION THAT THE BOARD OF MECHANICAL CONTROLS HAS SET FORTH AS AN APPROPRIATE EXAMINATION. IF ANY APPLICANT HAS OBTAINED A SCORE ON THE "BLOCK AND ASSOCIATES" EXAMINATION IN ANY OTHER CITY, THAT IS SUFFICIENT TO MEET THE REQUIREMENTS OF THE BOARD OF MECHANICAL CONTROL, SEVENTY (70%) PERCENTILE, THAT INDIVIDUAL MAY BE GIVEN A LICENSE FOR THAT PARTICULAR TRADE.

SHOULD AN EMERGENCY ARISE, ANY APPLICANT MAY, AT THEIR OWN EXPENSE, TAKE THE SAME "BLOCK AND ASSOCIATES" EXAMINATION (MECHANICAL CONTRACTOR EXAM) AT GAINSVILLE, FLORIDA, UNDER THE TESTING FIRM'S AUSPICES, OR IN ANY CITY WHERE IT

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IS OFFERED AND THE BOARD OF MECHANICAL CONTROL SHALL ACCEPT THE RESULTS OF THAT EXAMINATION FOR THE PURPOSES OF ISSUING A LICENSE.

7. AN APPLICANT FOR A CONTRACTOR'S LICENSE SHALL SUBMIT TO AN EXAMINATION GIVEN BY THE EXAMINING BOARD. SUCH EXAMINATION SHALL BE SEVENTY-FIVE (\$75.00) DOLLARS. THIS FEE IS A NON-REFUNDABLE FEE AND SHALL BE RETAINED WHETHER THE APPLICANT PASSES OR FAILS THE EXAMINATION.
8. ALL LICENSES SHALL BE RENEWED ON OR BEFORE JANUARY 2 OF EACH YEAR. SHOULD A LICENSEHOLDER FAIL TO RENEW HIS LICENSE WITHIN SIXTY (60) DAYS OF THAT DATE (i.e. MARCH 2) THE BUILDING COMMISSIONER SHALL NOTIFY THAT INDIVIDUAL BY REGISTERED MAIL, RETURN RECEIPT REQUESTED, THAT HE HAS THIRTY (30) DAYS IN WHICH TO RENEW HIS LICENSE. HOWEVER, THE FEE SHALL BE ONE HUNDRED (\$100.00) DOLLARS DURING THAT THIRTY (30) DAY PERIOD. SHOULD THE LICENSEE FAIL TO RENEW HIS LICENSE DURING THAT PERIOD OF TIME, HE SHALL BE REQUIRED TO PASS THE EXAMINATION FOR LICENSE ISSUANCE; PROVIDED, HOWEVER, THAT THE EXAMINING BOARD MAY, FOR A GOOD CAUSE SHOWN, WAIVE SUCH RE-EXAMINATION.
9. THE LICENSE FEE SHALL BE SEVENTY (\$70.00) DOLLARS PAYABLE ON OR BEFORE JANUARY 2 OF THE FOLLOWING YEAR. THIS FEE SHALL GOVERN UNLESS THE LICENSE-HOLDER FAILS TO OBTAIN HIS LICENSE WITHIN THE SIXTY (60) DAY PERIOD SET FORTH IN PARAGRAPH (8) OF THIS SECTION.

SECTION 18: REGISTRATION OF PLUMBING CONTRACTORS.

A. DEFINITIONS.

1. PLUMBING MEANS THE PRACTICE OF, AND THE MATERIALS AND FIXTURES USED IN THE INSTALLATION, MAINTAINANCE, EXTENSION, AND ALTERATION OF ALL PIPING, FIXTURES, APPLIANCES AND APPURTENANCES IN CONNECTION WITH ANY STRUCTURE WITHIN THE TOWN OF SELLERSBURG.

ALL PLUMBING RULES AND REGULATIONS SHALL BE IN COMPLIANCE WITH P.L. 248-1985

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[H. 1123. APPROVED APRIL 16, 1985.],
ENACTED BY THE GENERAL ASSEMBLY OF THE
STATE OF INDIANA.

SECTION 19: WRECKING BUILDINGS AND STRUCTURES.

A. WRECKING PERMITS

BEFORE PROCEEDING WITH THE WRECKING OR TEARING DOWN OF ANY BUILDING OR STRUCTURE, IN WHOLE OR PART, A PERMIT THEREFOR SHALL FIRST BE OBTAINED BY THE OWNER OR HIS AGENT FROM THE BUILDING COMMISSIONER, UPON A FORM PRESCRIBED BY SAID DEPARTMENT. IT SHALL BE UNLAWFUL TO PROCEED WITH SUCH WORK UNLESS SUCH PERMIT SHALL HAVE BEEN FIRST OBTAINED.

B. LIABILITY FOR PROPERTY DAMAGE AND BODILY INJURY

ALL PERSONS ENGAGED IN THE DEMOLITION OF A BUILDING OR STRUCTURE, INCLUDING THE PROPERTY OWNER AND HIS AGENT, SHALL BE LIABLE FOR ANY BODILY INJURY OR DAMAGE TO PUBLIC OR PRIVATE PROPERTY OCCURRING AS A RESULT OF THE DEMOLITION WORK. SAID PERSONS SHALL INDEMNIFY AND SAVE HARMLESS THE TOWN OF SELLERSBURG AGAINST ANY LOSS, DAMAGE, EXPENSE, CLAIM, DEMAND, ACTION, JUDGEMENT OR LIABILITY OF ANY KIND WHATSOEVER WHICH MAY ARISE OR RESULT FROM THE DEMOLITION WORK. BEFORE ANY DEMOLITION PERMIT IS ISSUED TO ANY PERSON, FIRM OR CORPORATION WHO OFFERS TO DEMOLISH A BUILDING OR STRUCTURE FOR ANOTHER PERSON AND/OR WHO ENGAGES IN THE BUSINESS OF DEMOLITION CONTRACTING, SAID PERSON, FIRM OR CORPORATION SHALL FURNISH TO THE BUILDING COMMISSIONER, A CERTIFICATE OF INSURANCE, INDICATING THE APPROPRIATE ENDORSEMENT FOR WRECKING OR DEMOLITION WORK. THE MINIMUMS OF SUCH INSURANCE SHALL BE AS FOLLOWS:

| | EACH OCCURRENCE | AGGREGATE |
|----------------------------------|--------------------|--------------|
| LIABILITY FOR BODILY INJURY | \$100,000.00 | \$300,000.00 |
| LIABILITY FOR PROPERTY DAMAGE | \$100,000.00 | \$300,000.00 |

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OR COMBINED SINGLE LIMIT COVERAGE AS FOLLOWS

| | EACH OCCURRENCE | AGGREGATE |
|---|--------------------|--------------|
| LIABILITY FOR BODILY INJURY AND PROPERTY DAMAGE | \$300,000.00 | \$300,000.00 |

C. MINIMUM STANDARDS FOR DEMOLITION

ALL PERSONS ENGAGED IN THE DEMOLITION OF A
BUILDING OR STRUCTURE SHALL COMPLY WITH THE
FOLLOWING MINIMUM STANDARDS:

1. CONTROL SHALL BE MAINTAINED OVER THE SITE AND OPERATION TO ELIMINATE HAZARDS TO THE PUBLIC. NAILS OR OTHER TIRE PUNCTURING ITEMS SHALL NOT BE DROPPED ON STREETS, ALLEYS AND ADJACENT PROPERTY. PUBLIC STREETS, CURBS AND SIDEWALKS SHALL BE PROTECTED FROM DAMAGE. THE PERSON ENGAGED IN THE DEMOLITION WORK SHALL BE LIABLE FOR ANY AND ALL DAMAGE TO CURBS, STREETS, SIDEWALKS AND OTHER PUBLIC OR PRIVATE PROPERTY AND FOR ANY BODILY INJURY OCCURRING AS A RESULT OF THE DEMOLITION WORK.
2. BASEMENT WALLS AND ALL OTHER CONCRETE SLABS AND FOOTINGS NOT INTENDED OR NOT ABLE TO BE REUSED SHALL BE REMOVED TWO (2) FEET BELOW FINISHED GRADE. MATERIAL USED FOR BACKFILL SHALL BE FREE OF WOOD AND COMPACTED THOROUGHLY.
3. ALL SEWER AND DRAIN LINES SHALL BE REMOVED FOR A DISTANCE OF TWO (2) FEET OUTSIDE OF THE BASEMENT WALL AND SHALL BE THOROUGHLY PLUGGED AND SEALED WITH CEMENT. ALL WATER SERVICE SHALL BE TURNED OFF AT THE SERVICE VALVE AND WATER LINES SHALL BE REMOVED FOR A DISTANCE OF TWO (2) FEET OUTSIDE OF THE BASEMENT WALL AND SHALL BE THOROUGHLY PLUGGED AND SEALED TO PREVENT LEAKAGE.
4. BASEMENT FLOORS SHALL BE BROKEN TO PROVIDE POSITIVE DRAINAGE FOR A MINIMUM TWENTY (20%) PERCENT OF THE FLOOR AREA UNIFORMLY DISTRIBUTED.
5. ALL DEBRIS RESULTING FROM THE DEMOLITION WORK SHALL BE PROPERLY DISPOSED OF.

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6. ALL UNDERGROUND TANKS PRESENT ON THE SITE SHALL BE REMOVED. CISTERNS PRESENT ON THE SITE SHALL BE FILLED IN ACCORDANCE WITH THE REQUIREMENTS FOR BASEMENTS.
7. THE DEMOLITION SITE SHALL BE LEFT WITH A UNIFORM GRADE AND SHALL BE FREE OF DEBRIS.
8. THE PERSON ENGAGED IN THE DEMOLITION WORK SHALL BE RESPONSIBLE FOR REQUESTING TWO (2) INSPECTIONS DURING THE COURSE OF THE WORK. THE FIRST INSPECTION SHALL BE MADE AFTER THE BASEMENT FLOOR IS BROKEN AND THE WATER AND SEWER SERVICES ARE SEALED. THE SECOND INSPECTION SHALL BE MADE AFTER THE BACKFILL IS COMPLETED, THE SITE IS UNIFORMLY GRADED AND ALL DEBRIS HAS BEEN REMOVED.

SECTION 20: MOVING BUILDINGS OR STRUCTURES.

A. APPROVAL AND PERMIT REQUIRED FOR MOVING BUILDINGS AND STRUCTURES

1. NO BUILDING OR STRUCTURE SHALL BE MOVED TO A NEW LOCATION OVER ANY STREET, BRIDGE, OTHER PUBLIC PROPERTY OR PRIVATE PROPERTY WITHIN THE CORPORATE LIMITS OF THE TOWN OF SELLERSBURG WITHOUT FIRST OBTAINING THE APPROVAL OF THE BOARD OF PUBLIC WORKS AND SAFETY OF THE TOWN OF SELLERSBURG, AND OBTAINING A PERMIT FROM THE BUILDING COMMISSIONER.
2. ANY PERSON DESIRING TO MOVE A BUILDING OR STRUCTURE SHALL SUBMIT AN APPLICATION TO THE BUILDING COMMISSIONER ON SUCH FORMS AS MAY BE PRESCRIBED BY SAID DEPARTMENT. THE APPLICATION SHALL BE ACCOMPANIED BY THE FOLLOWING:
 - (a) A MAP INDICATING THE PROPOSED ROUTE.
 - (b) A LETTER FROM ALL PUBLIC UTILITY COMPANIES, RAILROADS AND CABLE TELEVISION COMPANIES WITH FACILITIES ALONG THE PROPOSED ROUTE INDICATING THAT THE APPLICANT HAS DEPOSITED WITH SUCH COMPANY ADEQUATE SURETY TO COVER THE COST OF ANY DAMAGES OR CHANGES IN FACILITIES RESULTING FROM MOVING THE BUILDING OR STRUCTURE.

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- (c) A LETTER FROM THE TRAFFIC DIVISION OF THE SELLERSBURG POLICE DEPARTMENT WITH RECOMMENDATIONS REGARDING THE PROPOSED ROUTE AND TRAFFIC CONTROL.
 - (d) A LETTER FROM THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS INDICATING ANY PROBLEMS OR RECOMMENDATIONS REGARDING PUBLIC FACILITIES AND IMPROVEMENTS.
 - (e) A LETTER FROM THE BUILDING COMMISSIONER REGARDING THE OVERALL STRUCTURAL CONDITION OF THE BUILDING OR STRUCTURE PROPOSED TO BE MOVED.
 - (f) APPROVAL FROM THE COUNTY HIGHWAY ENGINEER IF THE PROPOSED ROUTE INCLUDES ANY COUNTY HIGHWAY OR BRIDGE.
 - (g) APPROVAL FROM THE INDIANA DEPARTMENT OF TRANSPORTATION IF THE PROPOSED ROUTE INCLUDES ANY STATE HIGHWAYS.
 - (h) WRITTEN AUTHORIZATION FROM ANY PRIVATE PROPERTY OWNER WHOSE LAND MUST BE CROSSED DURING THE MOVE.
 - (i) A CERTIFICATE OF INSURANCE AND PERFORMANCE BOND AS REQUIRED BELOW.
3. ALL APPLICATIONS FOR A PERMIT TO MOVE A BUILDING OR STRUCTURE SHALL BE REFERRED TO THE BOARD OF PUBLIC WORKS AND SAFETY OF THE TOWN OF SELLERSBURG. THE BOARD SHALL REVIEW THE APPLICATION AND RECOMMENDATIONS MADE BY ALL INTERESTED PARTIES. IF THE BOARD OF PUBLIC WORKS AND SAFETY DETERMINES THAT THE MOVING AND RELOCATION OF THE BUILDING OR STRUCTURE CAN BE MADE WITHOUT INJURY TO PERSONS OR TO CURBS, SIDEWALKS, BRIDGES, SEWERS, OR OTHER PUBLIC OR PRIVATE PROPERTY AND IMPROVEMENTS, THE BOARD MAY APPROVE THE MOVING PERMIT APPLICATION AND THE BUILDING COMMISSIONER MAY ISSUE A MOVING PERMIT.
4. THE BOARD OF PUBLIC WORKS AND SAFETY SHALL APPROVE THE ROUTE TO BE UTILIZED FOR THE MOVE, THE TIME AND DATE SUCH MOVE SHALL TAKE PLACE AND THE TIME AND DATE WHEN SUCH MOVE SHALL BE COMPLETED.

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THE BOARD MAY REQUIRE OTHER REASONABLE CONDITIONS AS NECESSARY TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE.

5. NO APPLICATION FOR MOVING SHALL BE APPROVED BY THE BOARD IF THE BUILDING OR STRUCTURE PROPOSED TO BE MOVED HAS BEEN DAMAGED BY WEAR OR TEAR OF OTHER CAUSE TO AN EXTENT EXCEEDING FIFTY (50%) PERCENT OF ITS ORIGINAL COST.
6. ANY BUILDING OR STRUCTURE THAT HAS BEEN MOVED TO A NEW LOCATION SHALL BE REHABILITATED OR RECONSTRUCTED SO AS TO BE MADE TO CONFORM TO THE PROVISIONS OF THIS CODE FOR NEW CONSTRUCTION.

B. INSURANCE AND BONDING REQUIREMENTS

1. THE APPLICANT FOR A MOVING PERMIT SHALL AGREE TO ASSUME THE RESPONSIBILITY FOR ANY PERSONAL INJURY OR ANY DAMAGE TO PUBLIC OR PRIVATE PROPERTY OCCURRING AS A RESULT OF MOVING A BUILDING OR STRUCTURE. THE APPLICANT SHALL AGREE TO DEFEND, INDEMNIFY AND HOLD HARMLESS THE TOWN OF SELLERSBURG, INDIANA, ITS DEPARTMENTS, BOARDS, EMPLOYEES, OFFICERS AND AGENTS FROM AND AGAINST ALL CLAIMS, CHARGES, DAMAGES, DEMANDS, COSTS, SUITS, LIABILITIES AND PAYMENTS, EXPENSES (INCLUDING COUNSEL FEES), FINES, JUDGEMENTS, PENALTIES, AND/OR LOSSES OF ANY KIND OR NATURE WHATSOEVER, RESULTING FROM OR IN RESPECT OF ANY INJURY OR DAMAGE TO PERSON OR PROPERTY CAUSED NEGLIGENTLY OR OTHERWISE FROM THE MOVING OF ANY BUILDING OR STRUCTURE, AND/OR THE GRANTING OF A MOVING PERMIT.

THE APPLICANT SHALL SUBMIT TO THE BUILDING COMMISSIONER, A CERTIFICATE OF INSURANCE AS EVIDENCE THAT SAID APPLICANT HAS LIABILITY INSURANCE COVERAGE PROPERLY ENDORSED FOR MOVING OF A BUILDING OR STRUCTURE IN THE FOLLOWING MINIMUM AMOUNTS:

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| | EACH OCCURRENCE | AGGREGATE |
|--|--------------------|----------------|
| LIABILITY FOR BODILY INJURY | \$500,000.00 | \$1,000,000.00 |
| LIABILITY FOR PUBLIC AND PRIVATE PROPERTY DAMAGE | \$500,000.00 | \$1,000,000.00 |

OR COMBINED SINGLE LIMIT COVERAGE AS FOLLOWS:

| | | |
|---|----------------|----------------|
| LIABILITY FOR BODILY INJURY AND PROPERTY DAMAGE | \$1,000,000.00 | \$1,000,000.00 |
|---|----------------|----------------|

2. A BUILDING OR STRUCTURE SHALL BE REQUIRED TO BE PLACED ON ITS PERMANENT FOUNDATION WITHIN THIRTY (30) DAYS AFTER BEING MOVED TO A NEW LOCATION. AN APPLICANT FOR A MOVING PERMIT SHALL SUBMIT TO THE BOARD OF PUBLIC WORKS AND SAFETY A PERFORMANCE BOND, OR OTHER FORM OF SURETY ACCEPTABLE TO SAID BOARD, IN AN AMOUNT TO BE DETERMINED BY THE BOARD, GUARANTEEING THAT THE MOVING OF THE BUILDING OR STRUCTURE SHALL BE COMPLETED WITHIN THE TIME SPECIFIED BY THE BOARD AND THAT THE BUILDING OR STRUCTURE SHALL BE PLACED ON ITS PERMANENT FOUNDATION WITHIN THIRTY (30) DAYS AFTER BEING MOVED TO A NEW LOCATION.

3. IN THE EVENT OF ADVERSE WEATHER CONDITIONS OR OTHER UNFORESEEN CIRCUMSTANCES, THE BOARD MAY, UPON THE REQUEST OF THE APPLICANT, GRANT AN EXTENSION OF TIME TO COMPLETE THE MOVE OR TO PLACE THE BUILDING OR STRUCTURE ON ITS PERMANENT FOUNDATION. THE BOARD SHALL RELEASE THE PERFORMANCE BOND UPON THE SATISFACTORY COMPLETION OF THE MOVE AND THE PLACEMENT OF THE BUILDING OR STRUCTURE ON ITS PERMANENT FOUNDATION.

SECTION 21: MINIMUM STANDARDS FOR EXTERIOR MAINTENANCE

A. EXTERIOR MAINTENANCE STANDARDS

THE EXTERIOR OF ALL PREMISES AND THE CONDITION OF ALL BUILDINGS AND STRUCTURES THEREON SHALL BE MAINTAINED SO THAT THE APPEARANCE THEREOF SHALL REFLECT A LEVEL OF MAINTENANCE IN KEEPING WITH THE STANDARDS OF THE TOWN AND SO AS TO AVOID BLIGHTING

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EFFECTS AND HAZARDS TO HEALTH, SAFETY, AND WELFARE.

THE OWNER AND OPERATOR SHALL KEEP THE EXTERIOR OF ALL PREMISES AND EVERY STRUCTURE THEREON INCLUDING BUT NOT LIMITED TO WALLS, ROOFS, CORNICES, CHIMNEYS, DRAINS, TOWERS, PORCHES, LANDINGS, FIRE ESCAPES, STAIRS, REFUSE AND GARBAGE CONTAINERS, STORE FRONTS, SIGNS, WINDOWS, DOORS, AWNINGS AND MARQUEES, IN GOOD REPAIR, AND ALL SURFACES THEREOF SHALL BE KEPT PAINTED OR PROTECTED WITH OTHER APPROVED COATINGS OR MATERIALS WHERE NECESSARY FOR THE PURPOSE OF PRESERVATION AND AVOIDING A BLIGHTING INFLUENCE ON ADJOINING PROPERTIES. EXTERIOR WOOD, COMPOSITION OR METAL SURFACES SHALL BE PROTECTED FROM THE ELEMENTS BY PAINT OR OTHER PROTECTIVE COVERINGS. SURFACES SHALL BE MAINTAINED SO AS TO BE KEPT CLEAN AND FREE OF FLAKING, LOOSE OR PEELING PAINT OR COVERINGS. THOSE SURFACE MATERIALS WHOSE APPEARANCE AND MAINTENANCE WOULD BE ENHANCED BY A NATURAL WEATHERING EFFECT OR OTHER NATURAL EFFECT MAY REMAIN UNTREATED.

ALL SURFACES SHALL BE MAINTAINED FREE OF BROKEN GLASS, LOOSE SHINGLES, CRUMBLING STONE OR BRICK, PEELING PAINT, WHEN SUCH PEELING CONSISTS OF AT LEAST THIRTY-THREE AND ONE THIRD (33 1/3 %) PERCENT OF THE SURFACE AREA, OR OTHER CONDITIONS REFLECTIVE OF DETERIORATION OR INADEQUATE MAINTENANCE, AND NOT SHOW EVIDENCE OF WEATHERING DISCOLORATION, RIPPING, TEARING, OR OTHER HOLES OR BREAKS, TO THE END THAT THE PROPERTY ITSELF MAY BE PRESERVED SAFELY AND FIRE HAZARDS ELIMINATED FROM ADJOINING PROPERTIES AND THE NEIGHBORHOOD PROTECTED FROM BLIGHTING INFLUENCE.

ALL PREMISES SHALL BE MAINTAINED AND LAWN, HEDGES, BUSHES, TREES, AND OTHER VEGETATION SHALL BE KEPT TRIMMED AND FROM BECOMING OVERGROWN AND UNSIGHTLY WHERE EXPOSED TO PUBLIC VIEW OR WHERE SUCH VEGETATION MAY CONSTITUTE A BLIGHTING INFLUENCE ON ADJOINING PROPERTY.

ALL PREMISES SHALL BE MAINTAINED FREE OF ALL DEBRIS, TRASH, RUBBISH, LITTER, GARBAGE, REFUSE, JUNK AND FOUNDATION REMNANTS. NO PREMISES SHALL BE USED FOR

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STORAGE OF INOPERABLE MOTOR VEHICLES, MACHINERY, JUNK VEHICLES OR MACHINERY AND VEHICLE PARTS WHEN SUCH STORAGE IS WITHIN VIEW OF ANY PUBLIC PREMISES OR PUBLIC ALLEY, STREET OR HIGHWAY SO AS NOT TO CAUSE A BLIGHTING PROBLEM OR ADVERSELY EFFECT THE PUBLIC HEALTH OR SAFETY.

ALL VACANT STRUCTURES AND PREMISES THEREOF OR VACANT LAND SHALL BE MAINTAINED IN A CLEAN, SAFE, SECURE, AND SANITARY CONDITION AS PROVIDED HEREIN.

B. REMEDIES

THE BUILDING COMMISSIONER SHALL REQUEST THE TOWN ATTORNEY TO BRING ACTION ON BEHALF OF THE TOWN IN THE CIRCUIT OR SUPERIOR COURTS OF CLARK COUNTY, INDIANA, FOR MANDATORY AND INJUNCTIVE RELIEF IN THE ENFORCEMENT OF AND TO SECURE COMPLIANCE WITH ANY ORDER OR ORDERS MADE BY THE BUILDING COMMISSIONER OR HIS AUTHORIZED REPRESENTATIVE, AND ANY SUCH ACTION FOR MANDATORY OR INJUNCTIVE RELIEF MAY BE JOINED WITH AN ACTION TO RECOVER THE PENALTIES PROVIDED FOR IN THIS ORDINANCE. ANY PERSON ADJUDGED GUILTY OF A VIOLATION OF THIS ORDINANCE MAY ALSO BE ADJUDGED TO PAY THE COSTS OF PROSECUTION.

THE OWNER OF THE PROPERTY SHALL BE NOTIFIED IN WRITING STATING THAT THE PROPERTY OWNER SHALL HAVE A MAXIMUM OF THIRTY (30) DAYS TO COMPLY WITH THE STANDARDS OF MAINTENANCE AS OUTLINED IN THIS SECTION, AFTER WHICH TIME IF THE PROPERTY OWNER HAS NOT COMPLIED, A FINE SHALL BE ASSESSED AS PROVIDED FOR IN SUBSECTION (C) BELOW.

C. PENALTIES

IF ANY PROPERTY OWNER VIOLATES THE PROVISIONS OF THIS SECTION, SAID PROPERTY OWNER SHALL BE NOTIFIED IN WRITING OF SUCH VIOLATION.

THE BUILDING COMMISSIONER OR HIS AUTHORIZED REPRESENTATIVE, SHALL SEND A "VIOLATION NOTICE" BY CERTIFIED MAIL OR BY DELIVERY IN PERSON TO THE PROPERTY OWNER FOUND TO BE IN VIOLATION OF THIS SECTION, AND THAT SAID PERSON SHALL HAVE A MAXIMUM OF FIFTEEN (15) DAYS TO COMPLETE AND RETURN A FORM LETTER INDICATING AGREEMENT TO "CORRECT THE

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VIOLATION WITHIN THIRTY (30) DAYS" OR TO
"APPEAL THE VIOLATION".

UPON RECEIPT OF A REQUEST FOR A APPEAL THE
BUILDING COMMISSIONER SHALL NOTIFY THE
APPELLANT IN WRITING OF THE PLACE AND DATES
TO SCHEDULE AN APPEAL. THE PROPERTY OWNER
MAY APPEAL "THE VIOLATION", "THE COMPLIANCE
REQUIREMENTS", OR "THE COMPLETION DATE".

UPON PRESENTATION OF CONVINCING EVIDENCE
THE PLANNING AND ZONING COMMISSION MAY
NEGOTIATE AN ADJUSTED "COMPLIANCE SCHEDULE"
COMMENSURATE WITH THE EVIDENCE PRESENTED
AND IN KEEPING WITH THIS SECTION.

PROOF OF HARDSHIP: UPON PROOF OF HARDSHIP A
RESIDENT-OWNER MAY BE GRANTED A CONTINUANCE
AND BE EXEMPTED FROM FINES FOR THOSE
VIOLATIONS REQUIRING THE EXPENDITURE OF
UNAVAILABLE FUNDS PROVIDED THAT SAID
VIOLATIONS DO NOT ADVERSELY AFFECT THE
PUBLIC HEALTH AND SAFETY.

FAILURE TO COMPLY: IN THE EVENT THE OWNER
FAILED TO RESPOND TO ANY OF THE ABOVE
PROCEDURES THE OWNER WOULD BE FOUND IN
VIOLATION OF THIS SECTION AND FINED
ACCORDINGLY. HE SHALL BE CITED BEFORE A
COURT OF COMPETENT JURISDICTION, AND UPON
CONVICTION OF THE VIOLATION SHALL BE FINED
NOT LESS THAN ONE HUNDRED (\$100.00) DOLLARS
NOR MORE THAN TWENTY-FIVE HUNDRED
(\$2,500.00) DOLLARS.

D. RIGHT TO APPEAL

THE BOARD OF ZONING APPEALS SHALL HAVE THE
AUTHORITY TO GRANT SPECIAL VARIANCES OR
RELIEF TO ANY PROVISIONS OR REQUIREMENTS OF
THIS SECTION AND MAY PRESCRIBE ANY
CONDITIONS OR REQUIREMENTS DEEMED NECESSARY
TO MINIMIZE ADVERSE EFFECTS UPON THE
COMMUNITY.

THE PLANNING AND ZONING COMMISSION MAY
DEVELOP STANDARDS AND PROCEDURES FOR THE
IMPLEMENTATION AND ENFORCEMENT OF THESE
PROVISIONS.

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SECTION 22: GENERAL PROVISIONS.

A. TEMPORARY BUILDINGS OR USES

NO TEMPORARY BUILDING OR STRUCTURE, TRAILER, MOBILE OR MANUFACTURED HOME, OR MOBILE OR MANUFACTURED OFFICE OR CLASSROOM UNIT SHALL BE USED FOR ANY PURPOSE BY ANY COMMERCIAL, INDUSTRIAL OR INSTITUTIONAL OCCUPANCY WITHIN THE CORPORATE LIMITS OF THE TOWN OF SELLERSBURG, INDIANA UNLESS SUCH BUILDING, STRUCTURE, TRAILER, OR MOBILE OR MANUFACTURED HOME OR UNIT IS PLACED ON A PERMANENT FOUNDATION AND PLANS AND SPECIFICATIONS FOR SUCH CONSTRUCTION AND USE ARE SUBMITTED TO AND APPROVED BY THE STATE BUILDING COMMISSIONER.

EXCEPT THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY IN THE FOLLOWING INSTANCES: (1) CONTRACTOR TRAILERS AND SHADS USED IN CONJUNCTION WITH CONSTRUCTION OR DEMOLITION WORK; (2) ACCESSORY BUILDINGS AND STRUCTURES WITH AN AREA EQUAL TO OR LESS THAN ONE HUNDRED TWENTY (120) SQUARE FEET; AND (3) THE INSTALLATION OF A COMMERCIAL MOBILE UNIT BEARING AN INDIANA SEAL OF COMPLIANCE UNDER PUBLIC LAW 135, WHEN THE USE OF SUCH UNIT IS INTENDED FOR A LIMITED PERIOD OF TIME NOT EXCEEDING TWELVE (12) MONTHS DURATION AND WHEN SUCH INSTALLATION COMPLIES WITH THE STANDARDS AND REQUIREMENTS OF THE ZONING ORDINANCE OF THE TOWN OF SELLERSBURG. THE BUILDING COMMISSIONER SHALL ISSUE A BUILDING PERMIT FOR THE INSTALLATION OF A COMMERCIAL MOBILE UNIT. SAID PERMIT SHALL INDICATE THE PERIOD OF TIME THE COMMERCIAL MOBILE UNIT SHALL BE USED, WHICH SHALL NOT EXCEED TWELVE (12) MONTHS. UPON THE EXPIRATION OF THE TIME LIMIT SPECIFIED IN THE PERMIT, THE COMMERCIAL MOBILE UNIT SHALL BE COMPLETELY REMOVED FROM THE PREMISES OR SAID PERMIT RENEWED PRIOR TO EXPIRATION BY THE BOARD OF ZONING APPEALS.

B. TENTS

ANY TENT OR AIR-SUPPORTED STRUCTURE ERECTED WITHIN THE CORPORATE LIMITS OF THE TOWN OF SELLERSBURG, INTENDED TO BE USED BY THE PUBLIC, SHALL COMPLY WITH THE PROVISIONS OF THE INDIANA FIRE PREVENTION CODE.

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C. RESPONSIBILITY OF POLICE DEPARTMENT TO ASSIST THE BUILDING COMMISSIONER

THE SELLERSBURG POLICE DEPARTMENT, UPON REQUEST OF THE BUILDING COMMISSIONER, SHALL ASSIST IN THE ENFORCEMENT OF THIS CODE. THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE MAY REQUEST THE POLICE TO ACCOMPANY THEM TO ANY PREMISES TO HELP ENFORCE THE LAW AND SERVE REQUIRED NOTICES.

D. RESPONSIBILITY OF FIRE DEPARTMENT TO COOPERATE WITH THE BUILDING COMMISSIONER

THE SELLERSBURG FIRE DEPARTMENT SHALL COOPERATE WITH AND PROVIDE ASSISTANCE TO THE BUILDING COMMISSIONER IN DETERMINING THE COMPLIANCE OF NEW BUILDINGS AND STRUCTURES UNDER CONSTRUCTION WITH THE FIRE SAFETY STANDARDS REQUIREMENT OF THIS CODE.

E. STORM WATER AND SUBSOIL DRAINAGE SYSTEMS

WHEN STORM WATER AND SUBSOIL DRAINAGE SYSTEMS ARE INSTALLED, THEY SHALL BE DISCHARGED INTO AN APPROVED SUMP OR RECEIVING TANK AND SHALL BE DISCHARGED AT AN APPROVED LOCATION, BUT SHALL NOT BE DISCHARGED INTO A SANITARY SEWER.

F. CONSTRUCTION WORK AND BUILDING MATERIAL IN PUBLIC RIGHT-OF-WAY

NO CONSTRUCTION WORK, DEMOLITION WORK OR STORAGE OF BUILDING MATERIALS SHALL OCCUR WITHIN THE PUBLIC RIGHT-OF-WAY ADJACENT TO THE CONSTRUCTION OR DEMOLITION SITE WITHOUT THE PRIOR APPROVAL OF THE BOARD OF PUBLIC WORKS AND SAFETY. WHENEVER AUTHORITY IS GRANTED TO USE THE PUBLIC RIGHT-OF-WAY, THE BOARD SHALL REQUIRE APPROPRIATE SAFETY MEASURES TO PROTECT THE PUBLIC, AS SET FORTH IN CHAPTER (44) OF THE IBC AS ADOPTED BY REFERENCE IN CHAPTER (6).

G. INTERCEPTOR REQUIRED

AN INTERCEPTOR SHALL BE REQUIRED TO BE INSTALLED IN OCCUPANCES WHERE GREASE, OIL, SAND, SOLIDS, FLAMMABLE WASTES, ACID OR ALKALINE SUBSTANCES OR OTHER INGREDIENTS MAY BE INTRODUCED INTO THE DRAINAGE OR SEWAGE SYSTEM IN QUANTITIES THAT CAN EFFECT

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LINE STOPPAGE OR HINDER SEWAGE TREATMENT. SUCH OCCUPANCES INCLUDE, BUT ARE NOT LIMITED TO RESTAURANTS, CAFES, LUNCH COUNTERS, CAFETERIAS, BARS AND CLUBS, HOTELS, HOSPITALS, NURSING HOMES, FACTORY OR SCHOOL KITCHENS, SLAUGHTER HOUSES, SOAP FACTORIES, PACKING, FAT RENDERING, HIDE CURING AND VEHICLE WASHING ESTABLISHMENTS. INTERCEPTORS SHALL BE INTALLED IN COMPLIANCE WITH THE PROVISIONS OF THE INDIANA PLUMBING CODE.

H. CHANGE OF USE OR OCCUPANCY

NO CHANGE SHALL BE MADE IN THE USE OR CHARACTER OF OCCUPANCY OF ANY BUILDING WHICH WOULD PLACE THE BUILDING IN A DIFFERENT CLASS OR GROUP OF OCCUPANCY AND USE, UNLESS SUCH BUILDING IS MADE TO CONFORM WITH THIS CODE FOR THE PROPOSED REVISED USE OF THE BUILDING.

I. MAINTENANCE

ALL BUILDINGS AND STRUCTURES, AND THEIR ELECTRICAL, PLUMBING AND HEATING AND AIR CONDITIONING SYSTEMS, BOTH EXISTING AND NEW, AND ALL PARTS THEREOF, SHALL BE MAINTAINED IN A SAFE AND SANITARY CONDITION. ALL DEVICES, SAFEGUARDS AND SYSTEMS SHALL BE MAINTAINED IN CONFORMANCE WITH THE PROVISIONS OF THE BUILDING CODE IN EFFECT WHEN INSTALLED. THE OWNER OR HIS AUTHORIZED AGENT SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF BUILDINGS AND STRUCTURES. TO DETERMINE COMPLIANCE WITH THIS SUBSECTION, THE BUILDING COMMISSIONER OR HIS AUTHORIZED REPRESENTATIVE MAY CUASE ANY BUILDING OR STRUCTURE TO BE REINSPECTED.

J. AUTHORITY TO TAKE EMERGENCY ACTION

THE BUILDING COMMISSIONER AND HIS DULY AUTHORIZED REPRESENTATIVE HAVE THE AUTHORITY TO TAKE NECESSARY EMERGENCY ACTION CONCERNING ANY UNSAFE PREMISE WITHIN THE CORPORATE LIMITS OF THE TOWN OF SELLERSBURG. SUCH ACTION MAY INCLUDE BUT NOT BE LIMITED TO, THE VACATING OF AN UNSAFE BUILDING AND/OR THE DISCONNECTION OF ANY ELECTRICAL SERVICE OR NATURAL GAS SERVICE TO ANY PREMISES UPON DETERMINATION THAT SUCH IMMEDIATE ACTION IS NECESSARY FOR

BUILDING ORDINANCE
TOWN OF SELLERSBURG

SAFETY TO PERSONS OR PROPERTY. SUCH EMERGENCY ACTION TAKEN SHALL BE LIMITED TO REMOVING ANY IMMEDIATE DANGER.

K. DISCONNECTION OF UNSAFE ELECTRICAL SERVICE BY PUBLIC SERVICE INDIANA

IN THE EVENT P. S. I. OR R.E.M.C. REMOVES AN ELECTRICAL METER OR DISCONNECTS THE SERVICE DROP TO A BUILDING OR STRUCTURE BECAUSE THE ELECTRICAL SYSTEM OF SAID BUILDING OR STRUCTURE IS UNSAFE AND HAZARDOUS. THE ELECTRICAL SYSTEM OF SAID BUILDING OR STRUCTURE SHALL NOT BE PLACED BACK IN SERVICE UNLESS SUCH SYSTEM IS INSPECTED BY AN ELECTRICAL CONTRACTOR LICENSED UNDER THE PROVISIONS OF THIS CODE AND UPGRADED AS NECESSARY TO BRING SUCH SYSTEM INTO COMPLIANCE WITH THE PROVISIONS OF THE INDIANA ELECTRICAL CODE. (NEC).

L. ELECTRICAL CONNECTIONS BY HEATING AND AIR CONDITIONING CONTRACTORS AND PLUMBERS

ANY LICENSED HEATING AND AIR CONDITIONING CONTRACTOR OR PERSON IN HIS EMPLOY AND ANY REGISTERED PLUMBING CONTRACTOR OR JOURNEYMAN PLUMBER MAY MAKE THE NECESSARY ELECTRICAL CONNECTIONS AS MAY BE REQUIRED FOR THE SATISFACTORY PERFORMANCE OF EITHER A NEW OR REPLACEMENT HEATING AND/OR AIR CONDITIONING SYSTEM OR A HOT WATER HEATER, PROVIDED THE RATING OF CIRCUIT CONDUCTORS AND DISCONNECTS ARE NOT EXCEEDED AND THE ELECTRICAL CONNECTION MEETS THE REQUIREMENTS OF THE INDIANA ELECTRICAL CODE (NEC). HOWEVER, SUCH PERSONS SHALL NOT BE PERMITTED TO INSTALL SERVICE EQUIPMENT, BRANCH CIRCUITS, OVER CURRENT DEVICES NOR RESISTANCE ELECTRIC HEAT.

M. SEALING VACANT BUILDINGS AND STRUCTURES

THE SEALING AND SECURING OF ANY VACANT BUILDING OR STRUCTURE, INCLUDING ANY WORK PERFORMED SUBJECT TO AN ORDER ISSUED UNDER THE UNSAFE BUILDING ORDINANCE OF THE TOWN OF SELLERSBURG, INDIANA, OR ANY WORK PERFORMED BY AN OWNER ON HIS OWN INITIATIVE, SHALL BE REQUIRED TO BE ACCOMPLISHED PURSUANT TO THE FOLLOWING UNIFORM STANDARD: DOUBLE HEADED NAILS SHALL BE UTILIZED TO FASTEN ONE-HALF (1/2) INCH EXTERIOR GRADE PLYWOOD TO ALL EXTERIOR

BUILDING ORDINANCE
TOWN OF SELLERSBURG

OPENINGS OF EVERY FLOOR. THE PLYWOOD SHALL BE CUT AND INSTALLED TO PRECISELY FIT EACH OPENING SO AS TO PRESENT A NEAT, WORKMANLIKE APPEARANCE. PRIOR TO THE SEALING AND SECURING OF ANY VACANT BUILDING OR STRUCTURE, THE BUILDING OR STRUCTURE SHALL BE CLEARED OF ALL HUMAN INHABITANTS. ANY BUILDING OR STRUCTURE THAT HAS BEEN SEALED AND SECURED SHALL BE REPAIRED AND REHABILITATED AS REQUIRED TO BRING SAID BUILDING OR STRUCTURE INTO COMPLIANCE WITH THIS CODE PRIOR TO SAID BUILDING OR STRUCTURE BEING AGAIN OCCUPIED OR USED.

N. UNSAFE BUILDINGS AND STRUCTURES

THE REGULATIONS AND ABATEMENT OF UNSAFE BUILDINGS AND STRUCTURES SHALL BE IN ACCORDANCE WITH ORDINANCES OF THIS CODE OF ORDINANCES OF THE TOWN OF SELLERSBURG, INDIANA.

SECTION 23:

LIABILITY. THE TOWN OF SELLERSBURG, THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE CHARGED WITH THE ENFORCEMENT OF THIS CODE, ACTING IN GOOD FAITH AND WITHOUT MALICE IN THE DISCHARGE OF THEIR DUTIES, SHALL NOT THEREBY RENDER THEMSELVES PERSONALLY LIABLE AND THEY HEREBY ARE RELIEVED FROM ALL PERSONAL LIABILITY FOR ANY DAMAGE THAT MAY ACCRUE TO PERSON OR PROPERTY AS A RESULT OF ANY ACT REQUIRED OR BY REASON OF ANY ACT OR OMISSION IN THE DISCHARGE OF THEIR DUTIES. ANY SUIT BROUGHT AGAINST THE TOWN OR THE COMMISSIONER AND/OR BOARDS, OR HIS DULY AUTHORIZED REPRESENTATIVE, BECAUSE OF SUCH ACT OR OMISSION PERFORMED BY THEM IN THE ENFORCEMENT OF ANY PROVISIONS OF THIS CODE, SHALL BE DEFENDED BY THE TOWN ATTORNEY OF THE TOWN OF SELLERSBURG UNTIL FINAL TERMINATION OF THE PROCEEDINGS, AS COVERED IN I.C. 34-4-16.5-2(1).

SECTION 24:

VIOLATIONS. IT SHALL BE UNLAWFUL FOR ANY PERSON, FIRM OR CORPORATION, WHETHER AS OWNER, LESSEE, SUB-LESSEE, OR OCCUPANT, TO ERECT, CONSTRUCT, ENLARGE, ALTER, REPAIR, IMPROVE, REMOVE, CONVERT, DEMOLISH, EQUIP, USE, OCCUPY OR MAINTAIN ANY BUILDING OR STRUCTURE, INCLUDING FENCES, IN THE TOWN OF SELLERSBURG, INDIANA, OR CAUSE OR PERMIT THE SAME TO BE DONE, CONTRARY TO OR IN VIOLATION OF THE PROVISIONS OF THIS CODE.

BUILDING ORDINANCE
TOWN OF SELLERSBURG

- SECTION 25: RIGHT OF APPEAL. ALL PERSONS SHALL HAVE THE RIGHT TO APPEAL THE DECISION(S) OF THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE FIRST THROUGH THE BOARD OF ZONING APPEALS OF THE TOWN OF SELLERSBURG AND THEN THROUGH ANY ADMINISTRATIVE AGENCY SET FORTH IN THE INDIANA CODE OR TO A COURT OF COMPETENT JURISDICITON.
- SECTION 26: REMEDIES. THE BUILDING COMMISSIONER SHALL REQUEST THE TOWN ATTORNEY TO BRING ACTION ON BEHALF OF THE TOWN IN THE CIRCUIT OR SUPERIOR COURTS OF CLARK COUNTY, INDIANA, FOR MANDATORY AND INJUNCTIVE RELIF IN THE ENFORCEMENT OF AND TO SECURE COMPLAINCE WITH ANY ORDER OR ORDERS MADE BY THE COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE, AND ANY SUCH ACTION FOR MANDATORY OR INJUNCTIVE RELIEF MAY BE JOINED WITH AN ACTION TO RECOVER THE PENALTIES PROVIDED FOR IN THIS CODE. ANY PERSON ADJUDGED GUILTY OF A VIOLATION OF THIS CODE MAY ALSO BE ADJUDGED TO PAY THE COSTS OF PROSECUTION.
- SECTION 27: PENALTIES. IF ANY PERSON, FIRM OR CORPORATION SHALL VIOLATE ANY OF THE PROVISIONS OF THIS CODE, OR SHALL DO ANY ACT PROHIBITED HEREIN, OR SHALL FAIL TO PERFORM ANY DUTY LAWFULLY ENJOINED, WITHIN THE TIME PRESCRIBED BY THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE, OR SHALL FAIL, NEGLECT OR REFUSE TO OBEY ANY LAWFUL ORDER GIVEN BY THE COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE, IN CONNECTION WITH THE PROVISIONS OF THIS CODE, FOR EACH SUCH VIOLATION, FAILURE OR REFUSAL, SUCH PERSON, FIRM OR CORPORATION SHALL UPON CONVICTION OF SAID VIOLATIONS BE FINED ACCORDINGLY, OF THE TOWN CODE.
- EACH ACT OF VIOLATION AND EVERY DAY UPON WHICH A VIOLATION OCCURS CONSTITUTES A SEPARATE OFFENSE.
- ENFORCEMENT OF THIS ORDINANCE SHALL BE BY THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE.
- SECTION 28: SEVERABILITY. IF ANY SECTION, SUB-SECTION, SENTENCE, CLAUSE, PHRASE OR PORTION OF THIS CODE IS FOR ANY REASON HELD INVALID OR UNCONSTITUTIONAL BY ANY COURT OF COMPETENT JURISDICTION, SUCH PORTION SHALL BE DEEMED A SEPARATE, DISTINCT AND INDEPENDENT PROVISION

BUILDING ORDINANCE
TOWN OF SELLERSBURG

AND SUCH HOLDING SHALL NOT EFFECT THE VALIDITY
OF THE REMAINING PORTIONS HEREOF.

SECTION 29: SUPERSEDES PRIOR CODES AND ORDINANCES. THAT
THE PROVISIONS OF THIS CODE SHALL SUPERSEDE
ANY PROVISIONS OF PRIOR ORDINANCES OR CODES IN
CONFLICT WITH THE PROVISIONS CONTAINED HEREIN.

SO ORDAINED, on this _____ day of February, 1992.

Stanley E. Tucker

STANLEY E. TUCKER

Aulton D. Eddings

AULTON D. EDDINGS

Roy E. Everitt

ROY E. EVERITT

David L. Broady

DAVID BROADY

Karl N. Truman

KARL N. TRUMAN

ATTEST: *Linda G. Schaffer*

LINDA SCHAFFER
CLERK-TREASURER

DATE: _____

ORDINANCE NO. 92-521 A

AN ORDINANCE ADOPTING BUILDING CODE
FOR THE TOWN OF SELLERSBURG, INDIANA

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined it desirable, beneficial and in the best interest of the Town of Sellersburg, as well as necessary for the operation of efficient town government that the Sellersburg Town Council adopt a Building Code for the Town of Sellersburg, Indiana; and

WHEREAS, the Sellersburg Town Council desires to adopt a Building Code to regulate the construction, alteration, repair, location and use of buildings and structures in the Town of Sellersburg, Indiana; and to provide for the issuance of permits therefore; providing for penalties for any violation of said Building code; and to make uniform all ordinances which have heretofore been utilized, and repeal all prior ordinances or parts of ordinances in conflict with the proposed Building Code for the Town of Sellersburg; and to provide minimum standards for public safety and welfare and for the conservation of energy in the design of construction of buildings and structures; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has in an open meeting, discussed, considered and determined that for the purpose of efficient and beneficial town government that the Sellersburg Town Council should adopt a Building Code for the Town of Sellersburg, Indiana.

BE IT THEREFORE ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA, AS FOLLOWS:

DOEHRMAN & LEWIS

ATTORNEYS AT LAW

425 WATT STREET

JEFFERSONVILLE, INDIANA 47130

TELEPHONE (812) 282-8429

FAX # (812) 284-0956

JOHN W. DOEHRMAN
DAVID A. LEWIS
WILLIAM P. McCALL, III

MAILING ADDRESS:
P.O. BOX 729
JEFFERSONVILLE, IN 47131

March 17, 1992

Stanley E. Tucker
Sellersburg Town Council
316 East Utica
Sellersburg, Indiana 47172

RE: Building Code Ordinance

Dear Stan:

Please find enclosed the proposed Building Code Ordinance. You have the draft of the building code prepared by Steve Prather. It shall be the code adopted under this ordinance.

Sincerely,


William P. McCall III

Enclosure
WPM/vjr

ADDITIONAL APPROPRIATION ORDINANCE

Whereas, It has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; now, therefore:

Sec. 1. Be it ordained by the Town of Sellersburg, Clark County, Indiana, that for the expensed of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the proposes specified, subject to the laws governing the same:

| | Amount Requested | Amount Appropriated |
|--|--------------------------|------------------------|
| General Fund #0101 Master Plan:Zoning/Maping | \$55,014.00 | |
| TOTAL for General Fund: | \$55,014.00 | \$ _____ |
| Local Roads & Street #1706 Street Maintenance | \$18,968.00 | |
| TOTAL FOR LOCAL ROADS & STREET | \$18,968.00 | |
| Motor Vehicle Highway #0708 Paving & Curbing | \$31,624.00 | |
| TOTAL FOR MOTOR VEHICLE HIGHWAY | \$31,624.00 | |
| Parks Department #1303 ✓Repairs , P.A. System | \$3,927.00 \$2,500.00 | |
| TOTAL FOR PARKS DEPARTMENT | \$6,427.00 | |
| Cumulative Capitol Development #2391 Recodification of Ordinances | \$7,254.00 | |
| TOTAL FOR CUMMULATIVE CAPITOL DEVELOPMENT | \$7,254.00 | |

Adopted this April 27th day of _____, 1992.

ATTEST:
Linda G. Schaffer
 LINDA SCHAFFER, CLERK-TREASURER

RECEIVED
FOR RECORD

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

MAR 19 2 56 PM '93

RECORDED IN *Filed* DRA *25*
3850

ORDINANCE NO. 1992-513

MAR 19 1993

INSTR. NO. *3850*
RALPH C. STEMLER
RECORDER OF CLARK CO

AN ORDINANCE VACATING AN ALLEY
IN THE TOWN OF SELLERSBURG, INDIANA

Keith D. Not
AUDITOR CLARK COUNTY

1. Whereas on the 16th day of March, 1992, Mt. Tabor, Limited Partnership, an Indiana partnership, filed with the Trustees of the Town of Sellersburg, their petition to vacate an alley in the Town of Sellersburg, Clark County, Indiana, pursuant to Indiana Code I. C. 35-7-3-12;

2. Whereas, notice was given as required by I. C. 5-3-1-1 to 5-3-1-9; and as required by I. C. 36-7-3-12, of a public hearing on said petition for March 30, 1992, at 8:00 P. M.;

3. And Whereas, a public hearing was held on the petition on the date and time scheduled therefore. And there were no objections to said petition. There was evidence in support of the petition to vacate said alley.

NOW THEREFORE, in consideration of the foregoing,

BE IT ENACTED as follows:

The following described alley in the Town of Sellersburg, Clark County, Indiana, to-wit:

Being all of the alley that lies to the rear of Block "F" of the Plat of Fairview, an addition to the town of Sellersburg, Indiana, as the same appears of record in Plat Book 4, Page 101, of the Plat Records of Clark County, Indiana, excepting therefrom that portion that lies to the rear of those certain lands conveyed to Ronald and Bonnie Hutchinson as described in Deed Drawer 20, Instrument No. 6460, said portion being more particularly described as follows: Beginning at a found 5/8 inch steel pin at the southwest corner of said alley, same being the corner to lots 21 and 22; thence North 16 deg. 46' 17" East with the west line of said alley 74.96 feet to a 1/2 inch steel pin set at the corner of lots 18 and 19; thence South 64 deg. 54' 37" East thru said alley 12.38 feet to a 1/2 inch steel pin set; thence South 20 deg. 06' 09" West thru the middle of said alley, 73.19 feet to a 1/2 inch steel pin set; thence North 74 deg. 00' 02" West with the south line of said alley 8.00 feet to the beginning.

Be, and it is hereby vacated.

That title to said alley hereby reverts to abutting property owners as follows:

A. To Frederick R. Schuler and Joyce L. Schuler, husband and wife, the following described real estate to-wit:

Being a 0.137 acre parcel of land lying in the alley to the rear of Lots 1 thru 13 of Block "F" of the Plat of Fairview, an addition to the Town of Sellersburg, Silver Creek Township, Clark County, Indiana, more particularly described as follows: Beginning at a found 2 inch iron pipe at the most easterly corner of lot 1 of said block F; thence South 50 deg. 56' 34" East with the line of said alley 10.34 feet to a 1/2 inch steel pin set; thence South 27 deg. 46' 05" West thru the middle of said alley, 232.04 feet to a 1/2 inch steel pin set; thence South 20 deg. 06' 09" West continuing thru the middle of said alley, 74.15 feet to a 1/2 inch steel pin set; thence North 64 deg. 59' 25" West across said alley 19.66 feet to a 1/2 inch steel pin set at the most easterly corner between lots 13 and 14, same being the southeast corner of those same lands conveyed to Fred and Joyce Schuler, as described in deed record 254, page 204; thence North 16 deg. 46' 17" East with the west line of said alley, passing a 1 inch pipe found at 49.95 feet, a total distance of 87.45 feet to an angle point of said alley; thence North 31 deg. 57' 11" East with the west line of said alley 223.24 feet to the beginning, being 1/2 of the alley behind lots 1 thru 13 of the Fairview Addition, being all as surveyed Feb. 17, 1992 by David J. Ruckman L. S.

B. To Carolyn Sue Roache, formerly known as Carolyn Sue Curtis, the following described real estate, to-wit:

Being a 0.045 acre parcel of land lying in the alley to the rear of Lots 14 and 18 of Block "F" of the Plat of Fairview, an addition to the Town of Sellersburg, Silver Creek Township, Clark County, Indiana, more particularly described as follows: Beginning at a 1/2 inch steel pin set at the common corners of lot 13 and 14 on the west line of said alley; thence South 64 deg. 59' 25" East across said alley 19.66 feet to a 1/2 inch steel pin set in the middle line of said alley; thence South 20 deg. 06' 09" West with the middle line of said alley 124.03 feet to a 1/2 inch steel pin set; thence North 64 deg. 54' 37" West across said alley 12.38 feet to a 1/2 inch steel pin set at the common corners of lots 18 and 19, same being the southeast corner of those same lands conveyed to Carolyn Sue Curtis, as described in deed drawer 12, instrument 9295; thence North 16 deg. 46' 17" East with the west line of said alley 124.85 feet to the beginning, same being 1/2 of the alley behind lots 14 thru 18 of said Plat of Fairview, being all as surveyed Feb. 17, 1992 by David J. Ruckman L. S.

C. To Indiana State Police Department, the following described real estate, to-wit:

Being a 0.199 acre parcel of land lying in the alley to the rear of Lots 1 thru 22 of Block "F" of the Plat of Fairview, an addition to the Town of Sellersburg, Silver Creek Township, Clark County, Indiana, more particularly described as follows: Commencing at a found 2 inch iron pipe at the most easterly corner of lot 1 of said Block "F", thence South 50 deg. 56' 34" East along the north line of an alley, a distance of 10.34 feet to a set 1/2 inch steel pin, the true place of beginning of the tract to be herein described; Thence, continuing South 50 deg. 56' 34" East, along said north line, a distance of 10.33 feet to an iron pipe set by Jacobi-Toombs, L. S. as the northeast corner of said alley; thence South 23 deg. 52'

07" West along the east line of said alley, a distance of 498.48 feet to a found 5/8 inch re-bar at the most south easterly corner of said Block "F"; thence North 74 deg. 00' 02" West along the south line of said alley, a distance of 8.0 feet to a set 1/2 inch steel pin; thence North 20 deg. 06' 09" East thru the middle of said alley, a distance of 271.37 feet, to a set 1/2 inch steel pin; thence North 27 deg. 46' 05" East thru the middle of said alley, a distance of 232.04 feet to the beginning, being 1/2 of an alley to the east of Lots 1 thru 22 of Block "F" of the Plat of Fairview, being all as surveyed Feb. 17, 1992 by David J. Ruckman, L. S.

First Reading: March 30, 1992.

Second Reading: March 30, 1992.

Third Reading: March 30, 1992.

Unanimously adopted by all the Board of Trustees present this 30th day of March, 1992.

BOARD OF TRUSTEES
TOWN OF SELLERSBURG, INDIANA

Stanley E. Tucker

President

David L. Broady

William

Roy E. Everett

ATTEST:

Linda H. Schafer

Linda Schafer,
Clerk-Treasurer

I, the undersigned, Clerk-Treasurer of the Town of Sellersburg, do hereby certify that the above and foregoing is a true and correct copy of Ordinance passed March 30, 1992, by the Board of Trustees of the Town of Sellersburg, which document is maintained in my possession, and I further certify that said Ordinance has not been amended or rescinded.

Dated: March 30th, 1992.



Linda Schafer
Clerk-Treasurer
Town of Sellersburg

ORDINANCE NO. 92-524

AN ORDINANCE AMENDING ORDINANCE NO. 92-518

WHEREAS, the Sellersburg Town Council did on the 12th day of August, 1991, adopt an Ordinance No. 508, approving salary, holiday and longevity pay of Sellersburg Town employees; and

WHEREAS, the Sellersburg Town Council did on the 10th day of February, 1992, adopt an Ordinance No. 92-518, thereby amending Ordinance No. 508; and

WHEREAS, the Sellersburg Town Council has been advised of additional corrections and changes which need to be made to the schedule of salary, holiday and longevity pay of Sellersburg Town employees, now desires to pass the herein Ordinance to amend and correct the salary, holiday and longevity pay of the Town of Sellersburg employees adversely effected; and

WHEREAS, said amended Ordinance is necessary for the efficient administration of Town government;

BE IT THEREFORE ORDAINED, that Ordinance No. 92-518 be amended as follows regarding annual/weekly/hourly wages, holiday and longevity pay, paid to the following employees of the Town of Sellersburg, Indiana, from the funds as indicated, retroactive to
o January 1, 1992:

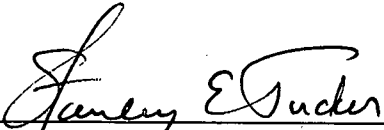
STREET AND SANITATION DEPARTMENT

| | | |
|---------|----------|-----------------|
| Laborer | \$273.60 | \$6.84 per hour |
| Laborer | \$273.60 | \$6.84 per hour |
| Laborer | \$273.60 | \$6.84 per hour |
| Laborer | \$273.60 | \$6.84 per hour |

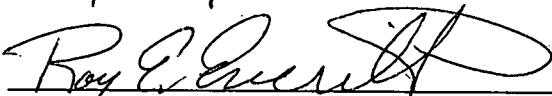
POLICE DEPARTMENT

| | SALARY | HOLIDAY | LONGEVITY |
|-----------|-------------------|----------|-----------|
| Patrolman | \$346.15 per week | \$553.60 | -0- |
| Patrolman | \$346.15 per week | \$553.60 | -0- |

SO ORDAINED, this 13 day of April, 1992.



Stanley E. Tucker



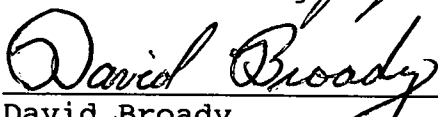
Roy E. Everitt



Karl N. Truman



Aulton D. Eddings



David Broady

ATTEST: 

Linda Schaffer
Clerk-Treasurer

DATE: 4-13-92

RECEIVED
FOR RECORD

APR 30 2:14 PM '92
RECORDED IN Deed DRA 24
INSTR. NO. 6554
RALPH C. STEMLER
RECORDER OF CLARK CO.

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

APR 30 1992

Heidi Grot
AUDITOR CLARK COUNTY

ORDINANCE NO. 92-525

6554

AN ORDINANCE AMENDING ORDINANCE NO. 428

WHEREAS, A Petition for Annexation was filed by Clark E. Dreyer and Geneva Dreyer, husband and wife, with the Town of Sellersburg, Indiana, asking that certain privately owned real estate contiguous to the Town of Sellersburg be annexed into the Town pursuant to I.C. 36-4-3-5, and that the corporate limits of the Town be extended so as to include the privately owned real estate hereinafter described.

WHEREAS, on the 25th day of August, 1986, the Town of Sellersburg by its Board of Trustees passed Ordinance No. 428, which in fact took effect sixty (60) days after the date of final publication, and is recorded in the Office of the Recorder of Clark County in Deed Drawer 23, Instrument No. 16344.

WHEREAS, it has come to the attention of the Sellersburg Town Board that the description of real estate contained in Ordinance No. 428, is defective and must be corrected to affect the purpose for which said Ordinance was originally passed.

WHEREAS, the correct description of the real estate which was to be originally annexed under Ordinance No. 428, and which is intended to be annexed now by the Town of Sellersburg, is as follows:

A part of Survey No. 130 of the Illinois Grant in Silver Creek Township of Clark County, Indiana, described as follows:

Commencing at the south corner of Survey No. 130, thence the following courses:

North 35 deg. 42 min. West 1387.5 feet with the southwest line of Said Survey No. 130 to a nail in Dreyer Lane which marks the west corner of Dreyer Estates, Section 1, which is the true place of beginning. Thence the following courses of the boundary:

North 35 deg. 42 min. West, 150.00 feet;

North 54 deg. 18 min. East, 398.52 feet;

North 38 deg. 57 min. East, 142.00 feet;

South 51 deg. 08 min. 40 sec. East, 110.00 feet to the northwest right-of-way line of Clareva Drive; thence with the northwesterly line of Clareva Drive and northwest line of Dreyer Estates the following courses: southwestwardly along an arc to the right having a radius of 440 feet and which is subtended by a long chord having a bearing of

South 22 deg. 02 min. 06 sec. West and a distance of 52.07 feet; thence southwestwardly along an arc to the right having a radius of 25 feet and which is subtended by a long chord having a bearing of

South 74 deg. 08 min. 12 sec. West and a distance of 37.43 feet;

South 32 deg. 35 min. 48 sec. West, 50.00 feet; thence southeastwardly along an arc to the right having a radius of 25 feet and which is subtended by a long chord having a bearing of

South 8 deg. 56 min. 36 sec. East and a distance of 37.43 feet; thence southwestwardly along an arc to the right having a radius of 440 feet and which is subtended by a long chord having a bearing of

South 45 deg. 12 min. 47 sec. West and a distance of 87.39 feet; thence southwestwardly along an arc to the right having a radius of 440 feet and which is subtended by a long chord having a bearing of

South 52 deg. 36 min. 21 sec. West and a distance of 26.01 feet;

South 54 deg. 18 min. West, 310 feet to the true place of beginning.

That the Petitioners previously represented that they were the sole owners of record of the above-described real estate and that this real estate is not and was not situated within the limits of any municipality, but is contiguous to the Town of Sellersburg, which is still true and correct.

BE IT, THEREFORE, ORDAINED by the Sellersburg Town Board that Ordinance No. 428, shall be and hereby is amended to reflect the correct description of the real estate of Clark E. Dreyer and Geneva Dreyer, husband and wife, as set forth and described above, which shall be and hereby is annexed into the Town of Sellersburg, Indiana.

It is further Ordained that the Clerk-Treasurer of the Town of Sellersburg, shall publish this Amended Ordinance in accordance with the provisions of I.C. 36-4-3-7 and I.C. 5-3-1, which requires the first publication hereof to be made within two (2) weeks after the date of adoption of this Ordinance.

This Amended Ordinance No. 525 shall take effect sixty (60) days after its final publication.

PASSED AND ADOPTED THIS 13 DAY OF April, 1992.

TOWN OF SELLERSBURG, INDIANA
BY ITS TOWN BOARD

Stanley E. Tucker
Stanley E. Tucker

Roy E. Everitt
Roy E. Everitt

Karl N. Truman
Karl N. Truman

Aulton D. Eddings
Aulton D. Eddings

David Broady
David Broady

ATTEST:

Linda G. Schaffer
Linda Schaffer, Clerk-Treasurer
Town of Sellersburg, Indiana

\$ 10.00

William P. McCall III

425 Watt St.

Jeff. Sn 47130



RECEIVED
FOR RECORD

6554

APR 30 2 08 PM '92
RECORDED IN Deed 24
INSTR. NO. 6554
RALPH C. STEMLER
RECORDER OF CLARK CO.

FILED
APR 30 1992

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

APR 30 1992

Richard Jones Sr.
ORDINANCE NO. 428
CLERK OF CLARK COUNTY

Auditor
AUDITOR CLARK COUNTY

AN ORDINANCE AMENDING ORDINANCE NO. 428

WHEREAS, A Petition for Annexation was filed by Clark E. Dreyer and Geneva Dreyer, husband and wife, with the Town of Sellersburg, Indiana, asking that certain privately owned real estate contiguous to the Town of Sellersburg be annexed into the Town pursuant to I.C. 36-4-3-5, and that the corporate limits of the Town be extended so as to include the privately owned real estate hereinafter described.

WHEREAS, on the 25th day of August, 1986, the Town of Sellersburg by its Board of Trustees passed Ordinance No. 428, which in fact took effect sixty (60) days after the date of final publication, and is recorded in the Office of the Recorder of Clark County in Deed Drawer 23, Instrument No. 16344.

WHEREAS, it has come to the attention of the Sellersburg Town Board that the description of real estate contained in Ordinance No. 428, is defective and must be corrected to affect the purpose for which said Ordinance was originally passed.

WHEREAS, the correct description of the real estate which was to be originally annexed under Ordinance No. 428, and which is intended to be annexed now by the Town of Sellersburg, is as follows:

A part of Survey No. 130 of the Illinois Grant in Silver Creek Township of Clark County, Indiana, described as follows:

Commencing at the south corner of Survey No. 130, thence the following courses:

North 35 deg. 42 min. West 1387.5 feet with the southwest line of Said Survey No. 130 to a nail in Dreyer Lane which marks the west corner of Dreyer Estates, Section 1, which is the true place of beginning. Thence the following courses of the boundary:

North 35 deg. 42 min. West, 150.00 feet;

North 54 deg. 18 min. East, 398.52 feet;

North 38 deg. 57 min. East, 142.00 feet;

South 51 deg. 08 min. 40 sec. East, 110.00 feet to the northwest right-of-way line of Clareva Drive; thence with the northwesterly line of Clareva Drive and northwest line of Dreyer Estates the following courses: southwestwardly along an arc to the right having a radius of 440 feet and which is subtended by a long chord having a bearing of

South 22 deg. 02 min. 06 sec. West and a distance of 52.07 feet; thence southwestwardly along an arc to the right having a radius of 25 feet and which is subtended by a long chord having a bearing of

South 74 deg. 08 min. 12 sec. West and a distance of 37.43 feet;

South 32 deg. 35 min. 48 sec. West, 50.00 feet; thence southeastwardly along an arc to the right having a radius of 25 feet and which is subtended by a long chord having a bearing of

South 8 deg. 56 min. 36 sec. East and a distance of 37.43 feet; thence southwestwardly along an arc to the right having a radius of 440 feet and which is subtended by a long chord having a bearing of

South 45 deg. 12 min. 47 sec. West and a distance of 87.39 feet; thence southwestwardly along an arc to the right having a radius of 440 feet and which is subtended by a long chord having a bearing of

South 52 deg. 36 min. 21 sec. West and a distance of 26.01 feet;

South 54 deg. 18 min. West, 310 feet to the true place of beginning.

That the Petitioners previously represented that they were the sole owners of record of the above-described real estate and that this real estate is not and was not situated within the limits of any municipality, but is contiguous to the Town of Sellersburg, which is still true and correct.

BE IT, THEREFORE, ORDAINED by the Sellersburg Town Board that Ordinance No. 428, shall be and hereby is amended to reflect the correct description of the real estate of Clark E. Dreyer and Geneva Dreyer, husband and wife, as set forth and described above, which shall be and hereby is annexed into the Town of Sellersburg, Indiana.

It is further Ordained that the Clerk-Treasurer of the Town of Sellersburg, shall publish this Amended Ordinance in accordance with the provisions of I.C. 36-4-3-7 and I.C. 5-3-1, which requires the first publication hereof to be made within two (2) weeks after the date of adoption of this Ordinance.

This Amended Ordinance No. 525 shall take effect sixty (60) days after its final publication.

PASSED AND ADOPTED THIS 13 DAY OF April, 1992.

TOWN OF SELLERSBURG, INDIANA
BY ITS TOWN BOARD

Stanley E. Tucker
Stanley E. Tucker

Roy E. Everitt
Roy E. Everitt

Karl N. Truman
Karl N. Truman

Aulton D. Eddings
Aulton D. Eddings

David Broady
David Broady

ATTEST:

Linda H. Schaffer
Linda Schaffer, Clerk-Treasurer
Town of Sellersburg, Indiana

STATE OF INDIANA,
COUNTY OF CLARK - SS

Sue Widener, on oath says that she is book-keeper of the News & Journal and in the employ of the publisher of

The Evening News, a daily

newspaper of general circulation printed and published in the City of Jeffersonville, Clark County, State of Indiana, and further says that the annexed advertisement was published in said paper for three times
....., to-wit: In issue of said Evening News dated April 24, May 1, 8, 1992

..... *Sue Widener*

State of Indiana
County of Clark

Subscribed and sworn to before me this

J. H. ... day of *May* 19*92*

..... *Neil D. Adams*

Notary Public, Clark County, Indiana

My commission expires *July 21, 1995*

ORDINANCE NO. 92-525
An Ordinance Amending Ordinance No. 428.

Whereas, A Petition for Annexation was filed by Clark E. Dreyer and Geneva Dreyer, husband and wife, with the Town of Sellersburg, Indiana, asking that certain privately owned real estate contiguous to the Town of Sellersburg be annexed into the Town pursuant to I.C.36-4-3-5, and that the corporate limits of the Town be extended so as to include the privately owned real estate hereinafter described.

Whereas, on the 25th day of August, 1986, the Town of Sellersburg by its Board of Trustees passed Ordinance No. 428, which in fact took effect sixty (60) days after the date of final publication, and is recorded in the Office of the Recorder of Clark County in Deed Drawer 23, Instrument No. 16344.

Whereas, it has come to the attention of the Sellersburg Town Board that the description of real estate contained in Ordinance No. 428, is defective and must be corrected to affect the purpose for which said Ordinance was originally passed.

Whereas, the correct description of the real estate which was to be originally annexed under Ordinance No. 428, and which is intended to be annexed now by the Town of Sellersburg, is as follows:

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North 54 deg. 18 min. East, 398.52 feet;

North 38 deg. 57 min. East, 142.00 feet;

South 51 deg. 08 min. 40 sec. East, 110.00 feet to the northwest right-of-way line of Claveva Drive; thence with the northwesterly line of Claveva Drive and northwest line of Dreyer Estates the following courses: southwestwardly along an arc to the right having a radius of 440 feet and which is subtended by a long chord having a bearing of

South 22 deg. 02 min. 06 sec. West and a distance of 52.07 feet; thence southwestwardly along an arc to the right having a radius of 25 feet and which is subtended by a long chord having a bearing of

South 74 deg. 08 min. 12 sec. West and a distance of 37.43 feet;

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South 45 deg. 12 min. 47 sec. West and a distance of 87.39 feet; thence southwestwardly along an arc to the right having a radius of 440 feet and which is subtended by a long chord having a bearing of

South 52 deg. 36 min. 21 sec. West and a distance of 26.01 feet;

South 54 deg. 18 min. West, 310 feet to the true place of beginning.

That the Petitioner's previously represented that they were the sole owners of record of the above-described real estate and that this real estate is not and was not situated within the limits of any municipality, but is con-

by the Sellersburg Town Board that Ordinance No. 428, shall be and hereby is amended to reflect the correct description of the real estate of Clark E. Dreyer and Geneva Dreyer, husband and wife, as set forth and described above, which shall be and hereby is annexed into the Town of Sellersburg, Indiana.

It is further Ordained that the Clerk-Treasurer of the Town of Sellersburg, shall publish this Amended Ordinance in accordance with the provisions of I.C. 36-4-3-7 and I.C. 5-3-1, which requires the first publication hereof to be made within two (2) weeks after the date of adoption of this Ordinance. This amended Ordinance No. 525 shall take effect sixty (60) days after its final publication.

Passed and adopted this 13th day of April, 1992.

Town of Sellersburg, Indiana
By Its Town Board
Stanley E. Tucker
Roy E. Everitt
Karl N. Truman
Aulton D. Eddings
David Broady
ATTEST:
Linda Schaffer,
Clerk-Treasurer
Town of Sellersburg, Indiana

ORDINANCE NO. 92-526

ORDINANCE ADOPTING SEWAGE WORKS PROJECT
SPECIFICATION FOR LATERAL SEWER LINES
FROM HOUSE, INDUSTRY AND COMMERCIAL
SITES TO PUBLIC SEWER LINES

WHEREAS, the Sellersburg Town Council did on the 23rd day of December, 1991, adopt a Resolution No. 513, concerning Sellersburg sewage works and project specifications for lateral sewer lines from house to public sewer lines:

WHEREAS, the Sellersburg Town Council has determined that for the operation of efficient town government that Resolution No. 513 should be adopted as an Ordinance for the Town of Sellersburg;

WHEREAS, the Sellersburg Town Council has determined that in order to insure orderly and uniform connection of lateral sewer lines to public sewer lines Resolution No. 513 should be made into and adopted as an Ordinance;

BE IT THEREFORE ORDAINED by the Sellersburg Town Council, as follows:

FEES

Prior to performing any construction to connect to the new sewer system, all property owners must first obtain a Sanitary Sewer Connection Permit. There are two (2) classes of Sanitary Sewer Connection Permits as follows:

- (1) Residential Permits - \$ 20.00; and
- (2) Industrial and Commercial Permits - \$ 50.00

In addition to the Sanitary Sewer Connection Permit, all property owners must also pay the user's fee. See Ordinance No. 459-A for user's fees.

INSPECTION

A pre inspection is required when the service lateral of the property line has been exposed to insure that the service lateral stub has not been damaged.

PAGE TWO

A post inspection will be made after all pipe has been laid and prior to any back filling of the new sewer line from the house.

The inspections must be scheduled with the town's inspector at least 24 hours in advance.

PIPE

All building sewer laterals from the house or industrial and commercial establishments shall be constructed of PVC SDR-35 or higher pipe with rubber "o-ring" joints. The connection hub (inlet) at the service lateral is 6-inch.

CLEAN OUTS

A clean out has to be installed between the house or building and property line, and brought up to finish grade of ground level not buried.

PIPE BEDDING

All Pipe shall be bedded in granular backfill. The bedding material shall be #8 crushed limestone.

PIPE GRADE (SLOPE)

All pipe shall be laid at a slope of at least 1/4" per foot towards the connection point.

BACK FILLING

After the pipe has been laid and properly bedded and inspected and approved by the town's inspector, the trench may be backfilled with loose soil. Large rocks, concrete, stumps, roots and other debris should not be used in the back filling process.

SUMP PUMPS AND DRAINS

There shall be no sump pumps connected to the system that allow surface or ground water to enter the system. Sump pumps pumping sanitary waste only are allowable. Yard drains, gutters catch basins shall not be connected to the system.

ABANDONED SEPTIC TANKS

All existing septic tanks that will be abandoned after connection is made to the new system should be cleaned out and filled in

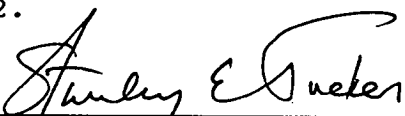
with sand. (per county regulations).

SUMMARY

New connections will not begin until the new Waste Water Treatment Plant is on line and fully operational. The following will be the proper sequence to proceed with sewer line construction.

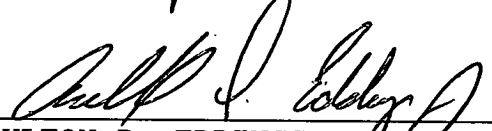
- (1). Receive proper notice from the Town of Sellersburg that sewer line construction may begin.
- (2). Obtain Sewer line Construction Permit from Town Hall and arrange for payment of tap in fee.
- (3). Arrange with town inspector to inspect sewer lateral stub when it is exposed.
- (4). Begin construction as per sewer line specifications.
- (5). Arrange for inspector to inspect lines after they have been laid, before being covered.
- (6). After proper approval from inspector cover lines with proper backfill.
- (7). Use of Sellersburg Sanitary Sewer System now may begin.

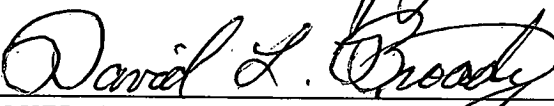
SO ORDAINED this 27 day of April, 1992.



STANLEY E. TUCKER


ROY E. EVERITT


KARL N. TRUMAN


AULTON D. EDDINGS


DAVID BROADY

ATTEST: 
LINDA SCHAFFER

DATE: 4-27-92

RECEIVED
FOR RECORD

7203

MAY 12 2 24 PM '92
RECORDED IN DEED 24 DRA

ORDINANCE NO. 92- 527

INSTR. NO. 7203
RALPH G. STEMLER
RECORDER OF CLARK CO. CLARK CO

AN ORDINANCE REPEALING ANNEXATION ORDINANCE NO. 458

WHEREAS, the Town Council for the Town of Sellersburg has heretofore approved and passed Ordinance No. 458 in which the Town of Sellersburg annexed territory boarding the Town of Sellersburg; and DEED DRA. 23 INSTR. 16346

WHEREAS, the Town Council for the Town of Sellersburg and the Town Council for the Town of Clarksville, did on the 3rd day of March, 1990, enter into a Settlement Agreement in which the Town of Sellersburg agreed not to annex the territories set forth in Annexation Ordinance No. 458, and repeal same; and

WHEREAS, the Town Council for the Town of Sellersburg has determined for the efficient and effective management of Town Government said Annexation Ordinance No. 458 should be repealed and declared void:

BE IT THEREFORE ORDAINED that Annexation Ordinance No. 458, shall be and hereby is repealed and declared void.

DATED THIS 27th DAY OF APRIL, 1992.

Stanley E Tucker
STANLEY E. TUCKER

Aulton D. Eddings
AULTON D. EDDINGS

Roy E. Everitt
ROY E. EVERITT

David Broady
DAVID BROADY

Karl N. Truman
KARL N. TRUMAN

ATTEST: Linda Schaffer
LINDA SCHAFFER
CLERK-TREASURER

DATE: 4-27-92

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

MAY 08 1992

Keith D. ...
AUDITOR CLARK COUNTY

7.00
William McCall
425 Watt St
Jeff. In 47130



POSTAGE WILL BE PAID BY ADDRESSEE
NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

7202

ORDINANCE NO. 92-520

ORDINANCE ANNEXING MT. TABOR LIMITED PARTNERSHIP PROPERTIES

WHEREAS, A Petition for annexation was filed by Mt. Tabor Limited Partnership, an Indiana Limited Partnership, with the Town of Sellersburg, Indiana, asking that certain privately owned real estate contiguous to the Town of Sellersburg, Indiana, to be annexed into the Town pursuant to I.C. 36-4-3-5, and that the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

A part of Fairview Addition, Block "F" (Plat Book 4, Page 101) of the Illinois Grant in Silver Creek Township of Clark County, Indiana, being a part of the same Lots No. 1 through 18 conveyed to Mount Tabor Limited Partnership at Deed Drawer 24 Instrument No.'s 4691 and 4692 and bounded as follows:

Beginning at a point in the northwesterly right-of-way line of U.S. Highway 31W (State Road No. 311) which is the present Town boundary of Sellersburg, thence the following courses of the boundary of Annex Area "P";

Southeastwardly, 173 feet, more or less, crossing the Highway to the north corner of Lot No. 1 of said Fairview Addition;

South 50 deg. 56 min. 34 sec. East, 166 feet, more or less, with the northeasterly line of said Lot No. 1 and the Alley which is adjacent to and all along the east side of Lots 1 through 18 of Fairview Addition, to the northeast corner of said Alley;

South 23 deg. 51 min. 29 sec. West, 438 feet, more or less, with the east line of said Alley, to a point which is the extension of the South line of said Lot 18;

Northwestwardly, 167 feet, more or less, crossing said Alley and along the south line of Lot 18 of Fairview Addition to the southwest corner of said Lot 18;

Northwestwardly, 60 feet, more or less, crossing U.S. Highway 31W (State Road No. 311), to a point in the existing Town of Sellersburg Boundary Line;

Northeastwardly, 470 feet, more or less, with said existing boundary line of the Town of Sellersburg to the true place of beginning and containing 2.63 acres of land.

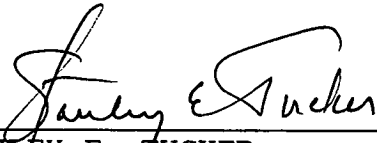
That the Petitioners have represented that they are the sole owners of record of the above - described real estate and that this real estate is not situated within the limits of any municipality, but is contiguous to the Town of Sellersburg.

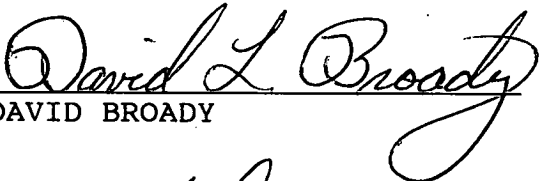
THEREFORE, BE IT ORDAINED by the Sellersburg Town Board that the above - described parcel of real estate owned by Mt. Tabor Limited Partnership, is hereby annexed into the Town of Sellersburg, Indiana, pursuant to I.C. 36-4-3-5; and

BE IT FURTHER ORDAINED AND ORDERED that the Clerk-Treasurer for the Town of Sellersburg, Indiana, publish this ordinance in accordance with I.C. 36-4-3-7 and I.C. 5-3-1, which requires the first publication to be made within two (2) weeks after the date of adoption of this ordinance.

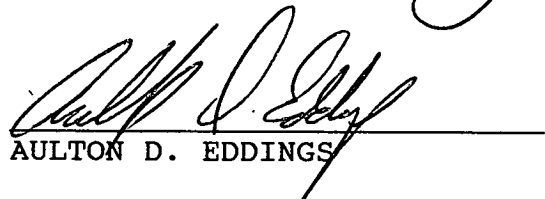
The herein Ordinance No. 528, shall take effect sixty (60) days after its final publication.

PASSED AND ADOPTED THIS 11 DAY OF May, 1992.
BY THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG, INDIANA.


STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT



AULTON D. EDDINGS


KARL N. TRUMAN

ATTEST: 
LINDA SCHAFER
CLERK TREASURER

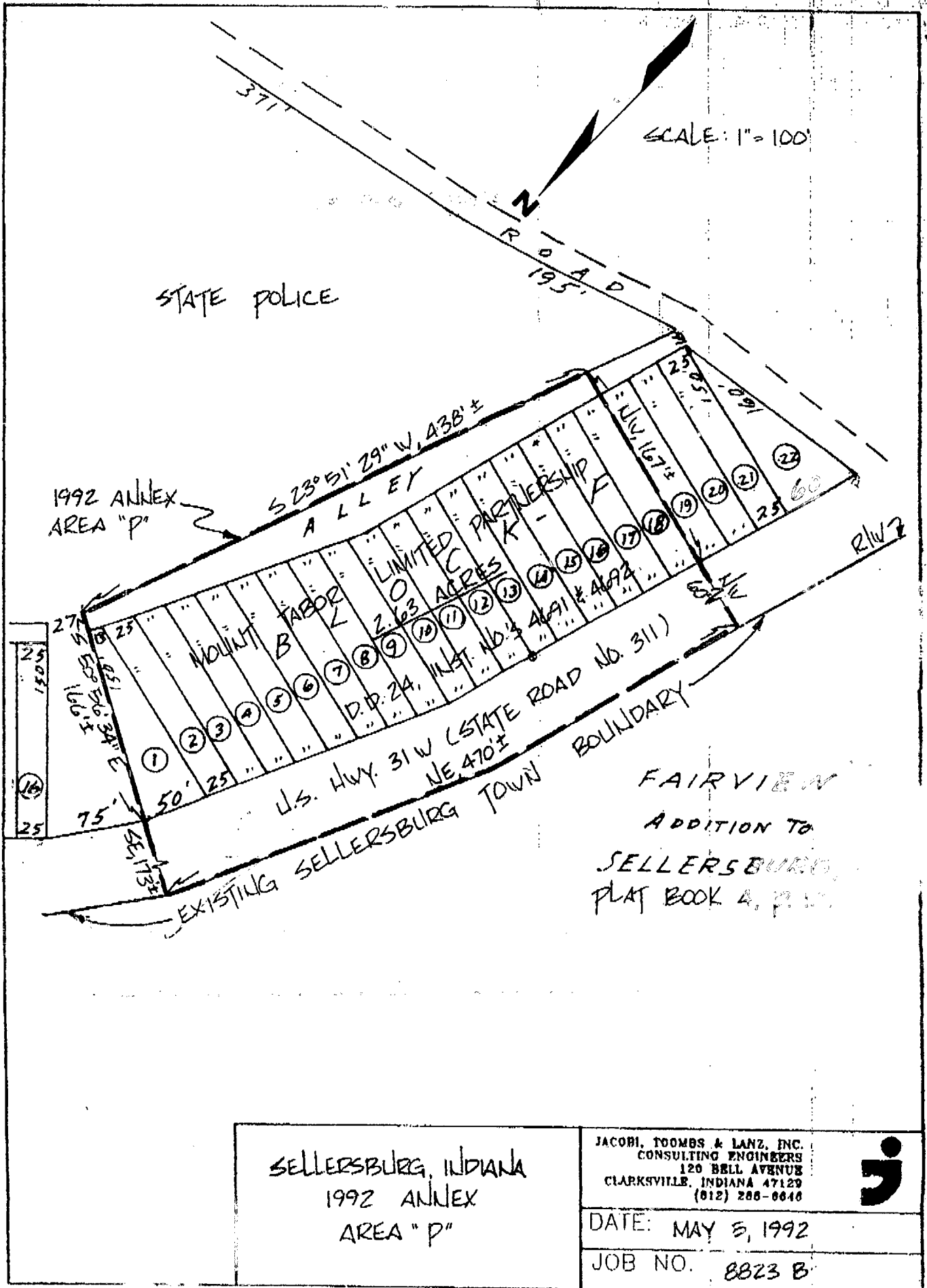
DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

MAY 12 1992


AUDITOR CLARK COUNTY

RECEIVED
FOR RECORD

MAY 12 2 20 PM '92
RECORDED IN Deed 24
INSTR. NO. 7202
RALPH C. STEMLER
RECORDER OF CLARK CO.



SELLERSBURG, INDIANA
 1992 ANNEX
 AREA "P"

JACOBI, TOOMBS & LANZ, INC.
 CONSULTING ENGINEERS
 120 BELL AVENUE
 CLARKSVILLE, INDIANA 47129
 (812) 286-6646



DATE: MAY 5, 1992

JOB NO. 8823 B

\$ 10.00

William McCall
425 Watt St.
Jeff. In 47130



92-528

PETITION TO ANNEX REAL ESTATE

TO: THE HONORABLE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, INDIANA

The undersigned, being the owner in fee simple of the following described real estate in the County of Clark and State of Indiana, to-wit:

A part of Fairview Addition, Block "F" (Plat Book 4, Page 101) of the Illinois Grant in Silver Creek Township of Clark County, Indiana, being a part of the same Lots No. 1 through 18 conveyed to Mount Tabor Limited Partnership at Deed Drawer No.'s 4691 and 4692 and bounded as follows:

Beginning at a point in the northwesterly right-of-way line of U. S. Highway 31W (State Road No. 311) which is the present Town boundary of Sellersburg, thence the following courses of the boundary of Annex Area "P": Southeastwardly, 173 feet, more or less, crossing the Highway to the north corner of Lot No. 1 of said Fairview Addition; South 50 deg. 56 min. 34 sec. East, 166 feet, more or less, with the northeasterly line of said Lot No. 1 and the Alley which is adjacent to and all along the east side of Lots 1 through 18 of Fairview Addition, to the northeast corner of said Alley; South 23 deg. 51 min. 29 sec. West, 438 feet, more or less, with the east line of said Alley, to a point which is the extension of the South line of said Lot 18; Northwestwardly, 167 feet, more or less, crossing said Alley and along the south line of Lot 18 of Fairview Addition to the southwest corner of said Lot 18; Northwestwardly, 60 feet, more or less, crossing U. S. Highway 31W (State Road 311), to a point in the existing Town of Sellersburg Boundary Line; Northeastwardly, 470 feet, more or less, with said existing boundary line of the Town of Sellersburg to the true place of beginning and containing 2.63 acres of land.

respectfully petitions the Board of Trustees of the Town of Sellersburg, Clark County, Indiana, to extend the boundaries of the said Town of Sellersburg so as to include the above described tract, and that said tract be considered part of the Town of Sellersburg, Indiana.

Your petitioner would further respectfully show that the above described property is contiguous to the Town of Sellersburg, the same lying adjacent to said Town.

Said petitioner certifies that it is 100% owner of land in the territory to be annexed, except the alleyway, and is 100% owner of total assessed value of the land for property tax purposes.

Your petitioner, therefore, requests that the Board of Trustees of the Town of Sellersburg adopt a resolution extending the boundary line of said Town of Sellersburg so as to include and embrace the above described property.

IN WITNESS WHEREOF, the undersigned have hereunto sets its hand and seal, this 11th day of May, 1992.

MT. TABOR LIMITED PARTNERSHIP

By: William J. Reynolds

ORDINANCE NO. 92-529

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 12th day of August, 1991, adopt Ordinance No. 508, approving salary, holiday and longevity pay of Sellersburg Town employees; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 10th day of February, 1992, adopt an Ordinance No. 92-518, thereby amending Ordinance No. 508; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 13th day of April, 1992, adopt an Ordinance No. 92-524, thereby amending Ordinance No. 92-518; and

WHEREAS,, the Town Council for the Town of Sellersburg, Indiana, has been advised of additional corrections, changes and additions which need to be made to the schedule of salary, holiday and longevity pay of Sellersburg Town employees, and now desire to pass the herein Ordinance to amend, correct and make additions to the salary, holiday and longevity pay of the Town of Sellersburg employees set out below; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined said amended Ordinance is necessary for the efficient administration of Town government;

BE IT THEREFORE ORDAINED, that Ordinance No. 92-524 be amended, corrected and additions made as follows regarding annual/weekly/hourly wages, holiday and longevity pay, paid to the following employees of the Town of Sellersburg, Indiana, from the funds as indicated, retroactive to January 1, 1992:

POLICE DEPARTMENT

| | |
|----------------------|------------------|
| Dispatcher | \$ 6.63 per hour |
| Dispatcher | \$ 6.63 per hour |
| Dispatcher | \$ 6.63 per hour |
| Dispatcher | \$ 6.63 per hour |
| Part-time Dispatcher | \$ 5.91 per hour |
| Part-time Dispatcher | \$ 4.25 per hour |

| | <u>Salary</u> | <u>Holiday</u> | <u>Longevity</u> | <u>Health Ins.</u> | <u>Retirement</u> |
|-------|----------------------|----------------|------------------------|------------------------|--------------------------|
| Chief | \$673.28 per week | \$1,211.76 | \$202.64 yr to date | \$1,596.00 per year | \$4,674.30 yr to date |

SO ORDAINED THIS _____ DAY OF _____, 1992.

STANLEY E. TUCKER

AULTON D. EDDINGS

ROY E. EVERITT

DAVID BROADY

KARL N. TRUMAN

ATTEST:

LINDA SCHAFFER
CLERK/TREASURER

DATE: _____

ORDINANCE NO. 92-529 A

ORDINANCE AMENDING ORDINANCE NO. 92-524

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| Part-time Dispatcher | \$ 4.25 per hour |

ORDINANCE NO. 92- 530

AN ORDINANCE RESTRICTING THE RIGHT TO
KEEP, OWN, OR TRADE IN CERTAIN SPECIES OF ANIMALS

WHEREAS, THE TOWN BOARD FOR THE TOWN OF SELLERSBURG, INDIANA BELIEVES THAT CERTAIN SPECIES OF WILD LIFE ARE NOT CAPABLE OF BEING DOMESTICATED AND MAY NOT BE SUITABLE AS PETS OR ALWAYS SAFE TO THE COMMUNITY AS THEY MAY REPRESENT A DANGER TO THE RESIDENTS OF THE COMMUNITY IF NOT ALWAYS PROPERLY HANDLED AND/OR CAREFULLY CONTROLLED, AND

WHEREAS, THE TOWN BOARD FOR THE TOWN OF SELLERSBURG DEEMS IT NECESSARY TO THE PUBLIC INTEREST TO REGULATE SUCH WILDLIFE.

NOW, THEREFORE, LET IT BE ORDAINED BY THE TOWN BOARD FOR THE TOWN OF SELLERSBURG, INDIANA:

SECTION I

IT SHALL BE UNLAWFUL FOR ANY PERSON, GROUP OF PERSONS, BUSINESS, PARTNERSHIP, OR CORPORATION TO KEEP, MAINTAIN, TRADE IN, OR HAVE IN HIS/HER POSSESSION OR UNDER HIS/HER PERSONAL CONTROL WITHIN THE CORPORATE BOUNDARIES OF THE TOWN OF SELLERSBURG ANY REPTILE OR ANIMAL OF A SPECIES, NOT ORDINARILY DOMESTICATED THAT IS CARNIVOROUS AND/OR IS CAPABLE OF INFLECTING SERIOUS HARM OR DEATH TO HUMAN BEINGS, INCLUDING BUT NOT LIMITED TO THE FOLLOWING: BEARS, LIONS, TIGERS, LEOPARDS, WOLVES, WOLVERINES, BADGERS, SKUNKS, ELEPHANTS, RHINOCEROSSES, COUGARS, PRIMATES, PRAIRIE DOGS, FOXES, ALLIGATORS AND CROCODILES.

SECTION II

(A) THE SELLERSBURG ANIMAL CONTROL OFFICER ("ENFORCEMENT OFFICERS") OR AN OFFICER OF THE TOWN OF SELLERSBURG POLICE DEPARTMENT ARE HEREBY AUTHORIZED TO ENFORCE THIS ORDINANCE IN THE INCORPORATED AREAS OF THE TOWN OF SELLERSBURG BY THE ISSUANCE OF A CITATION FOR VIOLATION IN A FORM PRESCRIBED BY ANIMAL CONTROL OFFICER OR OFFICER OF SELLERSBURG POLICE DEPARTMENT AND APPROVED BY THE TOWN BOARD FOR THE TOWN OF SELLERSBURG, INDIANA. IF ANY OFFICER OF THE TOWN OF SELLERSBURG POLICE DEPARTMENT OR ANY ENFORCEMENT OFFICER WITNESSES A VIOLATION OF THIS ORDINANCE OR, UPON A CONSIDERATION OF THE TOTALITY OF CIRCUMSTANCES CONFRONTING AN ENFORCEMENT OFFICER AT THE TIME HE/SHE RESPONDS TO A COMPLAINT

HEREUNDER, HAS REASONABLE CAUSE TO BELIEVE THAT A VIOLATION OF THIS ORDINANCE HAS OCCURRED WITHIN THE PRECEDING TWELVE (12) HOURS, SUCH ENFORCEMENT OFFICER SHALL ISSUE A CITATION TO THE PERSON ALLEGED TO HAVE VIOLATED THIS ORDINANCE.

(B) THE PERSON(S) OR ENTITY RECEIVING A CITATION DESCRIBED IN SUBSECTION (A) ABOVE SHALL BE REQUIRED TO APPEAR, AT A TIME DESIGNATED, IN ANY CIRCUIT, SUPERIOR OR COUNTY COURT IN CLARK COUNTY, INDIANA FOR A HEARING UPON SUCH CITATION. IF THE ALLEGED VIOLATING PARTY SHALL PROVE TO THE COURT THAT THE PRESCRIBED ANIMAL HAS BEEN DISPOSED OF WITHIN SEVENTY-TWO (72) HOURS OF RECEIPT OF THE CITATION, AND IF THE COURT SO FINDS BY A PREPONDERANCE OF EVIDENCE, THEN THE CITATION SHALL BE DISMISSED, SUBJECT TO ASSESSMENT OF COURT COSTS ONLY AGAINST THE PARTY TO WHOM THE CITATION IS ISSUED.

(C) ABSENT THE DISMISSAL DESCRIBED IN SUBSECTION (B) ABOVE, THE COURT SHALL CONDUCT A HEARING UPON THE ALLEGED VIOLATION OF THIS ORDINANCE. THE ATTORNEY FOR THE TOWN BOARD OF THE TOWN OF SELLERSBURG, INDIANA IS AUTHORIZED TO CIVILLY REPRESENT THE TOWN OF SELLERSBURG, INDIANA IN SUCH HEARING. IF THE COURT FINDS, AT THE CONCLUSION OF ALL THE EVIDENCE, BY A PREPONDERANCE OF EVIDENCE, THAT THIS ORDINANCE HAS BEEN VIOLATED, THE COURT SHALL ENTER THE FOLLOWING JUDGMENT AND ORDERS:

(1) AN ORDER OF SEIZURE AND CONFINEMENT AND/OR DISPOSAL OF THE ANIMALS WITH COSTS FOR SAME ASSESSED AGAINST THE PARTY VIOLATING THIS ORDINANCE;

(2) IN CONJUNCTION WITH THE ABOVE, A CIVIL FINE OF NOT LESS THAN ONE HUNDRED FIFTY DOLLARS (\$150.00), NOR MORE THAN THREE THOUSAND DOLLARS (\$3,000.00) MAY BE ASSESSED AGAINST THE VIOLATING PARTY;

(3) IN CONJUNCTION WITH THE ABOVE, THE COURT SHALL ENTER JUDGMENT AGAINST THE VIOLATING PARTY FOR COURT COSTS IN SUCH SUMS AS ARE DETERMINED BY THE COURT.

SECTION III

THIS ORDINANCE APPLIES ONLY TO LIVE ANIMALS AND DOES NOT INTEND IN ANY WAY TO REGULATE MOUNTED OR STUFFED ANIMALS NOR IN ANY WAY REGULATE THE PRACTICE OF TAXIDERMY.

SECTION IV

IF A COURT OF LAW RULES THAT A SECTION, PHRASE, OR PART OF THE ORDINANCE IS NOT VALID, ONLY THOSE PARTS RULED INVALID SHALL BE REPEALED. IT IS UNDERSTOOD THAT EACH SECTION OF THIS ORDINANCE IS ADOPTED SEPARATELY.

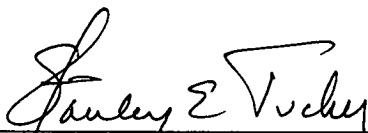
SECTION VI

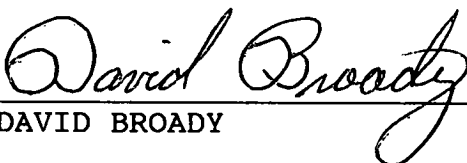
THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AFTER ITS PASSAGE, APPROVAL, AND PROPER PUBLICATION.

SECTION VII

ALL PERSONS, GROUPS OF PERSONS, BUSINESSES, PARTNERSHIPS OR CORPORATIONS WHO ARE, OR MAY BE, IN VIOLATION OF THIS ORDINANCE AT THE TIME OF ITS PASSAGE SHALL BE REQUIRED TO COME WITHIN COMPLIANCE HEREOF WITHIN THIRTY (30) DAYS SUBSEQUENT TO SUCH PASSAGE BY THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG, INDIANA.

SO ORDAINED THIS 26 DAY OF May, 1992.


STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS


KARL N. TRUMAN

ATTEST: 
LINDA SCHAFER
CLERK TREASURER

ORDINANCE NO. 92- 530

AN ORDINANCE RESTRICTING THE RIGHT TO
KEEP, OWN, OR TRADE IN CERTAIN SPECIES OF ANIMALS

WHEREAS, THE TOWN BOARD FOR THE TOWN OF SELLERSBURG, INDIANA BELIEVES THAT CERTAIN SPECIES OF WILD LIFE ARE NOT CAPABLE OF BEING DOMESTICATED AND MAY NOT BE SUITABLE AS PETS OR ALWAYS SAFE TO THE COMMUNITY AS THEY MAY REPRESENT A DANGER TO THE RESIDENTS OF THE COMMUNITY IF NOT ALWAYS PROPERLY HANDLED AND/OR CAREFULLY CONTROLLED, AND

WHEREAS, THE TOWN BOARD FOR THE TOWN OF SELLERSBURG DEEMS IT NECESSARY TO THE PUBLIC INTEREST TO REGULATE SUCH WILDLIFE.

NOW, THEREFORE, LET IT BE ORDAINED BY THE TOWN BOARD FOR THE TOWN OF SELLERSBURG, INDIANA:

SECTION I

IT SHALL BE UNLAWFUL FOR ANY PERSON, GROUP OF PERSONS, BUSINESS, PARTNERSHIP, OR CORPORATION TO KEEP, MAINTAIN, TRADE IN, OR HAVE IN HIS/HER POSSESSION OR UNDER HIS/HER PERSONAL CONTROL WITHIN THE CORPORATE BOUNDARIES OF THE TOWN OF SELLERSBURG ANY REPTILE OR ANIMAL OF A SPECIES NOT ORDINARILY DOMESTICATED THAT IS CARNIVOROUS AND/OR IS CAPABLE OF INFLECTING SERIOUS HARM OR DEATH TO HUMAN BEINGS, INCLUDING BUT NOT LIMITED TO THE FOLLOWING: BEARS, LIONS, TIGERS, LEOPARDS, WOLVES, WOLVERINES, BADGERS, SKUNKS, ELEPHANTS, RHINOCEROSSES, COUGARS, PRIMATES, PRAIRIE DOGS, FOXES, ALLIGATORS AND CROCODILES.

SECTION II

(A) THE SELLERSBURG ANIMAL CONTROL OFFICER ("ENFORCEMENT OFFICERS") OR AN OFFICER OF THE TOWN OF SELLERSBURG POLICE DEPARTMENT ARE HEREBY AUTHORIZED TO ENFORCE THIS ORDINANCE IN THE INCORPORATED AREAS OF THE TOWN OF SELLERSBURG BY THE ISSUANCE OF A CITATION FOR VIOLATION IN A FORM PRESCRIBED BY ANIMAL CONTROL OFFICER OR OFFICER OF SELLERSBURG POLICE DEPARTMENT AND APPROVED BY THE TOWN BOARD FOR THE TOWN OF SELLERSBURG, INDIANA. IF ANY OFFICER OF THE TOWN OF SELLERSBURG POLICE DEPARTMENT OR ANY ENFORCEMENT OFFICER WITNESSES A VIOLATION OF THIS ORDINANCE OR, UPON A CONSIDERATION OF THE TOTALITY OF CIRCUMSTANCES CONFRONTING AN ENFORCEMENT OFFICER AT THE TIME HE/SHE RESPONDS TO A COMPLAINT

HEREUNDER, HAS REASONABLE CAUSE TO BELIEVE THAT A VIOLATION OF THIS ORDINANCE HAS OCCURRED WITHIN THE PRECEDING TWELVE (12) HOURS, SUCH ENFORCEMENT OFFICER SHALL ISSUE A CITATION TO THE PERSON ALLEGED TO HAVE VIOLATED THIS ORDINANCE.

(B) THE PERSON(S) OR ENTITY RECEIVING A CITATION DESCRIBED IN SUBSECTION (A) ABOVE SHALL BE REQUIRED TO APPEAR, AT A TIME DESIGNATED, IN ANY CIRCUIT, SUPERIOR OR COUNTY COURT IN CLARK COUNTY, INDIANA FOR A HEARING UPON SUCH CITATION. IF THE ALLEGED VIOLATING PARTY SHALL PROVE TO THE COURT THAT THE PRESCRIBED ANIMAL HAS BEEN DISPOSED OF WITHIN SEVENTY-TWO (72) HOURS OF RECEIPT OF THE CITATION, AND IF THE COURT SO FINDS BY A PREPONDERANCE OF EVIDENCE, THEN THE CITATION SHALL BE DISMISSED, SUBJECT TO ASSESSMENT OF COURT COSTS ONLY AGAINST THE PARTY TO WHOM THE CITATION IS ISSUED.

(C) ABSENT THE DISMISSAL DESCRIBED IN SUBSECTION (B) ABOVE, THE COURT SHALL CONDUCT A HEARING UPON THE ALLEGED VIOLATION OF THIS ORDINANCE. THE ATTORNEY FOR THE TOWN BOARD OF THE TOWN OF SELLERSBURG, INDIANA IS AUTHORIZED TO CIVILLY REPRESENT THE TOWN OF SELLERSBURG, INDIANA IN SUCH HEARING. IF THE COURT FINDS, AT THE CONCLUSION OF ALL THE EVIDENCE, BY A PREPONDERANCE OF EVIDENCE, THAT THIS ORDINANCE HAS BEEN VIOLATED, THE COURT SHALL ENTER THE FOLLOWING JUDGMENT AND ORDERS:

(1) AN ORDER OF SEIZURE AND CONFINEMENT AND/OR DISPOSAL OF THE ANIMALS WITH COSTS FOR SAME ASSESSED AGAINST THE PARTY VIOLATING THIS ORDINANCE;

(2) IN CONJUNCTION WITH THE ABOVE, A CIVIL FINE OF NOT LESS THAN ONE HUNDRED FIFTY DOLLARS (\$150.00), NOR MORE THAN THREE THOUSAND DOLLARS (\$3,000.00) MAY BE ASSESSED AGAINST THE VIOLATING PARTY;

(3) IN CONJUNCTION WITH THE ABOVE, THE COURT SHALL ENTER JUDGMENT AGAINST THE VIOLATING PARTY FOR COURT COSTS IN SUCH SUMS AS ARE DETERMINED BY THE COURT.

SECTION III

THIS ORDINANCE APPLIES ONLY TO LIVE ANIMALS AND DOES NOT INTEND IN ANY WAY TO REGULATE MOUNTED OR STUFFED ANIMALS NOR IN ANY WAY REGULATE THE PRACTICE OF TAXIDERMY.

| | Salary | Holiday | Longevity | Health Ins. | Retirement |
|-------|----------|------------|------------|-------------|------------|
| Chief | \$673.28 | \$1,211.76 | \$202.64 | \$1,596.00 | \$4,679.30 |
| | per week | | yr to date | per year | yr to date |

SO ORDAINED THIS 26 DAY OF May, 1992.

Stanley E. Tucker
 STANLEY E. TUCKER

Aulton D. Eddings
 AULTON D. EDDINGS

Roy E. Everitt
 ROY E. EVERITT

David Broady
 DAVID BROADY

Karl N. Truman
 KARL N. TRUMAN

ATTEST: Linda Schaffer
 LINDA SCHAFFER
 CLERK/TREASURER

DATE: 5-26-92

ORDINANCE NO. 92-531

ORDINANCE AMENDING ORDINANCE NO. 386

WHEREAS, the Sellersburg Town Council did on the 22nd day of February, 1984, adopt and pass Ordinance No. 386, in which the Town Council set the vehicle inspection fee at a cost of \$3.00; and

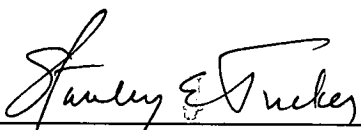
WHEREAS, the Sellersburg Town Council has determined upon consultation with the Sellersburg Chief of Police, David Kinder, that in order to be consistent with the fee charged by surrounding communities, that said vehicle inspection fee should be raised from the amount of \$3.00 to the amount of \$5.00, effective upon publication of this ordinance; and

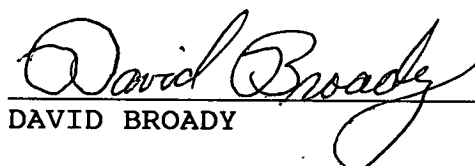
WHEREAS, said amended ordinance is necessary for the administration of efficient town government; and

WHEREAS, the Sellersburg Town Council has in an open meeting discussed, considered and determined this issue;

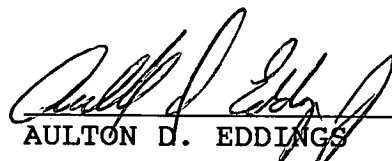
BE IT THEREFORE ORDAINED by the Sellersburg Town Council that Ordinance No. 386 shall be and hereby is amended in that the vehicle inspection fee shall be raised from an amount of \$3.00 to the amount of \$5.00, effective upon publication of said amended ordinance.

SO ORDAINED THIS 8th DAY OF June, 1992.

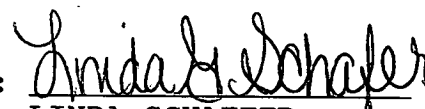

STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS


KARL N. TRUMAN

ATTEST: 
LINDA SCHAFFER
CLERK TREASURER

ORDINANCE NO. 92-532

AN ORDINANCE AMENDING ORDINANCE NO. 92-521

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 10th day of February, 1992, passed Ordinance No. 521, in which the building code ~~was~~ adopted for the Town of Sellersburg, Indiana; and

WHEREAS, the Town of Sellersburg Building Inspector, Steve Prather, has advised the Sellersburg Town Council of the need to amend and make additions to the Town of Sellersburg Building Code; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has in an open meeting, discussed, considered and determined for the purpose of efficient and beneficial town government, that the Town of Sellersburg Building Code should have amendments and additions.

BE IT THEREFORE ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG, INDIANA, THAT THE TOWN OF SELLERSBURG BUILDING CODE SHALL BE AND HEREBY IS AMENDED AND ADDITIONS MADE AS FOLLOWS:

SECTION 8, SUBSECTION B, PARAGRAPH 7, SHALL BE AMENDED TO READ:

Before any service that has been disconnected for any reason, for a period of 90 (ninety) days or longer, can be reconnected, it must be reinspected. Said inspection must be scheduled at least 24 (twenty-four) hours in advance of service reconnection. The fee for this reinspection is \$25.00 (Twenty-Five Dollars).

SECTION 8, SUBSECTION C, PARAGRAPH 1, SHALL BE AMENDED TO READ:

All applications for building permits to include structural, electrical, plumbing, mechanical, and miscellaneous, require the following waiting period for approval. The waiting period is to allow the building commission time to research the proposed work to be performed, and make a ruling as to whether or not said work violates any state and/or local standards, codes and/or ordinances. The waiting period for residential building permits shall be 24 (twenty-four) hours and 72 (seventy-two) hours for commercial and industrial permits.

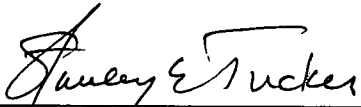
SECTION 8, SUBSECTION I, PARAGRAPH 1, SHALL BE ADDED OR AMENDED TO READ:

Elevation certificate required. All buildings, residential, industrial and/or commercial, that will be constructed in "A" zone flood areas, must apply for and complete an elevation certificate from FEMA (Federal Emergency Management Agency), and return the results to the building commission office, prior to any scheduled work being initiated. The fee for the elevation certificate is \$15.00 (Fifteen Dollars).

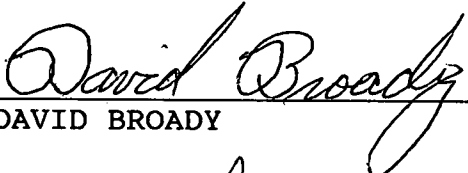
SECTION 10, SUBSECTION D, PARAGRAPH 5, SHALL BE ADDED OR AMENDED TO READ:

Residential, single occupancy mobile homes only. Inspection fee for new or replacement service entrance shall be a flat fee regardless of service entrance size. This inspection must be scheduled at least 24 (twenty-four) hours in advance of service reconnect. The fee for this inspection shall be \$25.00 (Twenty-Five Dollars).


SO ORDAINED THIS 8th DAY OF June, 1992.



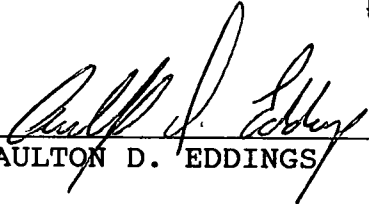
STANLEY E. TUCKER



DAVID BROADY




ROY E. EVERITT



AULTON D. EDDINGS



KARL N. TRUMAN

ATTEST: 

LINDA SCHAFFER
CLERK TREASURER

ORDINANCE NO. 92-533

AN ORDINANCE AMENDING ORDINANCE NO. 529

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 12th day of August, 1991, adopt Ordinance No. 508, approving salary, holiday and longevity pay of Sellersburg Town employees; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 10th day of February, 1992, adopt Ordinance No. 92-518, thereby amending Ordinance No. 508; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 13th day of April, 1992, adopt Ordinance No. 92-524, thereby amending Ordinance Number 92-518; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 6th day of May, 1992, adopt Ordinance No. 92-529, thereby amending Ordinance No. 92-524; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has been advised of an additional correction which needs to be made to the schedule of salary, holiday and longevity pay of Sellersburg Town employees, and now desires to pass the herein ordinance to amend, correct and make additions to the salary, holiday and longevity pay of the Town of Sellersburg employees; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, had determined said amended ordinance necessary for the efficient administration of town government;

BE IT THEREFORE ORDAINED, that Ordinance No. 92-529 be amended, corrected and additions made regarding annual/weekly/hourly wages, holiday and longevity pay, paid to the dispatchers and part-time dispatchers for the Town of Sellersburg, Indiana, from the funds as indicated, retroactive to June 18, 1992, the date on which the adjustment in pay should take effect.

SO ORDAINED this 22 day of June, 1992.

Stanley E Tucker
STANLEY E. TUCKER

ROY E. EVERITT

Karl N. Truman
KARL N. TRUMAN

Aulton D. Eddings
AULTON D. EDDINGS

David L. Broady
DAVID BROADY

ATTEST: Linda H Schaffer
LINDA SCHAFFER

DATE: 6-22-92

1993 SALARY, HOLIDAY AND LONGEVITY PAY

WHEREAS, the Town of Sellersburg desires to pass the herein Ordinance in order to establish and clarify the salary, holiday and longevity pay of employees of the Town; and

WHEREAS, said Ordinance is necessary for the efficient administration of the Town.

NOW, THEREFORE, BE IT ORDAINED, this 27 day of July, 1992, by the Town Council of the Town of Sellersburg, that:

The following annual/weekly/hourly wage, holiday and longevity pay, as indicated, shall be paid to the following employees, from the funds as indicated, effective January 1, 1993:

SEWER DEPARTMENT

| | | |
|--------------------------|--------------------|-----------------|
| Superintendent (Wheeler) | \$ 532.50 per week | |
| Plant Operator (Blincoe) | 390.20 per week | \$9.75 per hour |
| Laborer (Blevins) | 327.80 per week | 8.19 per hour |
| Laborer (Harper) | 284.54 per week | 7.11 per hour |
| Laborer (Samples) | 290.78 per week | 7.26 per hour |
| Laborer (Walters) | 249.60 per week | 6.34 per hour |
| Deputy Clerk Treasurer | 332.80 per week | 8.32 per hour |
| Clerk Treasurer | 10,764.05 per year | |
| Town Council Member | 2,126.25 per year | |
| Town Council Member | 2,126.25 per year | |
| Town Council Member | 2,126.25 per year | |
| Town Council Member | 2,126.25 per year | |
| Town Council Member | 2,126.25 per year | |
| Attorney | 9,900.02 per year | |

WATER DEPARTMENT

| | | |
|---------------------------|--------------------|---------------|
| Superintendent | 511.66 per week | |
| Heavy Equipment Operator | 396.44 per week | 9.91 per hour |
| Plant Operator/Laborer | 321.15 per week | 8.02 per hour |
| Plant Operator/Laborer | 284.54 per week | 7.11 per hour |
| Meter Repairman | 284.54 per week | 7.11 per hour |
| Billing Clerk | 275.80 per week | 6.89 per hour |
| Accounts Receivable Clerk | 275.80 per week | 6.89 per hour |
| Clerk Treasurer | 10,764.05 per year | |
| Town Council Member | 2,126.25 per year | |
| Town Council Member | 2,126.25 per year | |
| Town Council Member | 2,126.25 per year | |
| Town Council Member | 2,126.25 per year | |
| Town Council Member | 2,126.25 per year | |
| Attorney | 9,900.02 per year | |

GENERAL FUND

| | |
|---------------------|-------------------|
| Clerk Treasurer | 2,392.02 per year |
| Town Council Member | 472.50 per year |
| Town Council Member | 472.50 per year |
| Town Council Member | 472.50 per year |
| Town Council Member | 472.50 per year |
| Town Council Member | 472.50 per year |
| Commissioner | 500.00 per year |
| Commissioner | 500.00 per year |
| Commissioner | 500.00 per year |
| Commissioner | 500.00 per year |
| Commissioner | 500.00 per year |
| Attorney | 2,199.96 per year |

STREET AND SANITATION DEPARTMENT

| | | |
|----------------|-----------------|---------------|
| Superintendent | 511.66 per week | |
| Truck Driver | 308.67 per week | 7.71 per hour |
| Laborer | 284.54 per week | 7.11 per hour |
| Laborer | 284.54 per week | 7.11 per hour |
| Laborer | 284.54 per week | 7.11 per hour |
| Laborer | 284.54 per week | 7.11 per hour |

POLICE DEPARTMENT

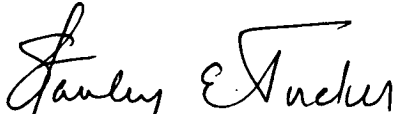
| | | |
|---|--|---------------|
| Dispatcher (Sorrels) | | 6.99 per hour |
| Dispatcher (Campbell) | | 6.99 per hour |
| Dispatcher (Austin) | | 6.99 per hour |
| Dispatcher (Lothery) | | 6.99 per hour |
| Part-time Dispatcher (Ehringer) | | 6.00 per hour |
| Part-time/Part-time Dispatcher (Starks) | | 5.00 per hour |


Holiday pay for Dispatchers will be determined on 3 persons for 9 holidays which will be 27 days x 8 hours which equals 216 hours.


.....\$1,509.84 per year

| | <u>Salary</u> | <u>Holiday</u> | <u>Longevity Factor = .005 of Annual Sal. x yrs of Service</u> |
|----------------------------|-----------------|----------------|--|
| Chief (Kinder) | 700.21 per week | 1,260.00 | 316.04 |
| PERF per Quarter | 1,216.76 | | |
| Yrly. Insurance | 1,596.00 | | |
| Assistant Chief (Bradshaw) | 534.23 per week | 961.61 | 526.73 |
| Detective/Capt. (Huber) | 455.59 per week | 820.06 | 1,790.89 |
| * Sergeant (Meyer) | 424.26 per week | 763.66 | 1,685.54 |
| * Sergeant (-TBD-) | 424.26 per week | 763.66 | 421.38 |
| * Patrolman (Ellenbrand) | 405.18 per week | 729.32 | 842.77 |
| * Patrolman (Zahnd) | 405.18 per week | 729.32 | 842.77 |
| * Patrolman (Stricker) | 405.18 per week | 729.32 | 737.42 |
| * Patrolman (Emerick) | 405.18 per week | 729.32 | 421.38 |
| * Patrolman (Haehl) | 405.18 per week | 729.32 | 316.04 |
| * Patrolman (Hall) | 405.18 per week | 729.32 | 105.35 |
| * Patrolman (-TBD-) | 359.99 per week | 647.98 | .00 |

* A 3% adjustment to Patrolman's and Sergeant's salary to be effective 7/1/93.



 STANLEY E. TUCKER, COUNCIL PRESIDENT


 KARL TRUMAN, COUNCIL MEMBER


 DOUG EDDINGS, COUNCIL MEMBER


 ROY EVERITT, COUNCIL MEMBER


 DAVE BROADY, COUNCIL MEMBER


 LINDA SCHAFFER, CLERK-TREASURER

DATE: 7-27-92

ORDINANCE NO. 92-535

AN ORDINANCE PROVIDING FOR THE
CONTROL OF DOGS/CATS WITHIN SELLERSBURG,
INDIANA AND PROVIDING FOR PENALTIES FOR VIOLATIONS THEREOF

BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF
SELLERSBURG, INDIANA, AS FOLLOWS:

SECTION ONE - DEFINITIONS

AS USED IN THIS ORDINANCE, THE FOLLOWING TERMS SHALL MEAN:

ANIMAL CONTROL OFFICERS: ANY PERSON DESIGNATED BY THE TOWN
COUNCIL AS AN OFFICER WHO IS QUALIFIED TO PERFORM THE DUTIES
REQUIRED BY THIS ORDINANCE OR STATE STATUTES REGARDING ANIMALS.

ANIMAL SHELTER: ANY PREMISES DESIGNATED AND OPERATED FOR
THE PURPOSE OF IMPOUNDING AND CARING FOR DOGS/CATS HELD UNDER
AUTHORITY OF THIS ORDINANCE. THE TOWN OF SELLERSBURG SHALL
UTILIZE THE CLARK COUNTY ANIMAL SHELTER.

KENNEL: ANY PERSON, PARTNERSHIP OR CORPORATION MAINTAINING
AN ESTABLISHMENT WHERE DOGS/CATS OF ANY SPECIES ARE KEPT FOR THE
PURPOSE OF BREEDING, BUYING, SELLING, SHOWING OR BOARDING OF SUCH
ANIMALS OR ENGAGED IN THE TRAINING OF SUCH ANIMALS FOR GUARD OR
SENTRY PURPOSES, AND WHICH ESTABLISHMENT IS SO CONSTRUCTED THAT
THE ANIMALS CANNOT STRAY THEREFROM.

OWNER: WHEN APPLIED TO THE PROPRIETORSHIP OF A DOG/CAT
MEANS ANY PERSON, PARTNERSHIP, OR CORPORATION OWNING, KEEPING OR
HARBORING ONE OR MORE DOGS/CATS. A DOG/CAT SHALL BE DEEMED TO BE
HARBORED IF IT IS FED OR SHELTERED FOR THREE (3) CONSECUTIVE
DAYS OR MORE.

PERSON: AN INDIVIDUAL, PARTNERSHIP, COMPANY OR CORPORATION.

POLICE OFFICER OR LAW ENFORCEMENT OFFICER: ANY PERSON
EMPLOYED BY THE STATE OF INDIANA, BY THE COUNTY, OR THE TOWN OF
SELLERSBURG, INDIANA WHOSE DUTY IT IS TO PRESERVE PEACE OR TO
MAKE ARRESTS OR TO ENFORCE THE LAW.

RESTRAINT: A DOG/CAT SHALL BE DEEMED TO BE UNDER RESTRAINT
IF ITS OWNER OR PERSON IN CHARGE OF IT DOES NOT CAUSE OR ALLOW IT
TO RUN AT LARGE UPON ANY PUBLIC PLACE OR UPON ANY PRIVATE
PROPERTY, OTHER THAN THE OWNER'S. HOWEVER, WORKING DOGS, SUCH AS

LEAD DOGS, GUARD DOGS, FARM DOGS, HUNTING DOGS AND OTHER SIMILAR DOGS/CATS THAT ARE TRAINED NEED NOT BE LEASHED WHEN UNDER THE REASONABLE CONTROL OF ITS OWNER.

SECTION TWO - RESTRAINT

ALL DOGS/CATS IN THE TOWN OF SELLERSBURG, INDIANA, SHALL BE KEPT UNDER RESTRAINT AT ALL TIMES.

SECTION THREE - IMPOUNDMENT

(A) UNRESTRAINED DOGS/CATS SHALL BE TAKEN BY AN ANIMAL CONTROL OFFICER, AND IMPOUNDED IN THE ANIMAL SHELTER AND THERE CONFINED IN A HUMANE MANNER.

(B) DOGS/CATS WITHOUT IDENTIFICATION SHALL BE IMPOUNDED FOR THREE (3) DAYS, UNLESS RECLAIMED BY THEIR OWNER SOONER. DOGS/CATS WITH IDENTIFICATION SHALL BE IMPOUNDED FOR FIVE (5) DAYS UNLESS RECLAIMED BY THEIR OWNER SOONER. IF BY LICENSE TAG, OR OTHER MEANS, THE OWNER OF AN IMPOUNDED DOGS/CATS CAN BE IDENTIFIED, AN ATTEMPT SHALL BE MADE TO CONTACT THE OWNER BY TELEPHONE. DOGS/CATS NOT CLAIMED BY THEIR OWNERS WITHIN THE ABOVE TIME LIMITS, OR PLACED IN A SUITABLE NEW HOME, SHALL BE HUMANELY EUTHANIZED. DOGS/CATS THAT ARE SICK OR INJURED MAY BE HUMANELY EUTHANIZED PRIOR TO THE ABOVE TIME LIMITS BY AN ANIMAL CONTROL OFFICER OR HIS AGENT.

(C) AN ANIMAL OWNER RECLAIMING AN IMPOUNDED DOG/CAT SHALL PAY A FEE OF \$5.00 FOR ANY NEUTERED MALE DOG/CAT OR A SPAYED DOG/CAT. A FEE OF \$15.00 SHALL BE CHARGED FOR THE REDEMPTION OF AN UNSPAYED FEMALE DOG/CAT OR A NON-NEUTERED MALE DOG/CAT FOR THE FIRST REDEMPTION OF SAID DOG/CAT. A FEE OF \$25.00 SHALL BE CHARGED FOR EACH SUBSEQUENT REDEMPTION OF THE SAME IMPOUNDED DOG/CAT.

(D) IF A DOG/CAT HAS BEEN QUARANTINED, THERE SHALL BE A DAILY CHARGE OF \$3.00 IN ADDITION TO THE ABOVE CHARGES.

(E) AN OWNER OF A DOG/CAT SHALL BE REQUIRED TO OBTAIN A YEARLY LICENSE TAG FROM THE TOWN OF SELLERSBURG CLERK/TREASURER LOCATED AT 316 EAST UTICA STREET, SELLERSBURG, INDIANA, THE FEE FOR SAID LICENSE TAG SHALL BE \$3.00 PER YEAR FOR SPAYED/NEUTERED DOGS/CATS, \$5.00 PER YEAR FOR NON-SPAYED/NEUTERED DOGS/CATS. IF A REPLACEMENT LICENSE TAG IS REQUIRED A FEE OF \$2.00 SHALL BE PAID.

(F) ALL LICENSE TAG FEES SHALL BE PAID INTO THE TREASURY OF

THE TOWN OF SELLERSBURG, TO DEFRAY THE YEARLY COSTS OF THE TOWN OF SELLERSBURG ANIMAL CONTROL OFFICER AND USE OF THE CLARK COUNTY ANIMAL SHELTER BY THE TOWN OF SELLERSBURG.

(G) PROOF OF VACCINATION FOR RABIES AND A CURRENT DOG/CAT LICENSE SHALL BE REQUIRED FROM THE OWNER BEFORE ANY DOG/CAT IS RELEASED FROM THE ANIMAL SHELTER TO HIS OR HER OWNER. IF NO PROOF OF VACCINATION IS SHOWN, A RABIES VOUCHER MUST BE PURCHASED BY THE OWNER AND SHOW TO THE ANIMAL SHELTER OPERATOR WITHIN TEN (10) DAYS OF RELEASE OF THE DOG/CAT. IF A CURRENT DOG/CAT LICENSE IS NOT PRODUCED BY THE OWNER AT THE TIME OF REDEMPTION, THE REDEMPTION SHALL BE DELAYED UNTIL THE OWNER PRODUCES A CURRENT DOG/CAT LICENSE FOR THE DOG/CAT SOUGHT TO BE RELEASED.

(H) ALL SUCH FEES SET FORTH HEREIN UNDER SECTION THREE, ARE SUBJECT TO CHANGE BY THE CLARK COUNTY ANIMAL SHELTER.

SECTION FOUR - ISSUANCE OF CITATION

IN ADDITION TO, IN LIEU OF IMPOUNDING A DOG/CAT FOUND AT LARGE (NOT IN RESTRAINT) ANY ANIMAL CONTROL OFFICER, POLICE OFFICER OF LAW ENFORCEMENT OFFICER, OR OTHER AUTHORIZED PERSON, MAY ISSUE TO THE OWNER OF A DOG/CAT A CITATION SPECIFYING THE SECTION OR SECTIONS OF THIS ORDINANCE VIOLATED AND INDICATION OF THE SPECIFIC NATURE OF THE VIOLATIONS. SUCH CITATION SHALL IMPOSE UPON THE OWNER OF THE DOG/CAT AN OBLIGATION OF APPEARANCE IN THE CLARK COUNTY COURT (INDIANA) TO ANSWER THE CHARGES IN THE CITATION AT THE TIME AND PLACE INDICATED IN THE CITATION.

AN ANIMAL CONTROL OFFICER, POLICE OFFICERS AND LAW ENFORCEMENT OFFICERS OF OR FOR THE TOWN OF SELLERSBURG, OR ANY OTHER PERSON SO AUTHORIZED ARE EXPRESSLY AUTHORIZED TO WRITE AND ISSUE SUCH CITATIONS.

SECTION FIVE - DOGS/CATS IN HEAT, CONFINEMENT

EVERY FEMALE DOG/CAT IN HEAT SHALL BE CONFINED IN A BUILDING OR SECURE ENCLOSURE IN SUCH MANNER THAT SUCH DOG/CAT CANNOT COME INTO CONTACT WITH ANOTHER DOG/CAT EXCEPT FOR PLANNED BREEDING.

ANY PERSON VIOLATING THIS SECTION SHALL BE SUBJECT TO THE FINES HEREINAFTER PROVIDED.

SECTION SIX - NUISANCE

EACH OWNER SHALL EXERCISE PROPER CARE AND CONTROL OF HIS,

HER OR ITS DOG/CAT OR DOGS/CATS SO AS TO PREVENT THE FOLLOWING ACTIONS BY IT OR THEM:

1. MOLESTING OF PASSERS-BY;
2. CHASING OF PASSING VEHICLES;
3. ATTACKING OTHER DOMESTIC ANIMALS;
4. TRESPASSING UPON PRIVATE PROPERTY OR SCHOOL GROUNDS;
5. DAMAGING PRIVATE OR PUBLIC PROPERTY;
6. HABITUAL BARKING OR LOUD AND CONTINUED NOISE WHICH CAUSES SERIOUS ANNOYANCE OR DISTURBANCE TO THE NEIGHBORHOOD;
7. UNNECESSARY FOUL OR NOXIOUS ODORS WHICH OFFEND PEOPLE IN THE NEIGHBORHOOD.

SECTION SEVEN - STANDARDS FOR KENNELS

ALL KENNELS AS DEFINED HEREIN, SHALL IN ADDITION TO THE OTHER REQUIREMENTS OF THIS ORDINANCE, COMPLY WITH THE MINIMUM STANDARDS OF THIS SECTION. FAILURE TO MEET THESE STANDARDS SHALL BE GROUNDS FOR ISSUANCE OF A CITATION SUBJECTING THE OWNER OR OWNERS TO THE PENALTIES HEREIN PROVIDED, FACILITIES SHALL BE SUBJECT TO INSPECTION BY AN INSPECTOR TO BE APPOINTED BY THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG. THE APPOINTED INSPECTOR SHALL INSPECT EACH KENNEL IN THE TOWN OF SELLERSBURG, INDIANA, SEMI-ANNUALLY. EACH KENNEL OWNER SHALL BE CHARGED AN INSPECTION FEE OF \$20.00 FOR EACH INSPECTION WHICH SHALL BE PAYABLE WITHIN TEN (10) DAYS AFTER THE INSPECTION. ANY DEFICIENCIES ON THE PART OF THE KENNEL OWNER OR OWNERS SHALL BE CORRECTED WITHIN TEN (10) DAYS AFTER THE INSPECTION. IF A RE-INSPECTION IS WARRANTED, THERE SHALL BE NO ADDITIONAL CHARGE. IN ADDITION TO THE ABOVE, EACH KENNEL OWNER SHALL PURCHASE A KENNEL LICENSE FROM THE AUDITOR OR CLARK COUNTY, INDIANA, AT A CHARGE OF \$5.00 ANNUALLY. THE LICENSE MUST BE PURCHASED IN JANUARY OF THE APPROPRIATE YEAR.

(A) ENCLOSURES MUST BE PROVIDED WHICH SHALL ALLOW ADEQUATE PROTECTION AGAINST WEATHER EXTREMES. FLOORS OF BUILDINGS, RUNS AND WALL SHALL BE OF A MATERIAL TO PERMIT PROPER CLEANING AND DISINFECTING.

(B) BUILDING TEMPERATURE SHALL BE MAINTAINED AT A COMFORTABLE LEVEL. ADEQUATE VENTILATION SHALL BE MAINTAINED.

(C) EACH ANIMAL SHALL HAVE SUFFICIENT SPACE TO STAND UP, LIE DOWN AND TURN AROUND IN A NATURAL POSITION WITHOUT TOUCHING THE SIDES OR THE TOP OF THE CAGES.

(D) CAGES ARE TO BE OF MATERIAL AND CONSTRUCTION THAT PERMIT CLEANING AND SANITIZING.

(E) CAGE FLOORS OF CONCRETE, UNLESS RADIANTLY HEATED, SHALL HAVE A RESTING BOARD OR SOME TYPE OF BEDDING.

(F) RUNS SHALL PROVIDE AN ADEQUATE EXERCISE AREA AND PROTECTION FROM THE WEATHER. RUNS SHALL HAVE AN IMPERVIOUS SURFACE.

(G) ALL ANIMAL QUARTERS AND RUNS ARE TO BE KEPT CLEAN, DRY AND IN A SANITARY CONDITION.

(H) THE FOOD SHALL BE FREE FROM CONTAMINATION, WHOLESOME, PALATABLE AND/OR SUFFICIENT QUANTITY AND NUTRITIVE VALUE TO MEET THE NORMAL DAILY REQUIREMENTS FOR THE CONDITIONS AND SIZE OF THE ANIMAL.

(I) ALL ANIMALS SHALL HAVE FRESH WATER AVAILABLE AT ALL TIMES. WATER VESSELS SHALL BE MOUNTED OR SECURED IN A MANNER THAT PREVENTS TIPPING AND BE OF THE REMOVABLE TYPE.

SECTION EIGHT - STANDARD FOR GUARD AND SENTRY DOGS

ANY KENNEL SHALL, IN ADDITION TO THE OTHER REQUIREMENTS OF THIS ORDINANCE, COMPLY WITH THE STANDARDS OF THIS SECTION WHENEVER ANY DOG IS TRAINED AS A GUARD OR SENTRY DOG. FAILURE OF THE KENNEL OWNER OR OPERATOR TO MEET THESE STANDARDS SHALL BE GROUNDS FOR THE ISSUANCE OF A CITATION SUBJECTING THE OWNER OR OPERATOR, OR BOTH, TO THE PENALTIES HEREINAFTER PROVIDED.

(A) RUNS MUST HAVE A LEAST EIGHT (8) FEET HIGH FENCES COMPLETELY SURROUNDING THEM TO WHICH ARE TO BE ADDED ANTI-CLIMBERS OR THE TOP MUST BE COMPLETELY COVERED.

(B) ALL GATES AND ENTRANCES TO THE RUNS, KENNEL AND TRAINING AREA, MUST BE KEPT LOCKED WHEN NOT IN USE.

(C) A PERIMETER FENCE OF A LEAST EIGHT (8) FEET HIGH MUST BE INSTALLED TO ENCIRCLE THE TRAINING AND KENNEL AREA TO WHICH ARE TO BE ADDED ANTI-CLIMBERS. FENCES MUST BE MAINTAINED ESCAPE PROOF.

(D) A DOG IN TRAINING AS A GUARD OR SENTRY MUST BE CONFINED AT ALL TIMES TO ITS KENNEL OR RUN OR TRAINING AREA UNLESS HE OR SHE IS UNDER THE CONTROL OF HIS OR HER HANDLER.

(E) ANY INDIVIDUAL INVOLVED IN TRAINING OR GUARD OR SENTRY DOGS MUST HAVE COMPLETED A RECOGNIZED COURSE TO QUALIFY FOR GIVING SUCH TRAINING OR BE ABLE TO DEMONSTRATE EQUIVALENT EXPERIENCE IN GIVING SUCH TRAINING.

SECTION NINE - INTERFERENCE WITH ENFORCEMENT

NO PERSON SHALL IN ANY MANNER INTERFERE WITH, HINDER, MOLEST, THREATEN OR ABUSE ANY OFFICER OR INDIVIDUAL AUTHORIZED TO ENFORCE THE PROVISIONS OF THIS ORDINANCE.

SECTION TEN - PENALTIES

ANY PERSON VIOLATING ANY PROVISION OF THIS ORDINANCE SHALL, UPON CONVICTION, BE FINED IN A SUM NOT LESS THAN TWENTY-FIVE DOLLARS (\$25.00), NOR MORE THAN ONE THOUSAND DOLLARS (\$1,000.00). IF ANY VIOLATION BE CONTINUING, EACH DAY'S VIOLATION SHALL BE DEEMED A SEPARATE VIOLATION.

SECTION ELEVEN - SEVERABILITY

IF ANY PART OF THIS ORDINANCE SHALL BE HELD INVALID IN A COURT OF LAW, SUCH PART SHALL BE DEEMED SEVERABLE AND THE INVALIDITY THEREOF SHALL NOT AFFECT THE REMAINING PARTS OF THIS ORDINANCE.

SO ORDAINED THIS 27 DAY OF July, 1992.

Stanley E. Tucker
STANLEY E. TUCKER

David L. Broady
DAVID BROADY

Roy E. Everitt
ROY E. EVERITT

Aulton D. Eddings
AULTON D. EDDINGS

Karl N. Truman
KARL N. TRUMAN

ATTEST: Linda G. Schaffer
LINDA SCHAFFER
CLERK TREASURER

ORDINANCE NO. 92- 536

ORDINANCE RESCINDING SECTION 3,
SUBSECTIONS q THROUGH u, AND SECTION 7,
OF ARTICLE 1 OF ORDINANCE NO. 316

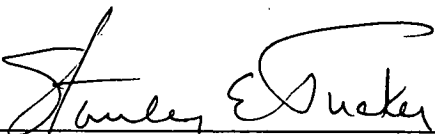
WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 28th day of August, 1979, passed Ordinance No. 316, which included provisions addressing animal control, owning, harboring and keeping of dogs and cats, vaccination of dogs and cats, licensing of dogs and cats and enforcement of said ordinance.

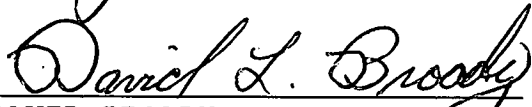
WHEREAS, the Town Council for the the Town of Sellersburg, Indiana, did on the 22nd day of June, 1992, passed Ordinance No. 92- 535, which addressed all regulations regarding the keeping and harboring of dogs and cats, animal control and vaccination.

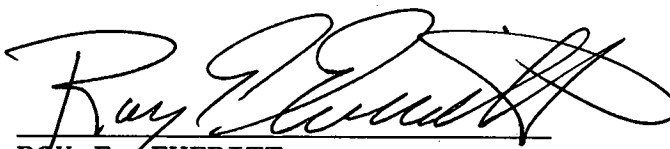
WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined Section 3, Subsections q through u, and Section 7, of Article 1 of Ordinance No. 316, is now obsolete and out of date, desires to rescind said Ordinance's provisions for the efficient administration for town government.

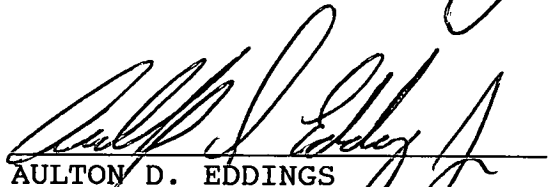
BE IT THEREFORE ORDAINED, that Section 3, Subsections q through u, and Section 7 of Article 1 of Ordinance No. 316, shall be and hereby is rescinded effective the date of the execution of this Ordinance.

SO ORDAINED THIS 27 DAY OF July, 1992.

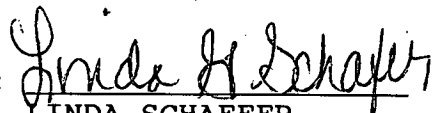

STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS


KARL N. TRUMAN

ATTEST: 
LINDA SCHAFFER
CLERK TREASURER

ORDINANCE NO. 92-537

AN ORDINANCE ESTABLISHING A UTILITY CASH
RESERVE FUND

WHEREAS, the Town of Sellersburg, Indiana, has constructed and put into operation a new Sellersburg Waste Water Treatment Plant; and

WHEREAS, residence of the Town of Sellersburg, Indiana, are now required to pay a tap in fee for their use of said Waste Water Treatment Plant;

WHEREAS, the money which will be generated from payment of said tap in fees is surplus earnings of the Utility; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that for the efficient administration of Town Government that it is necessary to establish a Utility Cash Reserve Fund in which said surplus funds shall be carried; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined to establish said Utility Cash Reserve Fund under the provisions of IC 8-1.5-3-11; and

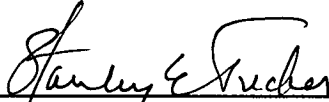
WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined the Utility Cash Reserve Fund shall be maintained out of which funds may be transferred from time to time to the general fund as deemed necessary by the Town Council for the Town of Sellersburg, Indiana; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has in an open meeting discussed, considered and determined the issue;

BE IT THEREFORE ORDAINED by the Town Council for the Town of Sellersburg, Indiana, that a Utility Cash Reserve Fund shall be and hereby is created for the purpose of depositing all surplus earnings of the Utility.

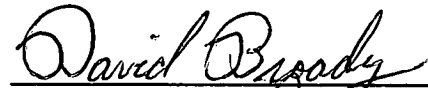
SO ORDAINED THIS 24 DAY OF AUGUST, 1992.

TOWN COUNCIL FOR THE TOWN OF SELLERSBURG, INDIANA.


STANLEY E. TUCKER


ROY E. EVERITT


KARL N. TRUMAN


DAVID BROADY


AULTON D. EDDINGS

ATTEST: 
LINDA SCHAFER
CLERK/TREASURER

ORDINANCE NO. 92-538

**AN ORDINANCE OF THE TOWN OF SELLERSBURG, INDIANA,
FOR EQUAL OPPORTUNITY AND FAIR HOUSING**

WHEREAS, it is the public policy of the Town of Sellersburg, Indiana, and the State of Indiana to provide all of its citizens equal opportunity for education, and acquisition through purchase or rental of real property including but not limited to housing, and to eliminate segregation or separation based solely on race, religion, color, sex, handicap, national origin or ancestry, since such segregation is an impediment to equal opportunity; and

WHEREAS, equal education and employment opportunities and equal access to and use of public accommodations and equal opportunity for acquisition of real property are declared to be civil rights in accordance with the Indiana Civil Rights Law found under I.C. 22-9-1;

BE IT THEREFORE ORDAINED, by the Town Council for the Town of Sellersburg, Indiana, that it is the public policy of the Town of Sellersburg, Indiana, to support and encourage equal education and employment opportunities and equal access to and use of public accommodations and equal opportunity for acquisition of real property in accordance with the Indiana Civil Rights Law found under I.C. 22-9-1; and

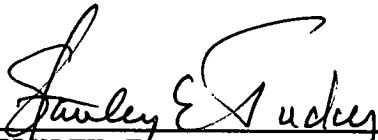
BE IT FURTHER ORDAINED, by the Town Council for the Town of Sellersburg, Indiana, that the Indiana Civil Rights Commission shall be designated as the agency appropriate to implement the purposes and objectives of the Indiana Civil Rights Law and to enforce the provisions thereof, and

BE IT FURTHER ORDAINED, by the Town Council for the Town of Sellersburg, Indiana, that this ordinance shall be in full

force and effect from and after its passage and approval by the Sellersburg Town Council.

SO ORDAINED, on this 28th day of September, 1992.

TOWN COUNCIL FOR THE TOWN OF
SELLERSBURG, INDIANA



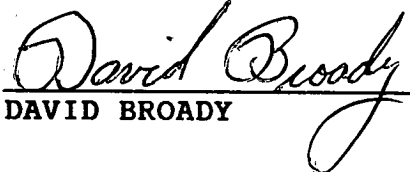
STANLEY E. TUCKER



ROY E. EVERITT




KARL N. TRUMAN



DAVID BROADY

AULTON D. EDDINGS

ATTEST: 

LINDA SCHAFFER
CLERK/TREASURER

RECEIVED
FOR RECORD

JAN 5 1 15 PM '93
RECORDED IN Deed ORA 25
INSTR. NO. 95
RALPH C. STEMLER
RECORDER OF CLERK CO.

ORDINANCE NO. 92-539

AN ORDINANCE ANNEXING PROPERTY OF RONALD W. HUTCHISON AND BONNIE J. HUTCHISON

WHEREAS, Petition for Annexation was filed by Ronald W. Hutchison and Bonnie J. Hutchison, would be Town of Sellersburg, Indiana, asking that certain privately owned real estate contiguous to the Town of Sellersburg, Indiana, be annexed into the Town pursuant to Indiana Code 36-4-3-5, and that the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

Lots Nos. Nineteen (19), Twenty (20), Twenty-one (21) and Twenty-two (22) in Block F, all in Fairview Addition, to the Town of sellersburg, Indiana.

Also, all that part of the alley adjoining the rear of said Lots Nos. Nineteen (19), Twenty (20), Twenty-one (21) and Twenty-two (22) set out above.

The Petitioners represent that they are the sole owners of record of the above described real estate and that this real estate is not situated within the limits of any other municipality, but contiguous to the Town of Sellersburg.

THEREFORE, BE IT ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that the above described parcel of real estate owned by Ronald W. Hutchison and Bonnie J. Hutchison, hereby be annexed into the Town of Sellersburg, Indiana, pursuant to Indiana Code 36-4-3-5; and

BE IT FURTHER ORDAINED AND ORDERED, that the Clerk-Treasurer for the Town of Sellersburg, Indiana, publish this Ordinance in accordance with Indiana Code 36-4-3-7, Indiana Code 5-3-1, which requires that the first publication be made within two (2) weeks after the date of adoption of this Ordinance.

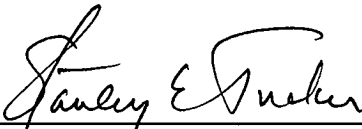
DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

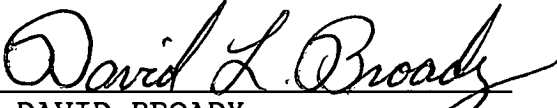
JAN 05 1993

Ralph C. Stemler
AUDITOR CLERK COUNTY

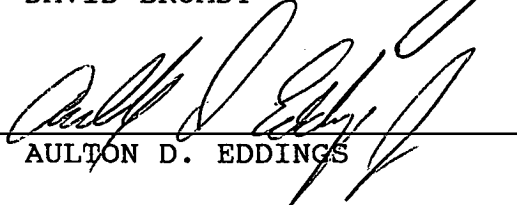
THE HEREIN ORDINANCE NO. 539 SHALL TAKE EFFECT SIXTY (60) DAYS AFTER ITS FINAL PUBLICATION.


PASSED AND ADOPTED THIS 12 DAY OF October, 1992 BY THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG, INDIANA.



STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS


KARL N. TRUMAN

ATTEST: 
LINDA SCHAFER
CLERK/TREASURER

PREPARED BY:

William P. McCall
Attorney for Town of Sellersburg
425 Watt Street
Jeffersonville, IN 47130
(812) 282-8429

ORDINANCE NO. 92- 540

AN ORDINANCE OF THE SELLERSBURG TOWN COUNCIL
AUTHORIZING THE ESTABLISHMENT OF A
CUMULATIVE CAPITAL DEVELOPMENT FUND FOR THE
TOWN OF SELLERSBURG, INDIANA

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has been made aware that the Town of Sellersburg currently does not have a Town of Sellersburg Cumulative Capital Development Fund; and

WHEREAS, the Town Council of the Town of Sellersburg, Indiana, has determined and proposes the tax levy that should be imposed for the Cumulative Capital Development Fund as twelve percent (.12%); and
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WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined and proposes that the property tax (tax levy) to be imposed should be for a period of three (3) years; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined and proposes to use the Cumulative Capital Development fund for the purposes found under I.C. 36-9-15.5 et seq.; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that for the administration of effective and beneficial Town Government, the Town of Sellersburg, Indiana, should establish a Cumulative Capital Development Fund as set forth under I.C. 36-9-15.5-1 et seq.; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has at a public hearing on the proposal to establish a Cumulative Capital Development Fund for the Town of Sellersburg, Indiana, discussed and considered the issue of the Cumulative Capital Development Fund.

BE IT THEREFORE ORDAINED, that the Town Council for the Town of Sellersburg, Indiana, shall establish a Cumulative Capital Development Fund for the Town of Sellersburg, Indiana, as set forth by I.C. 36-9-15.5-1 et seq.;

BE IT FURTHER ORDAINED, by the Town Council for the Town of Sellersburg, Indiana, that the Cumulative Capital Development Fund shall be used for all purposes proposed under I.C. 35-9-15.5 et seq.;

BE IT FURTHER ORDAINED, by the Town Council for the Town of Sellersburg, Indiana, that the tax levy to be imposed for said Cumulative Capital Development Fund shall be twelve percent (.12%).

BE IF FURTHER ORDAINED, that the Cumulative Capital Development Fund shall be imposed for a period of three (3) years.

BE IT FURTHER ORDAINED, that the Clerk/Treasurer for the Town of Sellersburg, Indiana, shall issue notice pursuant to I.C. 5-3-1, regarding the Town of Sellersburg's submission of the plan for the establishment of the Cumulative Capital Development Fund to the State Board of Tax Commissioners for approval.

SO ORDAINED, THIS 26 DAY OF Oct, 1992.

Stanley E. Tucker
STANLEY E. TUCKER

David Broady
DAVID BROADY

Roy E. Everitt
ROY E. EVERITT

Aulton D. Eddings
AULTON D. EDDINGS

Karl N. Truman
KARL N. TRUMAN

ATTEST: Linda H. Schaffer
LINDA SCHAFFER
CLERK/TREASURER

ORDINANCE NO. 92-541

AN ORDINANCE AMENDING ORDINANCE NO. 478,
REGARDING THE INDIANA MODEL ORDINANCE FOR FLOOD HAZARD AREAS

Be it ordained by the Town Board of the Town of Sellersburg, Indiana, as follows:

SECTION 1. STATUTORY AUTHORIZATION. The Indiana Legislature granted the power to local units of government (IC 36-7-4) to control land use within their jurisdictions in order to accomplish the following.

SECTION 2. STATEMENT OF PURPOSE. The purpose of this ordinance is to guide development in the flood hazard areas in order to reduce the potential for loss of life and property, reduce the potential for health and safety hazards, and to reduce the potential for extraordinary public expenditures for flood protection and relief. Under the authority granted to local unites of government to control land use within their jurisdiction, which includes taking into account the effects of flooding, the Sellersburg Town Board of Trustees hereby adopts the following floodplain management regulations in order to accomplish the following.

- a. to prevent unwise developments from increasing flood or drainage hazards to others;
- b. to protect new buildings and major improvements to buildings from flood damage;
- c. to protect human life and health from the hazards of flooding;
- d. to lessen the burden on the taxpayer for flood control projects, repairs to flood-damaged public facilities and utilities, and flood rescue and relief operations;
- e. to maintain property values and a stable tax base by minimizing the potential for creating flood blighted areas; and
- f. to make federally subsidized flood insurance available for property in the Town of Sellersburg by fulfilling the requirements of the National Flood Insurance Program.

SECTION 3. DEFINITIONS. For the purpose fo this ordinance, the following definitions are adopted:

- a. Building - see "structure."

- b. Development - any man-made change to improved or unimproved real estate including but not limited to:
 - 1. construction, reconstruction, or placement of a building or any addition to a building valued at more than \$1,000;
 - 2. installing a manufactured home on a site for a manufactured home or installing a travel trailer on a site for more than 180 days;
 - 3. installing utilities, erection of walls and fences, construction of roads, or similar projects;
 - 4. construction of flood control structures such as levees, dikes, channel improvements, etc.;
 - 5. mining, dredging, filling, grading, excavation, or drilling operations;
 - 6. construction and/or reconstruction of ridges or culverts;
 - 7. storage of materials; or
 - 8. any other activity that might change the direction, height, or velocity of flood or surface waters.

"Development" does not include activities such as the maintenance of existing buildings and facilities such as painting, re-roofing; resurfacing roads; or gardening, plowing, and similar agricultural practices that do not involve filling, grading, excavation, or the construction of permanent buildings.

- c. Existing manufactured home park or subdivision - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

- d. Expansion to an existing manufactured home park or subdivision - means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
- e. FHBM - means Flood Hazard Boundary Map.
- f. FIRM - means Flood Insurance Rate Map.
- g. Flood - a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.
- h. Floodplain - the channel proper and the areas adjoining any wetland, lake or watercourse which have been or hereafter may be covered by the regulatory flood. The floodplain includes both the floodway and the floodway fringe districts.
- i. Flood Protection Grade or the "FPG" - means the elevation of the regulatory flood plus two feet at any given location in the SFHA.
- j. Floodway - means the channel of a river or stream and those and those portions of the flood plains adjoining the channels which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.
- k. Floodway fringe - means those portions of the flood hazard areas lying outside the floodway.
- l. Lowest Floor - means the lowest of the following:
 - 1. the basement floor;
 - 2. the garage floor, if the garage is the lowest level of the building;
 - 3. the first floor of buildings elevated on pilings or constructed on a crawl space with permanent openings; or

4. the floor level of any enclosure below an elevated building where the walls of the enclosure provided any resistance to the flow of flood waters unless:

(a) the walls are designed to automatically equalize the hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters, through providing a minimum of two openings (in addition to doorways and windows) having a total area of one (1) square foot for every two (2) square feet of enclosed floor area subject to flooding. The bottom of such openings shall be no higher than one (1) foot above the enclosed area's floor.

(b) such enclosed space shall be usable for non-residential purposes and building access.

- m. Manufactured home - means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."
- n. New manufactured home park or subdivision - means a manufactured home part or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.
- o. Recreation vehicle - means a vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projections; (3) designed to be self-propelled or permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational camping, travel, or seasonal use.
- p. Regulatory Flood - means the flood having a one percent probability of being equalled or exceeded in any given year, as calculated by a method and procedure which is acceptable to and approved by the Indiana Natural

Resources Commission. The regulatory flood elevation at any location is as defined in Section 5 of this ordinance. The "Regulatory Flood" is also known by the term "Base Flood."

- q. SFHA or Special Flood Hazard Area - means those lands within the jurisdiction of the Town that are subject to inundation by the regulatory flood. The SFHAs of the City are generally identified as such on the Flood Insurance Rate Map of the City prepared by the Federal Emergency Management Agency and dated February 18, 1983. The SFHAs of those parts of unincorporated Clark County that are within the extraterritorial jurisdiction of the City or that may be annexed into the City are generally identified as such on the Flood Insurance Rate Map prepared for Clark County by the Federal Emergency Management Agency and dated February 18, 1983.
- r. Structure - means a structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, or a prefabricated building. The term also includes recreational vehicles and travel trailers to be installed on a site for more than 180 days.
- s. Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage" regardless of the actual repair work performed. The term does not include improvements of structures to correct existing violations of state or local health, sanitary, or safety code requirements or any alteration of a "historic structure", provided that the alteration will not preclude the structures continued designation as a "historic structure".

SECTION 4. DUTIES OF THE ADMINISTRATOR. The Zoning Board for the Town of Sellersburg is appointed to review all development and subdivision proposals to insure compliance with this ordinance, including but not limited to the following duties:

- a. Ensure that all development activities within the SFHAs of the jurisdiction of the Town meet the requirements of this ordinance.
- b. Provide information and assistance to citizens upon request about permit procedures and floodplain construction techniques.

- c. Ensure that construction authorization has been granted by the Indiana Natural Resources Commission for all development projects subject to Section 7 of this ordinance, and maintain a record of such authorization (either copy of actual permit or letter of recommendation).
- d. Maintain a record of the "as-built" elevation of the lowest floor (including basement) of all new and/or substantially improved buildings constructed in the SFHA.
- e. Maintain a record of the engineer's certificate and the "as built" floodproofed elevation of all buildings subject to Section 8 of this Ordinance.
- f. Cooperate with state and federal floodplain management agencies to improve base flood and floodway data and to improve the administration of this ordinance. Submit reports as required for the National Flood Insurance Program.
- g. Maintain for public inspection and furnish upon request regulatory flood data, SFHA maps, copies of DNR permits and letters of recommendation, federal permit documents, and "as built" elevation and floodproofing data and all buildings constructed subject to this ordinance.

SECTION 5. REGULATORY FLOOD ELEVATION. This ordinance's protection standard is the regulatory flood. The best available regulatory flood data is listed below. Whenever a party disagrees with the best available data, the party submitting the detailed engineering study needs to replace existing data with better data and submit it to the Department of Natural Resources for review and approval.

- a. The regulatory flood elevation of the SFHAs of Muddy Fork Creek and Silver Creek shall be as delineated on the 100 year flood profiles in the Flood Insurance Study of the Town prepared by the Federal Emergency Management Agency and dated February 18, 1983, and corresponding FIRM dated August 1, 1980 prepared by FEMA.
- b. The regulatory flood elevation for each SFHA delineated as an "AH Zone" or "AO Zone" shall be that elevation (or depth) delineated on the Flood Insurance Rate Map of the Town.
- c. The regulatory Flood Elevation for each of the remaining SFHAs delineated as an "A Zone" in the Flood Insurance Rate Map of the (City, Town or County) shall be according to the best data available as provided by the Department of Natural Resources.

- d. The regulatory flood elevation of the SFHAs of those parts of unincorporated Clark County that are within the extraterritorial jurisdiction of the City or that may be annexed into the Flood Insurance Study of Clark County prepared by the Federal Emergency Management Agency and dated March, 1980, and the corresponding FBFM dated February 18, 1983, prepared by FGMA.

SECTION 6. IMPROVEMENT LOCATION PERMIT. No person, firm, corporation, or governmental body not exempted by state law shall commence any "Development" in the SFHA without first obtaining an Improvement Location Permit from the Town Zoning Board. The Zoning Board shall not issue an Improvement Location Permit if the proposed "development" does not meet the requirements of this ordinance.

- a. The application for an Improvement Location Permit shall be accompanied by the following:
1. A description of the proposed development.
 2. Location of the proposed development - sufficient to accurately locate property and structure in relation to existing roads and streams.
 3. A legal description of the property site.
 4. A site development plan showing existing and proposed structure locations and existing and proposed land grades.
 5. Elevation of lowest floor (including basement) of all proposed structures. Elevation should be in National Geodetic Vertical Datum of 1929 (NGVD).
- b. Upon receipt of an application for an Improvement Location Permit, the Building Official shall determine if the site is located within an identified floodway or within the floodplain where the limits of the floodway have not yet been determined.
1. If the site is in an identified floodway the Building Official shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Department of Natural Resources and apply for a permit for construction in a floodway.

Under the provisions of IC 13-2-22 a permit from the Natural Resources Commission is required prior to the issuance of a local building permit for any excavation, deposit,

construction or obstruction activity located in the floodway. This includes land preparation activities such as filling, grading, clearing and paving etc. undertaken before the actual start of construction of the building.

No action shall be taken by the Building Official until a permit has been issued by the Natural Resources Commission granting approval for construction in the floodway. Once a permit has been issued by the Natural Resources Commission, the Building Official may issue the local Improvement Location Permit, provided the provisions contained in Sections 7 and 8 of this ordinance have been met. The Improvement Location Permit cannot be less restrictive than the permit issued by the Natural Resources Commission.

2. If the site is located in an identified floodway fringe, then the Building Official may issue the local Improvement Location Permit provided the provisions contained in Section 7 and 8 of this ordinance have been met. The key provision is that the lowest floor of any new or substantially improved structure shall be at or above the Flood Protection Grade.
3. If the site is in an identified floodplain where the limits of the floodway and floodway fringe have not yet been determined (shown as Zone A on the Flood Insurance Rate Map), and the drainage area upstream of the site is greater than one square mile, the Building Official shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Department of Natural Resources for review and comment.

No action shall be taken by the Building Official until either a permit for construction in the floodway or a letter of recommendation citing the 100 year flood elevation and the recommended Flood Protection Grade has been received from the Department of Natural Resources.

Once the Building Official has received the proper permit or letter of recommendation

approving the proposed development, an conditions of the ILP are not less restrictive than the conditions received from Natural Resources and the provisions contained in Section 7 and 8 of this ordinance have been met.

SECTION 7. PREVENTING INCREASED DAMAGES. No development in the SFHA shall create a damaging or potentially damaging increase in flood heights or velocity or threat to public health and safety.

a. Within the floodway identified on the Flood Boundary and Floodway Map or the Flood Insurance Rate Map, the following standards shall apply:

1. No development shall be allowed which acting alone or in combination with existing or future similar works, will cause any increase in the elevation of the regulatory flood; and
2. For all projects involving channel modifications or fill (including levees) the Town shall submit a request to the Federal Emergency management Agency to revise the regulatory flood data.

b. Within all SFHAs identified as A Zones (no 100 year flood elevation and/or floodway/floodway fringe delineation has been provided) the following standard shall apply:

1. The total cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the regulatory flood elevation more than one-tenth (0.1) of one foot and will not increase flood damages or potential flood damages.

c. Public Health Standards in all SFHAs

1. No development in the SFHA shall include locating or storing chemicals, explosives, buoyant materials, flammable liquids, pollutants, or other hazardous or toxic materials below the Flood Protection Grade, unless such materials are stored in storage tank or Floodproofed building constructed according to the requirements of section 8 of this ordinance.
2. New and replacement sanitary sewer lines and on-site waste disposal systems may be

permitted providing all manholes or other above ground openings located below the FPG are watertight.

SECTION 8. PROTECTING BUILDINGS. In addition to the damage prevention requirements of Section 7, all buildings to be located in the SFHA shall be protected from flood damage below the FPG.

a. This building protection requirement applies to the following situations:

1. construction or placement of any new building valued at more than \$1,000;
2. structural alternations made to an existing building that increase the market value of the building by more than 50% (excluding the value of the land) or any structural alternation made previously (one time only alteration).
3. reconstruction or repairs made to a damaged building that are valued at or more than 50% of the market value of the building (excluding the value of the land) before damage occurred.
4. installing a manufactured home on a new site or a new manufactured home on an existing site. This ordinance does not apply to returning the existing manufactured home to the same site is lawfully occupied before it was removed to avoid flood damage; and
5. installing a travel trailer on a site for more than 180 days.

b. This building protection requirement may be met by one of the following methods. The Building Official shall maintain a record of compliance with these building protection standards as required in Section 4 of this ordinance.

1. A residential or nonresidential building may be constructed on a permanent land fill in accordance with the following:

(a) The fill shall be placed in layers no greater than 6 foot deep before compacting to 95% of the maximum density obtainable with the Standard Proctor Test method.

(b) The fill should extend at least ten feet beyond the foundation of the building before

sloping below the FPG.

(c) The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or bulkheading. If vegetative cover is used, the slopes shall be no steeper than 3 horizontal to 1 vertical.

(d) The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties.

(e) The lowest floor (see definition of lowest floor in Section 3. Definitions) shall be at or above the FPG.

2. The residential or nonresidential building may be elevated in accordance with the following:

(a) The building or improvements shall be elevated on posts, piers, columns, extended walls, or other types of similar foundations provided:

(1) Walls of any enclosure below the elevated floor shall be designed to automatically equalize hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters, through providing a minimum of two openings (in addition to doorways and windows) having a total area of one (1) square foot for every two (2) square feet of enclosed floor area subject to flooding. The bottom of all such opening shall be no higher than one (1) foot above the enclosed area's floor.

(2) Any enclosure below the elevated floor is used for non-residential purposes and building access.

(b) The foundation and supporting members shall be anchored and aligned in relation to flood flows and adjoining structures so as to

minimize exposure to known hydrodynamic forces such as current, waves, ice, and floating debris.

(c) All areas below the FPG shall be constructed of materials resistant to flood damage. The lowest floor (including basement) and all electrical, heating, ventilating, plumbing, and air conditioning equipment and utility meters shall be located at or above the FPG. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities may be located below the FPG.

3. Manufactured homes and travel trailers (also called recreational vehicles) to be installed substantially improved on a site for more than 180 days must meet one of the following anchoring requirements:

(a) The manufactured home shall be elevated on a permanent foundation such that the lowest floor shall be at or above the FPG and

securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. This requirement applies to all manufactured homes to be placed on a site;

(1) outside a manufactured home park or subdivision;

(2) in a new manufactured home park or subdivision;

(3) in an expansion to an existing manufactured home park or subdivision; or

(4) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood.

- (b) The manufactured home shall be elevated so that the lowest floor of the manufactured home chassis is supported by reinforced piers or other foundation elements that are no less than 36 inches in height above grade and be

securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

This requirement applies to all manufactured homes to be placed on a site in an existing manufactured home park or subdivision that has not been substantially damaged by a flood

4. Recreation vehicles placed on a site shall either:
 - (a) be on the site for less than 180 consecutive days;
 - (b) be fully licensed and ready for highway use (defined as being on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or
 - (c) meet the requirements for "manufactured homes" in paragraph (3) of this section.

5. A non-residential building may be floodproofed to the FPG (in lieu of elevating) if done in accordance with the following:
 - (a) a Registered Professional Engineer shall certify that the building has been designed so that below the FPG, the structure and attendant utility facilities are watertight and capable of resisting the effects of the regulatory flood. The Building design shall take into account flood velocities, duration, rate of rise, hydrostatic pressures, and impacts from debris or ice.
 - (b) Floodproofing measures shall be operable without human intervention and without an outside source of electricity.

SECTION 9. OTHER DEVELOPMENT REQUIREMENTS.

- a. The Planning Commission shall review all proposed subdivisions to determine whether the subdivision lies in a flood hazard area as defined elsewhere by ordinance. If the (review agency or official) finds the subdivision to be so located, the (review agency or individual) shall forward plans and materials to the Indiana Department of Natural Resources for review and comment. The (review agency or individual) shall require appropriate changes

and modifications in order to assure that:

1. it is consistent with the need to minimize food damages;
 2. all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;
 3. adequate drainage is provided so as to reduce exposure to flood hazards;
 4. onsite waste disposal systems, if provided, will be so located and designed to avoid impairment of them or contamination from them during the occurrence of the regulatory flood.
- b. Developers shall record the 100 year flood elevation on all subdivision plats containing lands identified elsewhere by ordinance as within a flood hazard area prior to submitting the plats for approval by the Plan Commission.
- c. All owners of manufactured home parks or subdivisions located within the SFHA identified as Zone A on the community's FHMB or FIRM develop an evacuation plan for those lots located in Zone A and file it with the local Plan Commission and have it filed and approved by the appropriate community emergency management authorities.

SECTION 10. VARIANCES.

- a. The Board of Zoning Appeals may consider issuing a variance to the terms and provisions of this ordinance provided the applicant demonstrates that:
1. there exists a good and sufficient cause for the requested variance;
 2. The strict application of the terms of this ordinance will constitute an exceptional hardship to the applicant, and
 3. The granting of the requested variance will not increase flood heights, create additional threats to public safety, cause additional public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing laws or ordinances.

b. The Board of Zoning Appeals may issue a variance to the terms and provisions of this ordinance subject to the following standards and conditions:

1. No variance or exception for a residential use within a floodway subject to Section 7 (a) or (b) may be granted.
2. Any variance or exception granted in a floodway subject to Section 7 (a) or (b) will require a permit from Natural Resources.
3. Variances or exceptions to the Building Protection Standards of Section 8 may be granted only when a new structure is to be located on an lot of one-half acres or less in size, contiguous to and surrounded by lots with existing structures constructed below the flood protection grade.
4. Variance or exception may be granted for the reconstruction or restoration of any structure individually listed on the Register of Historic Places or the Indiana State Survey of Historic Architectural, Archaeological and Cultural Sites, Structures, Districts, and Objects;
5. All variances shall give the minimum relief necessary and be such that the maximum practical flood protection will be given to the proposed construction; and
6. The Board of Zoning Appeals shall issue a written notice to the recipient of a variance or exception that the proposed construction will be subject to increased risks to life and property and could require payment of excessive flood insurance premiums.

SECTION 11. DISCLAIMER OF LIABILITY. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods can and will occur on rare occasions. Therefore, this ordinance does not create any liability on the part of the community, Natural Resources, or the State of Indiana, for any flood damage that results from reliance on this ordinance or any administrative decision made lawfully thereunder.

SECTION 12. VIOLATIONS. Failure to obtain an Improvement Location Permit in the SFHA or failure to comply with the requirements of a

permit or conditions of a variance shall be deemed to be a violation of this ordinance. All violations shall be considered a common nuisance and be treated as such in accordance with the provisions of the Zoning Code for the Town of Sellersburg.


- a. A separate offense shall be deemed to occur for each day the violation continues to exist.
- b. The Sellersburg Zoning Commission shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.
- c. Nothing herein shall prevent the Town from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

SECTION 13. ABROGATION AND GREATER RESTRICTIONS. This ordinance repeals and replaces other ordinances adopted by the Town Council to fulfill the requirements of the National Flood Insurance Program. However, this ordinance does not repeal the original resolution or ordinance adopted to achieve eligibility in the Program. Nor does this ordinance repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where this ordinance and other ordinance easements, covenants, or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall take precedence.

SECTION 14. SEPARABILITY. The provisions and sections of this ordinance shall be deemed separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

SECTION 15. EFFECTIVE DATE. This ordinance shall take effect upon its passage by the Town Council.

Passed and enacted by the Town of Sellersburg, Indiana, on the _____ day of _____, 1992.




STANLEY E. TUCKER



DAVID BROADY



ROY E. EVERITT



AULTON D. EDDINGS



KARL N. TRUMAN

ATTEST: _____
LINDA SCHAFER,
CLERK/TREASURER

ORDINANCE NO. 92-542

AN ORDINANCE AMENDING ORDINANCE NO. 459, 460
REGARDING TOWN OF SELLERSBURG, UTILITIES CLERK

WHEREAS, the Town Council for the Town of Sellersburg, Indiana desires to amend Ordinance No. 459, 460, which approved the hiring of Patty Rush as Utilities Clerk for the Town of Sellersburg; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, desires to eliminate the reference to a specific individual being named as Utilities Clerk; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, believes it in the best interest and administration of efficient Town Government that the Clerk/Treasurer be employed to serve as the Utilities Clerk for the Town of Sellersburg; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that the Utilities Clerk shall be paid an annual salary provided by the salary Ordinance which the Town Council shall enact each year; and

WHEREAS, that Town Council for the Town of Sellersburg, Indiana, hereby desires to amend all Ordinances, specifically Ordinance No. 459, 460, which refer to the payment of salary to a Utilities Clerk.

BE IT, THEREFORE, HEREBY ORDAINED, by the Town Council for the Town of Sellersburg, Indiana, that all reference of a specific individual serving as Utilities Clerk shall be deleted;

BE IT FURTHER ORDAINED, by the Town Council for the Town of Sellersburg, Indiana, that the Clerk/Treasurer serve as the Utilities Clerk for the Town of Sellersburg, Indiana;

BE IT FURTHER ORDAINED, by the Town Council for the Town of Sellersburg, Indiana, that the Utilities Clerk shall be paid an annual salary provided by the salary Ordinance which the Town Council shall enact each year;

BE IT FURTHER ORDAINED, by the Town Council for the Town of Sellersburg, Indiana, that all previous ordinances passed with reference to the funding of the position Clerk/Treasurer shall be amended to reflect the changes set forth above.

SO ORDAINED THIS 26th DAY OF October, 1992.

Stanley E. Tucker
STANLEY E. TUCKER

David Broady
DAVID BROADY

Roy E. Everitt
ROY E. EVERITT

Aulton D. Eddings
AULTON D. EDDINGS

Karl N. Truman
KARL N. TRUMAN

ATTEST: Linda H. Schaffer
LINDA SCHAFER
CLERK/TREASURER

ORDINANCE 92-543

AN ORDINANCE PROVIDING FOR THE TRANSFER OF APPROPRIATIONS FOR THE TOWN OF SELLERSBURG, INDIANA, FOR THE YEAR 1992, AS REQUESTED BY THE CLERK-TREASURER AND FORWARDED TO THE TOWN COUNCIL FOR THEIR ACTION AND PASSAGE PURSUANT TO IC 6-1.1-18-6.

WHEREAS, certain extraordinary conditions have developed since the adoption of the existing annual budget for the year of 1992 and it is now necessary to transfer appropriations into different categories than was appropriated in the annual budget for the various functions of the several departments to meet the emergencies.

SECTION 1. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA, that for the expenses of the Town Government, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law.

SECTION 2. Where it has been shown that certain existing appropriations have unobligated balances which will be available for transferring as follows:

| ACCT.#, NAME, & AMOUNT | TO ACCT.#, NAME, & AMOUNT |
|----------------------------|-------------------------------|
| GENERAL | GENERAL |
| 113-POLICE SALARY 5000.00 | 121-SOCIAL SECURITY 5000.00 |
| 113-POLICE SALARY 3500.00 | 213-OTHER OFFICE SUP. 3500.00 |
| 113-POLICE SALARY 100.00 | 212-STATIONARY & PRI. 100.00 |
| 113-POLICE SALARY 13400.00 | 313-PRO. SERVICES 13400.00 |
| 122-UNEMP. TAX 1500.00 | 313-PRO. SERVICES 1500.00 |
| 123-GROUP INS. 11000.00 | 313-PRO. SERVICES 11000.00 |
| 124-1977 PERF 3000.00 | 313-PRO. SERVICES 3000.00 |
| 132-O.D. COURT PY. 350.00 | 313-PRO. SERVICES 350.00 |
| 221-POLICE EQUIPT. 2900.00 | 313-PRO. SERVICES 2900.00 |
| 231-GASOLINE PACK. 2800.00 | 313-PRO. SERVICES 2800.00 |
| 233-TIRES & TUBES 1050.00 | 313-PRO. SERVICES 1050.00 |
| 233-TIRES & TUBES 600.00 | 331-LEGAL PUB. 600.00 |
| 233-TIRES & TUBES 150.00 | 341-INSURANCE 150.00 |
| 234-POLICE GAS. 3300.00 | 341-INSURANCE 3300.00 |
| 312-SUB. & DUES 600.00 | 341-INSURANCE 600.00 |
| 314-PROMOTION 800.00 | 341-INSURANCE 800.00 |
| 361-MNT. POL. CARS 4800.00 | 341-INSURANCE 4800.00 |
| 363-REPAIRS BLDG. 1000.00 | 341-INSURANCE 1000.00 |
| 364-MAINT RADIO 650.00 | 341-INSURANCE 650.00 |
| 234-POLICE GAS. 1700.00 | 341-INSURANCE 1700.00 |
| 364-MAINT RADIO 350.00 | 351-ELECTRIC 350.00 |
| 366-SIGNAGE 700.00 | 351-ELECTRIC 700.00 |
| 393-POLICE TRAIN. 700.00 | 351-ELECTRIC 700.00 |
| 443-TRUCK/TRACT. 1500.00 | 351-ELECTRIC 1500.00 |
| 443-TRUCK/TRACT 3200.00 | 354-HYDRANT 3200.00 |
| 443-TRUCK/TRACT 600.00 | 353-WATER 600.00 |
| 443-TRUCK/TRACT 1400.00 | 365-SWEEPER REP. 1400.00 |
| 443-TRUCK/TRACT 10800.00 | 392-GARBAGE C. 10800.00 |
| 444-RADIOS 1200.00 | 392-GARBAGE C. 1200.00 |
| 444-RADIOS 800.00 | 394-ANIMAL C. 800.00 |
| 445-COMPUTER 400.00 | GEN. MISC. SER. 400.00 |
| 445-COMPUTER 200.00 | 394-ANIMAL CONT. 200.00 |
| MVH | MVH |
| 221-GRAVEL 500.00 | 224-SUPPLIES 500.00 |
| 221-GRAVEL 2000.00 | 231-SUP. & GAS 2000.00 |
| 221-GRAVEL 5500.00 | 232-EQUIP. REPAIR 5500.00 |
| CCI | CCI |
| 431-SIDEWALKS 4000.00 | 430-POLICE BLDG. 4000.00 |
| 431-SIDEWALKS 1000.00 | 432-POLICE AUTO 1000.00 |

ORDINANCE 92-543

ACCT.#, NAME, & AMOUNT

TO ACCT.#, NAME, & AMOUNT

PARKS

PARKS

111-PAYROLL 2300.00
 111-PAYROLL 200.00
 111-PAYROLL 1000.00
 111-PAYROLL 200.00
 111-PAYROLL 1300.00
 221-CHEMICALS 1000.00
 222-CONCESSION 900.00
 351-ELECT. & GAS 1000.00
 352-WATER 2000.00
 361-REP. MAINT. 800.00
 362-REPAIRS 3000.00
 363-BLASTING 4000.00

241-MISC. SUP. 2300.00
 321-TELE. & T. GR. 200.00
 341-INSURANCE 1000.00
 UNAPPROPRIATED 200.00
 431-LANDSCAPING 1300.00
 431-LANDSCAPING 1000.00
 431-LANDSCAPING 900.00
 431-LANDSCAPING 1000.00
 431-LANDSCAPING 2000.00
 431-LANDSCAPING 800.00
 431-LANDSCAPING 3000.00
 431-LANDSCAPING 4000.00

SO ORDAINED THIS 19th DAY OF November 19 92.

DAVID BROADY

AULTON D. EDDINGS JR.

ROY E. EVERITT

KARL TRUMAN

ABSENT

STANLEY E. TUCKER

ATTEST:

LINDA G. SCHAFER
 CLERK-TREASURER

LAW OFFICE OF
C O D Y A N D N E E L Y
318 PEARL STREET
P. O. BOX 685
NEW ALBANY, INDIANA 47151-0685

JOHN A. CODY, JR.
J. TERRENCE CODY
R. GREGORY NEELY

AREA CODE 812
944-2205

December 4, 1992

Ms. Linda Schafer
Clerk-Treasurer
Town of Sellersburg
Town Hall
316 E. Utica
Sellersburg, IN 47172

RE: Wells Alley Vacation Ordinance

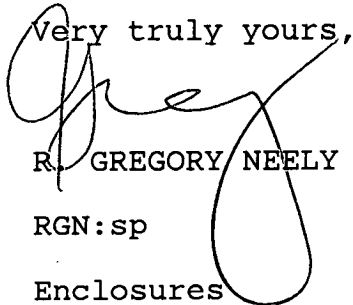
Dear Linda:

Enclosed you will find the original Ordinance Vacating An Alley No. 92-544 after I have filed same with the Clark County Auditor and recorded it with the Clark County Recorder. I have also enclosed copies of the certified mail return receipt cards for your file. I gave you the proof of publication at the board meeting.

If there is anything else you need, please advise.

Thank you for all of your assistance.

Very truly yours,



R. GREGORY NEELY

RGN:sp

Enclosures

17684

NOV 25 1992

ORDINANCE NO. 92-544

AN ORDINANCE VACATING AN ALLEY


AUDITOR CLARK COUNTY

1. WHEREAS, on the 10th day of November, 1992, William D. Wells, II, and J. Anne Wells filed with the Board of Trustees of the Town of Sellersburg their Petition to vacate an alley pursuant to Indiana Code I.C. 36-7-3-12; and

2. WHEREAS, notice was given as required by I.C. 5-3-1-2 and as required by I.C. 36-7-3-12 of a public hearing on said Petition to be held on November 23, 1992 at 6:30 P.M.; and

3. WHEREAS, a public hearing was held on the Petition on the date and time scheduled and there were no objections to said Petition and there was evidence in support of the Petition to Vacate said Alley.

NOW THEREFORE, in consideration of the foregoing,

BE IT ENACTED as follows:

The following described alley, to-wit:

Being all of the 20 foot wide by 180 foot alley in the Town of Hamburg, Clark County, Indiana as shown in Deed Record Book 30, Page 397 and in Plat Book 3, Page 49, bounded on the north by Lots 37 and 25, and on the south by Lots 38 and 27 and on the east by New Albany Street (State Highway #311).

See Exhibit "A" attached.

be and the same hereby is vacated.

A. That the vacation of the alley described hereinabove is subject to the right of any appropriate utility to maintain, repair and replace any existing utilities contained in said vacated alley.

Passed and adopted by the Board of Trustees of the Town of Sellersburg this 23rd day of November, 1992.

Board of Trustees
Town of Sellersburg, Indiana

James E. Tucker

President

Ray G. ...

Walter ...

Way ...

ATTEST: .

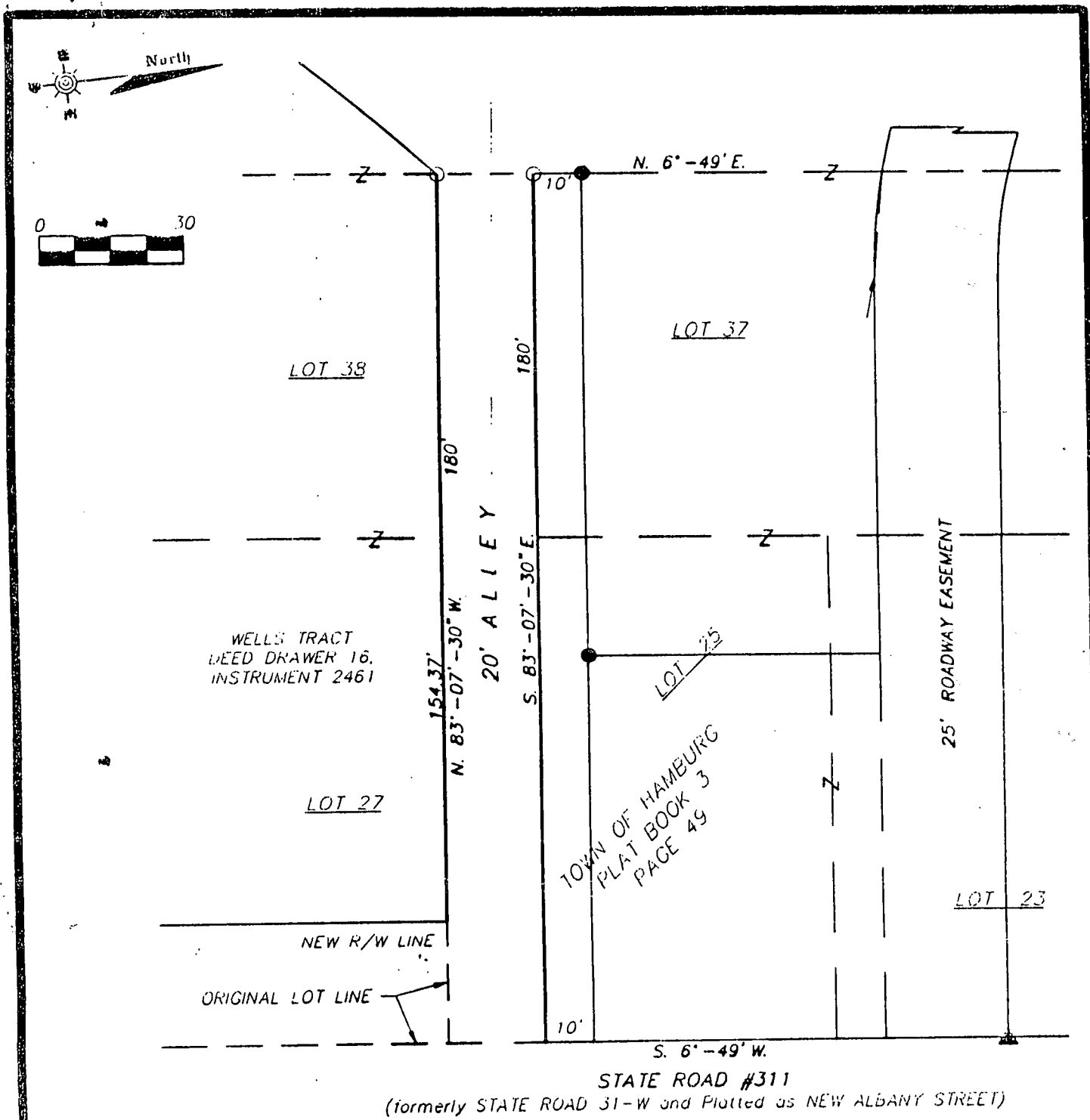
Linda H. Schafer

Linda Schafer
Clerk-Treasurer

Prepared by: R. Gregory Neely, Attorney
Cody and Neely
P.O. Box 685
New Albany, IN 47151-0685
(812) 944-2205

RECEIVED
FOR RECORD

Nov 25 1 55 PM '92
RECORDED IN Deed DRA 24
INSTR. NO. 17684
RALPH C. STENLER
RECORDER OF CLARK CO.



DESCRIPTION FOR VACATION OF ALLEY IN HAMBURG

Being all of the 20 foot wide by 180 foot long alley in the Town of Hamburg, Clark County, Indiana as shown in Deed Record Book 30, Page 397 and in Plat Book 3, Page 49, bounded on the north by Lots 37 and 25, and on the south by Lots 38 and 27 and on the east by New Albany Street (State Highway #311).

~LEGEND~

- ⊕ DENOTES IRON PIPE (FOUND FLUSH)
- DENOTES IRON PIN (FOUND FLUSH)
- ▲ DENOTES RAILROAD SPIKE (FOUND FLUSH)

BLANKENBEKER & SON

422 MEIGS AVENUE P.O. BOX 157
JEFFERSONVILLE, INDIANA 47131-0157

AREA CODE 812-282-4183

FOR: TRADEWINDS ICE CREAM &
SANDWICH SHOP
7601 STATE ROAD #131
SELLERSBURG, IN 47172

ORDERED BY: BILL WELLS

Exhibit "A"

EDWIN W. J.L.F.

SCALE: 1" = 30 FEET

DATE: 27 OCTOBER 1992

PLAN NO. 9143

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece next to the article number.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
 - Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

Wm. D. and J. Anne Wells
7515 Highway 311
Sellersburg, IN 47172

4a. Article Number

P 628 685 479

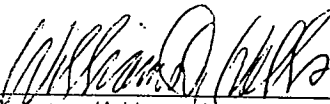
4b. Service Type

- Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery

11-19-92

5. Signature (Addressee)



8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

PS Form 3811, October 1990

*U.S. GPO: 1990-273-861

DOMESTIC RETURN RECEIPT**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece next to the article number.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
 - Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

Indiana Dept. of Transportation
C/o Indiana Government
Center North
Room N755
100 N. Senate Avenue
Indianapolis, IN 46204

4a. Article Number

P 628 685 476

4b. Service Type

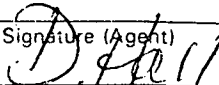
- Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery

11/13/92

5. Signature (Addressee)

6. Signature (Agent)



8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, October 1990

*U.S. GPO: 1990-273-861

DOMESTIC RETURN RECEIPT

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece next to the article number.

I also wish to receive the following services (for an extra fee):

1. Addressee's Address
2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Office of the Governor of
Indiana
C/o 206 State House
200 W. Washington Street
Indianapolis, IN 46204

4a. Article Number

P 628 685 476

4b. Service Type

- Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery

11-12-92

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

S. Helstrap

PS Form 3811, October 1990

U.S. GPO: 1990-273-861

DOMESTIC RETURN RECEIPT

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece next to the article number.

I also wish to receive the following services (for an extra fee):

1. Addressee's Address
2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Community Savings Bank
102 Heritage Square
Sellersburg, IN 47172

4a. Article Number

P 628 685 477

4b. Service Type

- Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery

11/2/92

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

[Signature]

PS Form 3811, October 1990

U.S. GPO: 1990-273-861

DOMESTIC RETURN RECEIPT

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece next to the article number.

I also wish to receive the following services (for an extra fee):

1. Addressee's Address
2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Office of the Indiana
Attorney General
219 State House
Indianapolis, IN 46204

4a. Article Number

P 628 685 477

4b. Service Type

- Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery

11-12

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

[Signature]

PS Form 3811, October 1990

U.S. GPO: 1990-273-861

DOMESTIC RETURN RECEIPT

ORDINANCE NO. 92-545

AN ORDINANCE REGARDING THE ERECTION AND MAINTENANCE
OF FENCES LOCATED WITHIN THE TOWN OF SELLERSBURG, INDIANA

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has learned that it currently has no ordinance regulating the construction or maintaining of fences located within the Town of Sellersburg, Indiana; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that for the efficient administration of town government, that an ordinance regulating the construction and maintenance of fences within the Town of Sellersburg, Indiana, should be enacted; and

WHEREAS, the Town Council for the town of Sellersburg, Indiana, has, in an open meeting, discussed the proposed ordinance regarding the construction and maintenance of fences within the Town of Sellersburg, Indiana.

THEREFORE, BE IT NOW ORDAINED, by the Town Council of the Town of Sellersburg, Indiana, as follows:

1. It is the responsibility of the property owner to locate his property line either by pins available in the yard or have a land surveyor to locate and stake said line prior to construction of a fence.
2. All fences shall be placed on the owners property.
3. No fences shall be placed on right-of-ways, drainage easements or public utility easements under any circumstances. The failure to comply with this provision may result in the erected fence being removed by the Town of Sellersburg or any utility company and replaced in the proper location outside the easement at the owner's expense.
4. That the height of the fence shall not exceed six feet (6') and shall be no lower than three feet (3') in height all above finished grade. Fences installed beyond the front line of the residence, or if corner lot, the side line of the residence is not to exceed four feet (4') in height above finished grade.
5. Corner clearances must be observed at all corners, driveways, alleys, and street intersections in accordance to the Town of Sellersburg Zoning Ordinance currently in full force and effect.

6. That any dispute, question or conflict in regards to this Zoning Ordinance shall require submission and approval for the Board of Zoning Appeals. Any other questions shall be directed to the Director of the Board of Zoning Appeals for the Town of Sellersburg, Indiana.

7. Commercial fences must comply with all of the above regulations, with the exception of #4 above. Commercial fences in commercially zoned areas may be up to eight feet (8') in height, but subject to all other regulations concerning the construction and maintenance of fences.

8. Barbed wire attachments shall be installed on commercially zoned fences only with these provisions: barbed wire must be installed atop of minimum seven feet (7') high fence fabric and be pointed in on owners property only.

9. An application for permit and submittal of plot for approval, must be made prior to any construction of a fence within the Town of Sellersburg, Indiana.

SO ORDAINED on this 23rd day of November, 1992.

Stanley E. Tucker
STANLEY E. TUCKER

Roy Feveritt
ROY FEVERITT

Karl N. Truman
KARL N. TRUMAN

David Broady
DAVID BROADY

Aulton D. Eddings
AULTON D. EDDINGS

ATTEST Linda H. Schaffer
LINDA SCHAFFER
CLERK/TREASURER

ORDINANCE NO. 92- 546

AN ORDINANCE ESTABLISHING VOTING DISTRICTS
IN THE TOWN OF SELLERSBURG, INDIANA

WHEREAS, the voting precincts for the Town of Sellersburg, Indiana, have been changed by various legal processes which have altered the shape, size and numbering of these various voting precincts; and

WHEREAS, there has been recent annexation and growth in the territory and population of the Town of Sellersburg, Indiana, has changed the distribution of territory and population of districts within the Town's boundaries; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has expressed a desire to establish new voting districts because of the changes in the population and territory; and


WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that new voting districts should be established for the efficient administration of Town government.

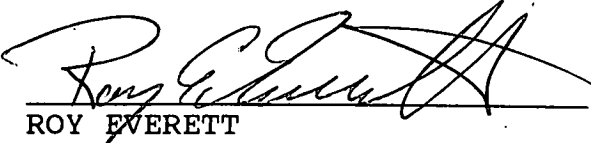
BE IT THEREFORE ORDAINED by the Town Council for the Town of Sellersburg, Indiana, that the following voting districts be composed of the following precincts.

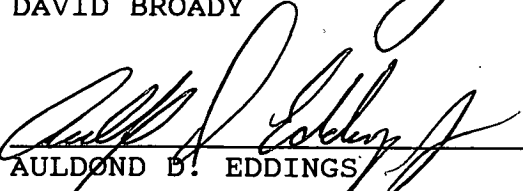
| | |
|---|----------|
| DISTRICT 1 shall be composed of Precincts | <u>1</u> |
| DISTRICT 2 shall be composed of Precincts | <u>2</u> |
| DISTRICT 3 shall be composed of Precincts | <u>3</u> |
| DISTRICT 4 shall be composed of Precincts | <u>4</u> |
| DISTRICT 5 shall be composed of Precincts | <u>5</u> |

SO ORDAINED on this 14 day of Dec 1992, 1992.


STANLEY E. TUCKER


DAVID BROADY

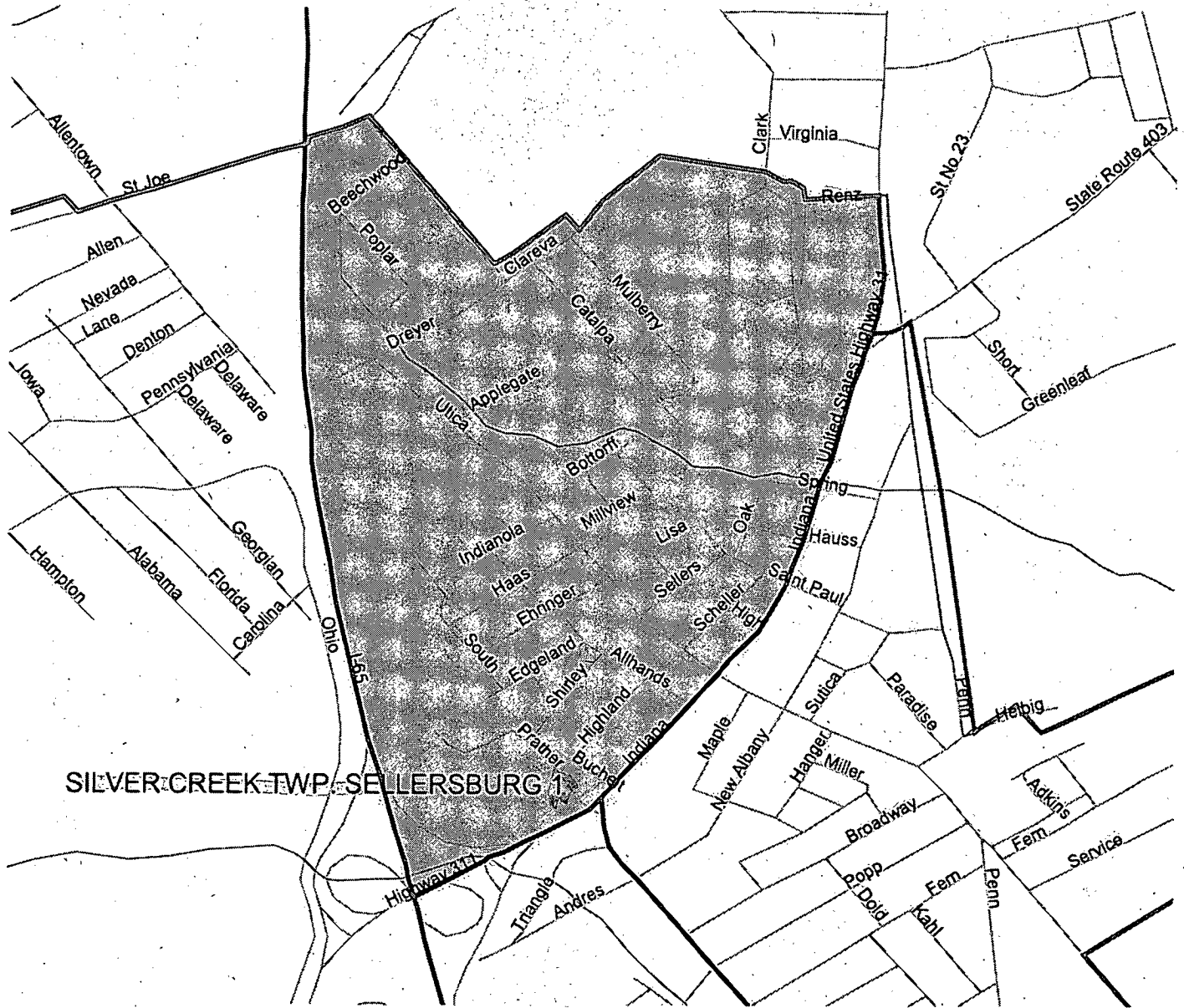

ROY EVERETT


AULDOND B. EDDINGS


KARL N. TRUMAN







ATTEST 
LINDA SCHAFFER
CLERK/TREASURER

CLARK COUNTY

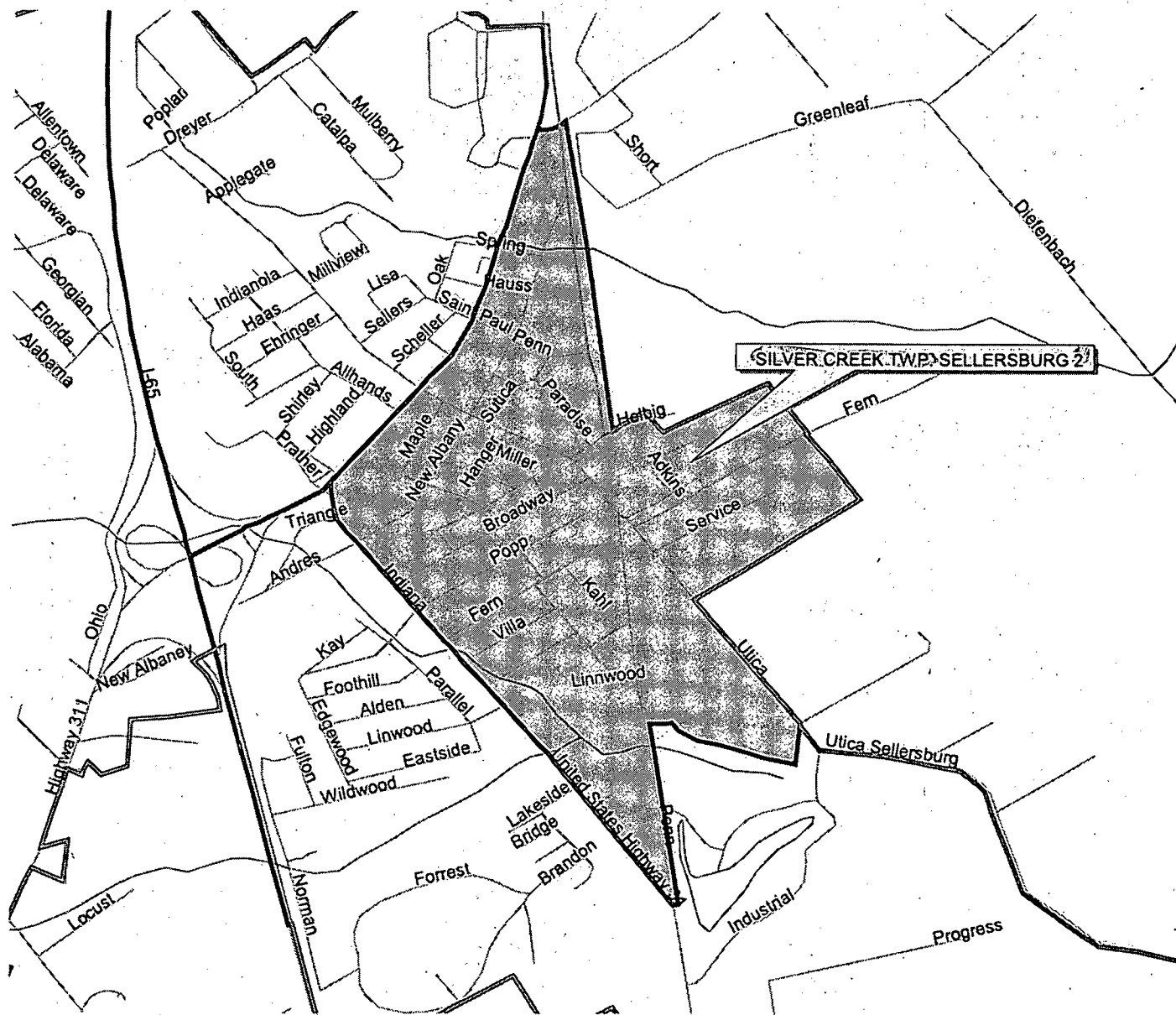


SILVER CREEK TWP. SELLERSBURG 1







CONGRESSIONAL DISTRICT: 9
 SENATE DISTRICT: 45
 HOUSE DISTRICT: 70

-  Corporate boundary
-  Rivers
-  Senate
-  House
-  Streets
-  Precincts

CLARK COUNTY









CONGRESSIONAL DISTRICT: 9
SENATE DISTRICT: 45
HOUSE DISTRICT: 70

-  Corporate boundary
-  Rivers
-  Senate
-  House
-  Streets
-  Precincts

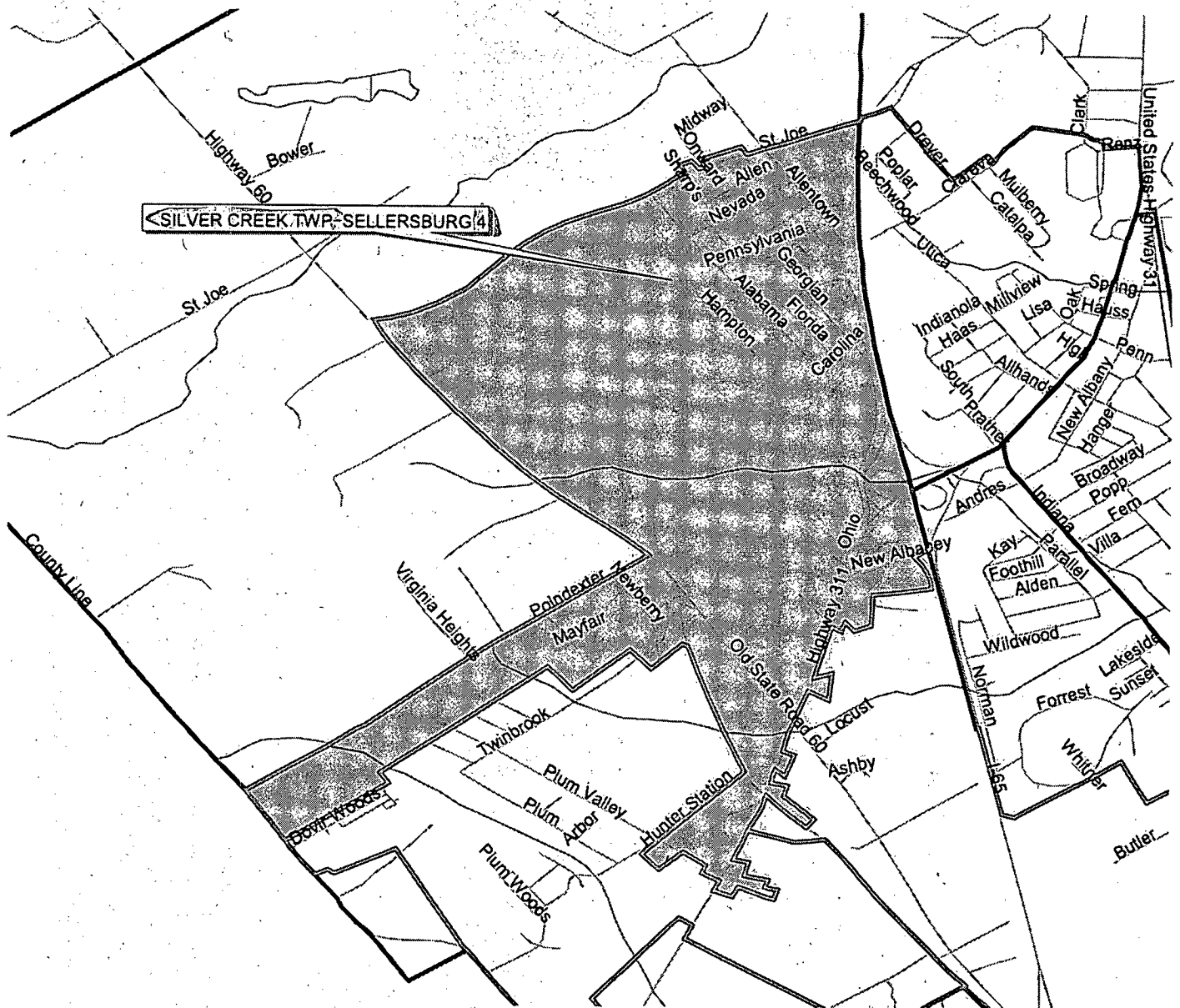
CLARK COUNTY









CONGRESSIONAL DISTRICT: 9
 SENATE DISTRICT: 45
 HOUSE DISTRICT: 70

-  Corporate boundary
-  Rivers
-  Senate
-  House
-  Streets
-  Precincts

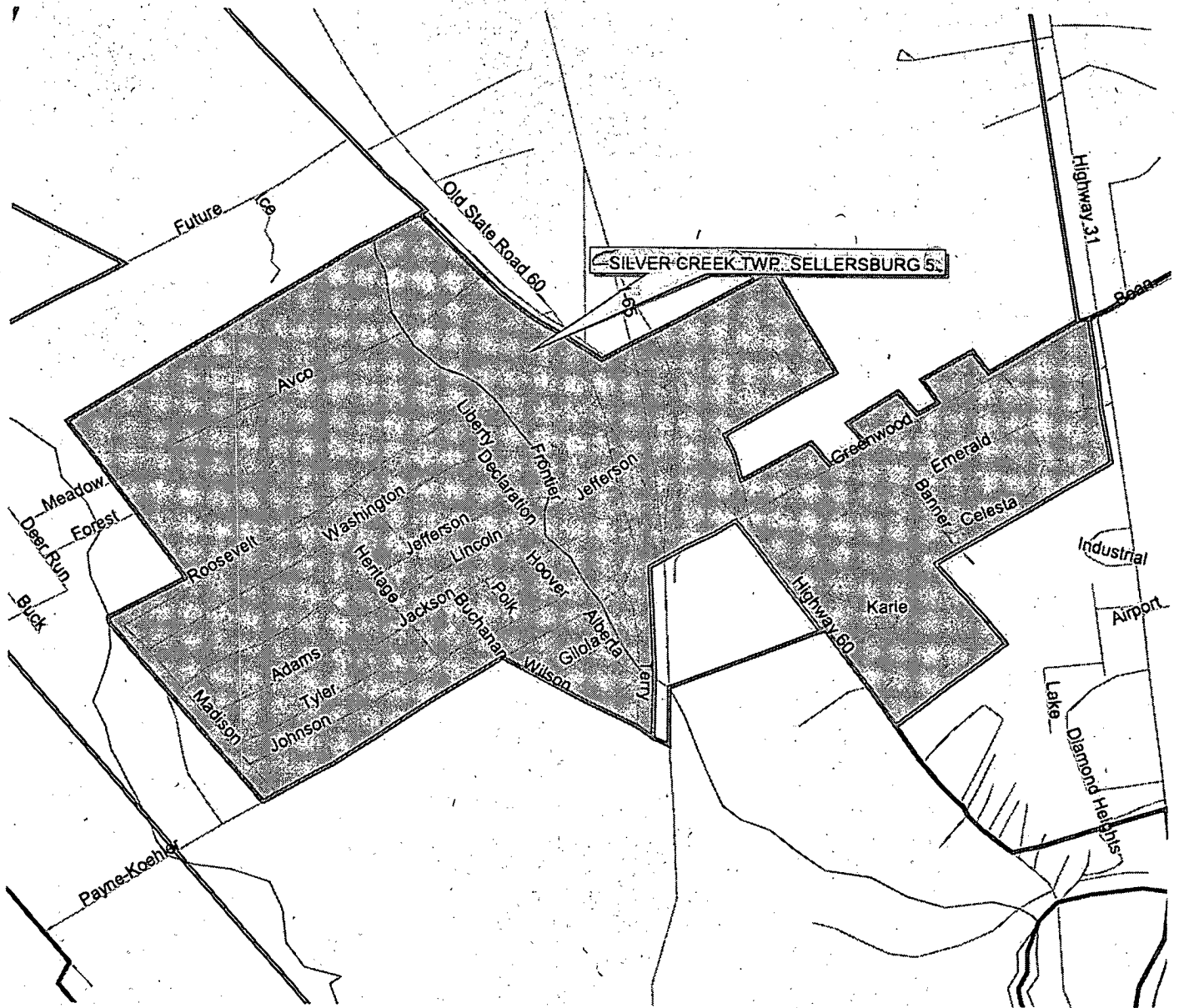
CLARK COUNTY



CONGRESSIONAL DISTRICT: 9
 SENATE DISTRICT: 45
 HOUSE DISTRICT: 70

-  Corporate boundary
-  Rivers
-  Senate
-  House
-  Streets
-  Precincts

CLARK COUNTY



SILVER CREEK TWP. SELLERSBURG 5.

CONGRESSIONAL DISTRICT: 9
 SENATE DISTRICT: 45
 HOUSE DISTRICT: 71

- Corporate boundary
- Rivers
- Senate
- House
- Streets
- Precincts

ORDINANCE 92-547

AN ORDINANCE PROVIDING FOR THE TRANSFER OF APPROPRIATIONS FOR THE TOWN OF SELLERSBURG, INDIANA, FOR THE YEAR 1992, AS REQUESTED BY THE CLERK-TREASURER AND FORWARDED TO THE TOWN COUNCIL FOR THEIR ACTION AND PASSAGE PURSUANT TO IC 6-1.1-18-6.

WHEREAS, certain extraordinary conditions have developed since the adoption of the existing annual budget for the year of 1992 and it is now necessary to transfer appropriations into different categories than was appropriated in the annual budget for the various functions of the several departments to meet the emergencies.

SECTION 1. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA, that for the expenses of the Town Government, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the transferred unless otherwise stipulated by law.

SECTION 2. Where it has been shown that certain existing appropriations have unobligated balances which will be available for transferring as follows.

ACCT.#, NAME, & AMOUNT

TO ACCT.#, NAME, & AMOUNT

GENERAL

GENERAL

111-COUNCIL SALARY 10.00
 111-COUNCIL SALARY 100.00
 111-COUNCIL SALARY 800.00
 111-COUNCIL SALARY 90.00
 123-EMPLOYEE INS. 210.00
 123-EMPLOYEE INS. 100.00
 123-EMPLOYEE INS. 400.00
 123-EMPLOYEE INS. 1490.00
 231-GASOLINE PACKER 1510.00
 231-GASOLINE PACKER 790.00
 232-OIL PACKER 210.00
 233-TIRES & TUBES 1000.00
 234-POLICE GASOLINE 700.00
 311-ATTORNEY SALARY 300.00
 311-ATTORNEY SALARY 100.00

112-C.T. SALARY 10.00
 114-GARBAGE SALARY 100.00
 116-STREET SALARY 800.00
 211-OFFICIAL RECORDS 90.00
 211-OFFICIAL RECORDS 210.00
 213-OFFICE SUPPLIES 100.00
 313-PROFESSIONAL SER. 400.00
 341-INSURANCE 1490.00
 341-INSURANCE 1510.00
 351-ELECTRIC 790.00
 351-ELECTRIC 210.00
 351-ELECTRIC 1000.00
 351-ELECTRIC 700.00
 351-ELECTRIC 300.00
 353-WATER 100.00

PARKS

PARKS

362-PARK REPAIRS 300.00
 362-PARK REPAIRS 500.00

354-PARK WATER 300.00
 361-PARK REP. & MAINT. 500.00

SO ORDAINED THIS 28 DAY OF December 1992.

absent

DAVID BROADY

AULTON D. EDDINGS JR.

ROY E. EVERITT

Karl Truman

KARL TRUMAN

STANLEY E. TUCKER

ATTEST: LINDA G. SCHAFER
 CLERK TREASURER

RESOLUTION NO. 1992-1

TOWN OF SELLERSBURG, INDIANA

WHEREAS, the Indiana General Assembly and the Federal Water Pollution Control Act provide financial aid for the construction of sewage treatment works; and

WHEREAS, the Town of Sellersburg, Indiana, herein called the Municipality, has plans for a municipal water pollution control project generally described as the construction of new interceptor and sanitary sewers, sanitary sewer rehabilitation and a new wastewater treatment plant to meet State and Federal regulations, such as the NPDES discharge limitations, and the Municipality intends to proceed with the construction of such works; and

WHEREAS, the Town of Sellersburg, Indiana has adopted, this Resolution No. 1992-1 dated January 13, 1992;

NOW THEREFORE, BE IT RESOLVED by the Town Council, the governing body of said Municipality as follows:

1. That Stanley E. Tucker, President of the Town Council be authorized to make applications for State and Federal grants and provide the Department of Environmental Management such information, data and documents pertaining to the application for the grants as may be required, and otherwise act as the authorized representative of the Municipality in connection with said application.
2. That David Broady, Member of the Town Council be authorized as the co-designated representative of the Municipality and act as a substitute representative in the absence of the above designated representative.
3. That the Municipality agrees that if a Federal grant and State assistance are provided for the project pursuant to Section 8 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 446 et seq.), and the Indiana General Assembly, the Town of Sellersburg, Indiana, will pay the remaining costs of the approved construction.
4. That all statements, data and supporting documents made or submitted by the Municipality in connection with any application for Federal assistance for the proposed construction are to be deemed a part of the application for State assistance.
5. That the Municipality agrees to comply with the requirements of the Department of Environmental Management.

6. That two certified copies of the Resolution be prepared to accompany the applications for State and Federal grants for the construction of the municipal water pollution control project.

ADOPTED this 13th day of January, 1992.

TOWN COUNCIL
TOWN OF SELLERSBURG, INDIANA

Authorized Signatory

Stanley E. Tucker
Stanley E. Tucker

By: Stanley E. Tucker
Stanley E. Tucker, President

David Broady
David Broady, Member

Co-Authorized Signatory

David Broady
David Broady

Roy Everett
Roy Everett, Member

Aulton D. Eddings, Jr.
Aulton D. Eddings, Jr., Member

Karl Truman
Karl Truman, Member

Attest: Linda Schafer
Linda Schafer, Clerk-treasurer



RESOLUTION NO. 1992-3

A RESOLUTION AMENDING RESOLUTION 128 OF THE
TOWN BOARD OF SELLERSBURG, INDIANA, DESIGNATING
CERTAIN AREAS WITHIN THE TOWN OF SELLERSBURG
AS AN ECONOMIC REVITALIZATION AREA FOR
PURPOSES OF REAL AND PERSONAL PROPERTY TAX
ABATEMENT FOR AVCO LEASING, INC.

WHEREAS, a petition for real and personal property tax abatement was heretofore filed with the Clerk for the Town of Sellersburg, Indiana, regarding the area know as Avco Industrial Park, located to the West I-65/Hamburg exit in the Town of Sellersburg, Clark County, Indiana; and

WHEREAS, on the 21st day of December, 1990, the Town Board for the Town of Sellersburg, Indiana, after investigation, determined that said area qualified as an economic revitalization area under I.C. 6-1.1-12.1-1 et seq.; and

WHEREAS, the Town Board for the Town of Sellersburg, Indiana, determined that a property owner in said described area above was qualified for and was granted a property tax deduction for a period of five (5) years for manufacturing equipment and six (6) years for real property; and

WHEREAS, the Town Board for the Town of Sellersburg, Indiana, has determined that there is considerable competition among the various local communities to draw commercial, manufacturing and retail business to their respective communities; and

WHEREAS, the Town Board for the Town Sellersburg, Indiana, has determined in order to competitively compete with the various surrounding communities for these types of business previously described it is in the best interest of the Town of Sellersburg, Indiana, to increase the tax abatement on manufacturing equipment from five (5) years to a period of ten (10) years and increase the tax abatement on real property from six (6) years to ten (10) years; and

WHEREAS, the Town Board for the Town of Sellersburg, Indiana, has determined that the benefits to be gained from increasing the tax abatement from five (5) years to ten (10) years on manufacturing equipment will more efficiently help the Town of Sellersburg, Indiana, carry out the purposes of economic revitalization; and

WHEREAS, the Town Board for the Town of Sellersburg, Indiana, has discussed this matter in a open meeting; and

WHEREAS, the Town Board for the Town of Sellersburg, Indiana, has directed the Clerk of Sellersburg, Indiana, to cause notice of this resolution amending the former resolution for personal and real property tax abatement, said notice to be by publication setting forth the date and length of the tax abatement on manufactured equipment; and

WHEREAS, the Town Board for the Town of Sellersburg, Indiana, has determined that all other the provisions set forth in the original resolution shall remain in full force and effect; and

NOW, THEREFORE, BE IT RESOLVED by the Town Board for the Sellersburg, Indiana, as follows:

1.) That the resolution passed on the 21st day of December, 1990, by the Town Board for the Town of Sellersburg, Indiana, shall be, and hereby is, amended to reflect an increase in the property tax deduction for manufacturing equipment from a period of five (5) years to a period of ten (10) years, and an increase on real property tax deduction from a period of six (6) years to a period of ten (10) years effective the date of the execution of this resolution by the Town Board for the Town of Sellersburg, Indiana.

SO RESOLVED THIS 8th DAY OF June, 1992.

Stanley E. Tucker
STANLEY E. TUCKER

David Broady
DAVID BROADY

Roy E. Everitt
ROY E. EVERITT

Aulton D. Eddings
AULTON D. EDDINGS

Karl N. Truman
KARL N. TRUMAN

ATTEST: Linda K. Schaffer
LINDA SCHAFFER
CLERK TREASURER

RESOLUTION 92- -

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
SELLERSBURG, INDIANA, SUPPORTING THE ALLOCATION OF AT
LEAST 25% OF LOTTERY REVENUES TO LOCAL GOVERNMENT**

WHEREAS, there is a growing need to return revenues to local units of government to replace and strengthen their basic infrastructure, and,

WHEREAS, local elected officials are in the best position to determine the needs of their communities; and,

WHEREAS, local units of government can make the best use of resources in meeting local needs; and,

WHEREAS, much of the initial support for the creation of the Hoosier Lottery was based upon the belief that lottery funds would be used to help the infrastructure needs of Indiana cities, towns and counties; and,

WHEREAS, lottery funds have instead been used to replace operating expenses in state and local budgets, forcing a reliance

on an unstable source of revenue: and,

WHEREAS, the lack of availability of lottery revenues to local units of government has caused further delays in meeting local capital needs, causing further deterioration and higher long-term costs; and,

WHEREAS, many Hoosier taxpayers have become confused and dismayed with the way lottery funds have been used, resulting in lower ticket sales; and,

WHEREAS, a certain and significant local return of lottery revenues would likely lead to higher ticket sales:

BE IT THEREFORE RESOLVED that the Town Council for the Town of Sellersburg, call upon the Indiana General Assembly to enact, and the Governor to support, legislation to guarantee that a minimum of 25% of lottery revenues, after administration and prizes, be directly distributed to cities, towns and counties to be used for capital needs, using an impartial and equitable formula to ensure that all communities share in the benefits of the Hoosier Lottery.

SO RESOLVED, this _____ day of _____, 1992.

**THE TOWN COUNCIL FOR THE
TOWN OF SELLERSBURG, INDIANA**

AYES:

BY:

NAYS:

ATTEST:

CLERK-TREASURER

among the various local communities to draw commercial, manufacturing and retail business to their respective communities; and

WHEREAS, the Town Board for the Town of Sellersburg, Indiana, has determined in order to competitively compete with the various surrounding communities for these types of business previously described it is in the best interest of the Town of Sellersburg, Indiana, to increase the tax abatement on manufacturing equipment from five (5) years to a period of ten (10) years and increase the tax abatement on real property from six (6) years to ten (10) years; and

WHEREAS, the Town Board for the Town of Sellersburg, Indiana, has determined that the benefits to be gained from increasing the tax abatement from five (5) years to ten (10) years on manufacturing equipment will more efficiently help the Town of Sellersburg, Indiana, carry out the purposes of economic revitalization; and

WHEREAS, the Town Board for the Town of Sellersburg, Indiana, has discussed this matter in an open meeting; and

WHEREAS, the Town Board for the Town of Sellersburg, Indiana, has directed the Clerk of Sellersburg, Indiana, to cause notice of this resolution amending the former resolution for personal and real property tax abatement, said notice to be by publication setting forth the date and length of the tax abatement on manufactured equipment; and

WHEREAS, the Town Board for the Town of Sellersburg, Indiana, has determined that all other the provisions set forth in the original resolution shall remain in full force and effect; and

NOW, THEREFORE, BE IT RESOLVED by the Town Board for the Sellersburg, Indiana, as follows:

1.) That the resolution passed on the 21st day of December, 1990, by the Town Board for the Town of Sellersburg, Indiana, shall be, and hereby is, amended to reflect an increase in the property tax deduction for manufacturing equipment from a period of five (5) years to a period of ten (10) years, and an increase on real property tax deduction from a period of six (6) years to a period of ten (10) years effective the date of the execution of this resolution by the Town Board for the Town of Sellersburg, Indiana.

SO RESOLVED THIS 8TH DAY of JUNE, 1992.
Stanley E. Tucker
Roy E. Everitt
Karl N. Truman
David Broady
Aulton D. Eddings
ATTEST:
Linda Schafer
Clerk Treasurer

RESOLUTION NO. 1992-3
A Resolution amending Resolution 128 of the Town Board of Sellersburg, Indiana, designating certain areas within the Town of Sellersburg as an Economic Revitalization Area for purposes of real and personal property tax abatement for AVCO Leasing, Inc.
WHEREAS, a petition for real and personal property tax abatement was heretofore filed with the Clerk for the Town of Sellersburg, Indiana, regarding the area known as AVCO Industrial Park, located to the West I-65/Hamburg Exit in the Town of Sellersburg, Clark County, Indiana; and
WHEREAS, on the 21st day of December, 1990, the Town Board for the Town of Sellersburg, Indiana, after investigation, determined that said area qualified as an economic revitalization area under I.C. 6-1.1-12.1-1 et seq.; and
WHEREAS, the Town Board for the Town of Sellersburg, Indiana, determined that a property owner in said described area above was qualified for and was granted a property tax deduction for a period of five (5) years for manufacturing equipment and six (6) years for real property; and
WHEREAS, the Town Board for the Town of Sellersburg, Indiana, has determined that there is a considerable competition

**STATE OF INDIANA,
COUNTY OF CLARK - SS**

Sue Widener _____, on oath says that she is book-keeper of the News & Journal and in the employ of the publisher of

The Evening News, a daily

newspaper of general circulation printed and published in the City of Jeffersonville, Clark County, State of Indiana, and further says that the annexed advertisement was published in said paper for three times _____, to-wit: In issue of said Evening News dated June 13, 20, 27, 1992.....

..... *Sue Widener*

State of Indiana
County of Clark

Subscribed and sworn to before me this

27th day of June 1992

..... *Helma D. Adams*

Notary Public, Clark County, Indiana

My commission expires July 21, 1995.....

RESOLUTION # 1992-4

RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF SELLERSBURG
DESIGNATING A BLIGHTED AREA

WHEREAS, the Sellersburg Town Council finds that three areas, described in Exhibit "A" and illustrated in Exhibit "B" (Map Exhibit) both attached hereto and made part hereof, located in the older portions of Sellersburg, Clark County, Indiana, have become blighted to the extent that they cannot be corrected by regulatory processes or the ordinary operation of private enterprise without resorting to the provisions of I.C. 36-7-14, and where all feasible forms of corrective action need to be examined, identified and ultimately implemented, and

WHEREAS, certain public improvements including curbs, sidewalks, gutters, streets, sanitary sewers, and storm sewer systems have severely deteriorated due to extreme storm drainage problems, contributing to slum and blighting conditions, and

WHEREAS, the affected areas have experienced a deterioration and obsolescence of public improvements, a cessation of private investment, and stagnation of development due to improper storm drainage.

WHEREAS, said authorization for planning to alleviate the aforementioned blighting conditions has been discussed and reviewed by the Sellersburg Town Council, Sellersburg, Indiana, and by its legal counsel, at a public meeting of said council on this date:

NOW THEREFORE: BE IT ORDAINED BY THE TOWN COUNCIL OF SELLERSBURG, INDIANA AS FOLLOWS:

1. It is hereby declared by the Sellersburg Town Council that the real estate described in Exhibit A, attached hereto and made a part hereof, is and shall hereafter be deemed a "Blighted Area", as that phrase is used and intended under the provisions of I.C. 36-7-14 et. seq.

2. The Sellersburg Town Council hereby further declares that the real estate within the boundaries described in Exhibit A attached hereto is a menace to the social and economic interests of the Town of Sellersburg and its

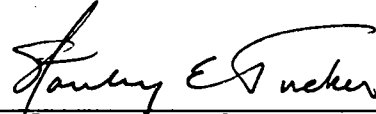
inhabitants. The initiation of a study to examine all feasible means of correcting the existing storm drainage problems within the boundaries of areas described in Exhibit A attached hereto will benefit public health and welfare by identifying methods of repairing and eliminating the further deterioration of public facilities which clearly include:

- A. A general state of deterioration of storm sewer systems including: eroded culverts; broken and crumbling pipes, catch basins, and drainage gutters; drainage ditch and stream systems which are experiencing uncontrolled and accelerated debris accumulation, and erosion and crumbling of banks.
- B Street and highway pavements are eroding and deteriorating, sidewalks and street curbs are crumbling and contributing to unsafe conditions.
- C. Flooding across roadways constrains traffic flow, obstructs access to and from residential and industrial areas, and creates hazards for emergency vehicles.
- D. Unearthing, erosion, and exposure of sanitary sewer lines releasing sewage into drainage streams and releasing inflow and infiltration into the sanitary sewer system.
- E. The area suffers from general site erosion and grading problems.
- F. A large portion of the public and private grounds contained in these areas are located in the Flood Plain which puts great restrictions on the use of said property.
- G. The areas have experienced stagnation of development, improvements and investment since normal development is impossible or undesirable due to said blighted conditions.

4. This Resolution shall be made effective immediately upon its passage, subject to the notice and hearing of I.C. 36-7-14-17. The hearings contemplated by said statute shall be held at the Sellersburg Public Library on July 29, 1992 at 4:00 pm and 4:30 pm EDT. At such meeting, final determination whether the qualifications for a blighted area have been met will be made, and the Resolution shall be confirmed, modified and confirmed, or rescinded. Such determination and final action shall be binding upon all affected parties, subject to appeal procedures contemplated by I.C. 36-7-14-18.

5. Upon adoption of this Resolution by final action, the Clerk-Treasurer of the Town of Sellersburg, Indiana shall cause a copy of this Resolution, including the legal description of the described real estate and attached map to be filed with the Clark County Government officials as shall be deemed necessary.

Adopted by the Sellersburg Town Council this 27 th day of July, 1992.



Stanley E. Tucker, Town
Council President

ATTEST:



Linda Schaffer,
Clerk Treasurer

RESOLUTION # 1992-4

RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF SELLERSBURG
DESIGNATING A BLIGHTED AREA

WHEREAS, the Sellersburg Town Council finds that three areas, described in Exhibit "A" and illustrated in Exhibit "B" (Map Exhibit) both attached hereto and made part hereof, located in the older portions of Sellersburg, Clark County, Indiana, have become blighted to the extent that they cannot be corrected by regulatory processes or the ordinary operation of private enterprise without resorting to the provisions of I.C. 36-7-14, and where all feasible forms of corrective action need to be examined, identified and ultimately implemented, and

WHEREAS, certain public improvements including curbs, sidewalks, gutters, streets, sanitary sewers, and storm sewer systems have severely deteriorated due to extreme storm drainage problems, contributing to slum and blighting conditions, and

WHEREAS, the affected areas have experienced a deterioration and obsolescence of public improvements, a cessation of private investment, and stagnation of development due to improper storm drainage.

WHEREAS, said authorization for plan to alleviate the aforementioned blighting conditions has been discussed and reviewed by the Sellersburg Town Council, Sellersburg, Indiana, and by its legal counsel, at a public meeting of said council on this date:

NOW THEREFORE: BE IT ORDAINED BY THE TOWN COUNCIL OF SELLERSBURG, INDIANA AS FOLLOWS:

1. It is hereby declared by the Sellersburg Town Council that the real estate described in Exhibit A, attached hereto and made a part hereof, is and shall hereafter be deemed a "Blighted Area", as that phrase is used and intended under the provisions of I.C. 36-7-14 et. seq.

2. The Sellersburg Town Council hereby further declares that the real estate within the boundaries described in Exhibit A attached hereto is a menace to the social and

economic interests of the Town of Sellersburg and its inhabitants. The initiation of a study to examine all feasible means of correcting the existing storm drainage problems within the boundaries of areas described in Exhibit A attached hereto will benefit public health and welfare by identifying methods of repairing and eliminating the further deterioration of public facilities which clearly include:

- A. A general state of deterioration of storm sewer systems including: eroded culverts; broken and crumbling pipes, catch basins, and drainage gutters; drainage ditch and stream systems are experiencing uncontrollable and accelerated debris accumulation, and erosion and crumbling of banks.
- B Street and highway pavements are eroding and deteriorating, sidewalks and street curbs are crumbling all contributing to unsafe conditions.
- C. Flooding across roadways constrains traffic flow, obstructs access to and from residential and industrial areas, and creates hazards for emergency vehicles.
- D. Unearthing, erosion, and exposure of sanitary sewer lines releasing sewage into drainage streams and releasing inflow and infiltration into the sanitary sewer system.
- E. The area suffers from general site erosion and grading problems.
- F. A large portion of the public and private grounds contained in these areas are located in the Flood Plain which puts great restrictions on the use of said property.
- G. The areas have experienced stagnation of development , improvements and investment since normal development is impossible of undesirable due to said blighted conditions.

4. This Resolution shall be made effective immediately upon its passage, subject to the notice and hearing of I.C. 36-7-14-17. The hearings contemplated by said statute shall be held at the Sellersburg Public Library on July 29, 1992 at 4:00 pm and 4:30 pm EDT. At such meeting, final determination whether the qualifications for a blighted area have been met will be made, and the Resolution shall be confirmed, modified and confirmed, or rescinded. Such determination and final action shall be binding upon all affected parties, subject to appeal procedures contemplated by I.C. 36-7-14-18.

5. Upon adoption of this Resolution by final action, the Clerk-Treasurer of the Town of Sellersburg, Indiana shall cause a copy of this Resolution, including the legal description of the described real estate and attached map to be filed with the Clark County Government officials as shall be deemed necessary.

Adopted by the Sellersburg Town Council this _____ day of _____, 1992.

ATTEST: _____

Stanley E. Tucker, Town
Council President

RESOLUTION NO. 192-5

RESOLUTION TO THE TOWN COUNCIL OF
THE TOWN OF SELLERSBURG, INDIANA, AUTHORIZING
THE SUBMITTAL OF THE PLANNING GRANT APPLICATION
TO THE INDIANA DEPARTMENT OF COMMERCE
AND ADDRESSING RELATED MATTERS.

WHEREAS, the Town Council of the Town of Sellersburg, Indiana recognizes the need to stimulate growth and to maintain a sound economy within its corporate limits; and

WHEREAS, the Housing and Community Development Act of 1974, as amended authorizes the Indiana Department of Commerce to provide grants to local units of government to meet the housing and community development needs of low and moderate income persons; and

WHEREAS, the Town of Sellersburg, Indiana has conducted or will conduct public hearings prior to the submission of an application to the Indiana Department of Commerce, said public hearings to assess the housing, public facilities and economic needs of its low and moderate income residents;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Sellersburg, Indiana that:

1. The Town Council President is authorized to prepare and submit an application for grant funding to study alternative methods to alleviate the blighting effects of excessive storm water drainage problems on public infrastructure improvements in designated areas of the Town. The Town Council President is also authorized to execute and administer a resultant grant including requisite general administration and project management, contracts, and agreements pursuant to regulations of the Indiana Department of Commerce and the United States Department of Housing and Urban Development.

2. The Town of Sellersburg, Indiana hereby commits the requisite local funds in an amount not to exceed 10% of the total project, up to \$6,000. Said local funds are committed in the form of cash on hand, as matching funds for said program, such commitment to be contingent upon the receipt of Planning Grant funding from the Indiana Department of Commerce.

3. This resolution shall be effective immediately.

ADOPTED by the Town Council of Sellersburg, Indiana, this ____th day of July, 1992.

Stanley E. Tucker, President

ATTEST:

Linda Schafer, Clerk Treasurer

RESOLUTION 1992-6

WHEREAS, the current Sellersburg, Indiana Comprehensive Plan and Land Use Controls are outdated and ineffective; and

WHEREAS, a contract has been let with a private consulting firm to develop a new Comprehensive Plan, Zoning Ordinance and Subdivision Regulations which will help Sellersburg guide future development; and

WHEREAS, it would not be in the best interests of the Town of Sellersburg to allow continued future development until this Plan has been developed.

THEREFORE, A moratorium on the construction of new commercial, industrial, multi-family and multiple single-family development has been declared. Construction of these uses may only happen after the receipt of a special exception from the Sellersburg Plan Commission. This moratorium does not affect the expansion of existing uses by less than fifty (50%) percent nor the renovation of existing uses. This moratorium will be in effect until the new Zoning Ordinance and Subdivision Regulations go into effect or six months, whichever comes first.

PASSED AND ADOPTED THIS 12th DAY OF OCT, 1992.

Signed:

VOTING AYE

VOTING NAY

Ray E. Purcell
Chairman
David Broady
Ray Edley

ATTEST:

Linda G. Schaffer
Clerk Treasurer

RESOLUTION 92- - 7

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
SELLERSBURG, INDIANA, SUPPORTING THE ALLOCATION OF AT
LEAST 25% OF LOTTERY REVENUES TO LOCAL GOVERNMENT**

WHEREAS, there is a growing need to return revenues to local units of government to replace and strengthen their basic infrastructure, and,

WHEREAS, local elected officials are in the best position to determine the needs of their communities; and,

WHEREAS, local units of government can make the best use of resources in meeting local needs; and,

WHEREAS, much of the initial support for the creation of the Hoosier Lottery was based upon the belief that lottery funds would be used to help the infrastructure needs of Indiana cities, towns and counties; and,

WHEREAS, lottery funds have instead been used to replace operating expenses in state and local budgets, forcing a reliance

on an unstable source of revenue: and,

WHEREAS, the lack of availability of lottery revenues to local units of government has caused further delays in meeting local capital needs, causing further deterioration and higher long-term costs; and,

WHEREAS, many Hoosier taxpayers have become confused and dismayed with the way lottery funds have been used, resulting in lower ticket sales; and,

WHEREAS, a certain and significant local return of lottery revenues would likely lead to higher ticket sales:

BE IT THEREFORE RESOLVED that the Town Council for the Town of Sellersburg, call upon the Indiana General Assembly to enact, and the Governor to support, legislation to guarantee that a minimum of 25% of lottery revenues, after administration and prizes, be directly distributed to cities, towns and counties to be used for capital needs, using an impartial and equitable formula to ensure that all communities share in the benefits of the Hoosier Lottery.

SO RESOLVED, this _____ day of _____, 1992.

**THE TOWN COUNCIL FOR THE
TOWN OF SELLERSBURG, INDIANA**

AYES:

BY:

NAYS:

ATTEST:

CLERK-TREASURER

RESOLUTION NO. 92-9
RESOLUTION OF THE TOWN OF SELLERSBURG
REGARDING SURFACE TRANSPORTATION SYSTEM

WHEREAS, the surface transportation in Clark County and all the municipalities, including Sellersburg, Indiana, are of key importance to the quality of life, future economic development and safety of our citizens.

WHEREAS, the 1991 Intermodal Surface Transportation Efficiency Act, ISTEA, is going to provide additional funds requiring local match.

WHEREAS, Clark County and its communities have taken advantage of tools given to them by the Legislature to raise local funds for highway and bridge projects.

WHEREAS, there are still tremendous needs locally.

WHEREAS, local government did not receive any of the last state highway fund increase in 1988.

WHEREAS, funding in the 1991 Intermodal Surface Transportation Efficiency Act increases through the term of the six year program, making our needs for local match even greater in the future.

WHEREAS, local units of government in Clark County are going to be faced with the decision of turning back federal funds or not properly maintaining the current system to an adequate standard, unless more funds are available immediately.

WHEREAS, spending money on public works projects and infrastructure is the best thing the state can do for the economy and Public works spending will create tremendous jobs throughout the state and provide an increase in the capacity of our

infrastructure system that will allow for future growth and economic development.

WHEREAS, improvements to the state highway system in Clark County are imperative to the economic health of Clark County.

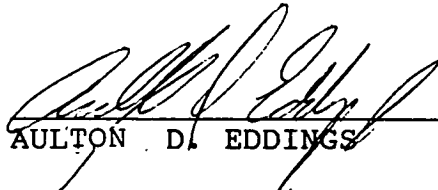
BE IT THEREFORE resolved, that the Town Council for the Town of Sellersburg, Indiana, requests action from the Legislature and the Governor of the state of Indiana, to provide additional funds for local units of government, and the state to meet our increased highway needs during the 1992 General Assembly.

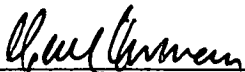
BE IT RESOLVED by the Town Council for the Town of Sellersburg on the 23 day of November, 1992.



STANLEY E. TUCKER

DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS


KARL N. TRUMAN

ATTEST: 
LINDA SCHAFFER
CLERK/TREASURER

RESOLUTION NO. 92- 9
RESOLUTION OF THE TOWN OF SELLERSBURG
REGARDING SURFACE TRANSPORTATION SYSTEM

WHEREAS, the surface transportation in Clark County and all the municipalities, including Sellersburg, Indiana, are of key importance to the quality of life, future economic development and safety of our citizens.

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WHEREAS, local units of government in Clark County are going to be faced with the decision of turning back federal funds or not properly maintaining the current system to an adequate standard, unless more funds are available immediately.

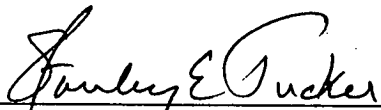
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infrastructure system that will allow for future growth and economic development.

WHEREAS, improvements to the state highway system in Clark County are imperative to the economic health of Clark County.

BE IT THEREFORE resolved, that the Town Council for the Town of Sellersburg, Indiana, requests action from the Legislature and the Governor of the state of Indiana, to provide additional funds for local units of government, and the state to meet our increased highway needs during the 1992 General Assembly.

BE IT RESOLVED by the Town Council for the Town of Sellersburg on the 23 day of November, 1992.

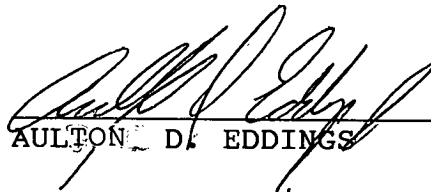


STANLEY E. TUCKER

DAVID BROADY



ROY E. EVERITT



AULTON D. EDDINGS



KARL N. TRUMAN

ATTEST:



LINDA SCHAFFER
CLERK/TREASURER

RESOLUTION NO. 1992-10

RESOLUTION AUTHORIZING TRANSFER OF FUNDS
FROM UTILITY RESERVE FUND TO A GENERAL FUND

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has established a Utility Reserve Fund for the receipt of sewer tap-in fees from the residence of the Town of Sellersburg, Indiana, who are required to hook on to the new sewer system; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that for the efficient administration of town government that fees from the Utility Reserve Fund should be transferred to the Town General Fund in an amount necessary to eliminate the negative balances in the Metro Police Pension Fund, the Debt Service Fund and the Police Department Seat Belt Highway Safety Plan Fund in order to meet the financial obligations of the Town of Sellersburg, Indiana; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has considered this matter in an open meeting of the Sellersburg Town Council.

BE IT THEREFORE RESOLVED, by the Town Council for the Town of Sellersburg, Indiana, that funds contained in the Utility Reserve Fund shall be, and hereby are, authorized to be transferred to the Town General Fund, in an amount necessary to eliminate the negative balances in the Metro Police Pension Fund, Debt Service Fund and Police Department Seal Belt Highway Safety Plan Fund in order to

meet the financial obligations of the Town of Sellersburg, Indiana.

SO RESOLVED this _____ day of _____, 1992.

Stanley E. Tucker
STANLEY E. TUCKER

David Broady
DAVID BROADY

Roy E. Everitt
ROY E. EVERITT

Aulton D. Eddings
AULTON D. EDDINGS

Karl N. Truman
KARL N. TRUMAN

ATTEST: Linda H. Schaffer
LINDA SCHÄFFER
CLERK/TREASURER

Town of Sellersburg

P.O. Box 85
Sellersburg, Indiana 47172
(812) 246-3821

STANLEY E. TUCKER - President
ROY E. EVERITT - Vice President
LINDA G. SCHAFER - Clerk Treasurer

DAVID BROADY - Council Member
DOUG EDDINGS Jr. - Council Member
KARL TRUMAN - Council Member

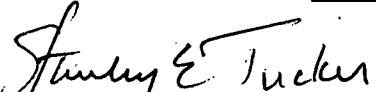
RESOLUTION NO. 92- 11


- WHEREAS:** the Town Council of Sellersburg, Indiana, strongly encourages the enhancement of economic development in the Louisville Metropolitan Area; and
- WHEREAS:** the Louisville area interstate system has become increasingly more crowded, dangerous and costly; and
- WHEREAS:** current traffic loads far exceed design capacity on existing bridges; and
- WHEREAS:** the current traffic situation has become an economic development and quality of life liability; and
- WHEREAS:** the need for an additional bridge(s) and completion of I-265 has been recognized and identified by numerous public planning agencies, surveys and transportation studies; and
- WHEREAS:** the completion of the I-265 beltway will provide significant economic development and quality of life benefits;

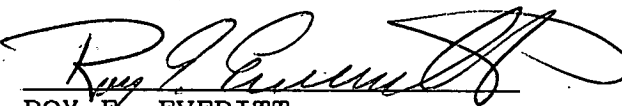
Now therefore be it resolved by this Town Council that:

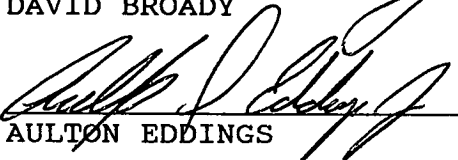
We do strongly endorse the completion of the I-265 beltway with the construction of a bridge over the Ohio River linking I-265 in Indiana with I-265 in Kentucky.

SO RESOLVED this _____ day of _____, 1992.


STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON EDDINGS


KARL N. TRUMAN

ATTEST:
LINDA G. SCHAFER
CLERK/TREASURER

RESOLUTION NO. 92-12

A RESOLUTION AUTHORIZING TRANSFER
OF FUNDS FROM UTILITY CASH RESERVE FUND
TO GENERAL FUND FOR PURPOSE OF MEETING
TOWN OF SELLERSBURG EXPENSES

WHEREAS, the Town of Sellersburg, Indiana, has established a Utility Cash Reserve Fund for the purpose of collecting and maintaining all sewer tap-in fees paid by the Citizens of the Town of Sellersburg, Indiana; and

WHEREAS, the Town of Sellersburg, Indiana, Utility Cash Reserve Fund is a non-designated fund from which monies collected by the Town of Sellersburg for sewer tap-in fees can be transferred to the Town of Sellersburg's General Fund; and

WHEREAS, the Town of Sellersburg, Indiana, has engaged the services of the Schimpeler-Corradino Group to develop a comprehensive plan for the Town of Sellersburg; and

WHEREAS, the Schimpeler-Corradino Group has tendered a claim to the Town of Sellersburg in the amount of \$5,100.00 for services rendered in the development of the Town's comprehensive plan; and

WHEREAS, the Town of Sellersburg must transfer \$5,100.00 from the Utility Cash Reserve Fund to the Town of Sellersburg's General Fund to pay the costs of services performed by the Schimpeler-Corradino Group in the development of the Town's comprehensive plan; and

WHEREAS, this matter has been considered in an open meeting where the public and citizens of the Town of Sellersburg, Indiana, were given the opportunity to be heard; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined said action is necessary for the efficient and effective administration of Town Government.

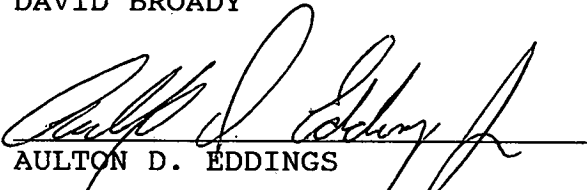
BE IT THEREFORE RESOLVED by the Town Council for the Town of Sellersburg, Indiana, that \$5,100.00 shall be transferred from the Utility Cash Reserve Fund to the Town's General Fund by the Clerk Treasurer for the Town of Sellersburg to pay for services performed by the Schimpeler-Corradino Group in developing the Town of Sellersburg's Comprehensive Plan.


SO RESOLVED THIS 14 DAY OF DECEMBER, 1992.


STANLEY E. TUCKER

DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS


KARL N. TRUMAN

ATTEST: 
LINDA SCHAFFER
CLERK/TREASURER

RESOLUTION NO. 92-13

A RESOLUTION AUTHORIZING TRANSFER
OF FUNDS FROM UTILITY CASH RESERVE FUND
TO GENERAL FUND FOR PURPOSE OF MEETING
TOWN OF SELLERSBURG EXPENSES

WHEREAS, the Town of Sellersburg, Indiana, has established a Utility Cash Reserve Fund for the purpose of collecting and maintaining all sewer tap-in fees paid by the Citizens of the Town of Sellersburg, Indiana; and

WHEREAS, the Town of Sellersburg, Indiana, Utility Cash Reserve Fund is a non-designated fund from which monies collected by the Town of Sellersburg for sewer tap-in fees can be transferred to the Town of Sellersburg's General Fund; and

WHEREAS, the Town of Sellersburg, Indiana, has engaged the services of the Schimpeler-Corradino Group to develop a comprehensive plan for the Town of Sellersburg; and

WHEREAS, the Schimpeler-Corradino Group has tendered a claim to the Town of Sellersburg in the amount of \$3,670.00 for services rendered in the development of the Town's comprehensive plan; and

WHEREAS, the Town of Sellersburg must transfer \$3,670.00 from the Utility Cash Reserve Fund to the Town of Sellersburg's General Fund to pay the costs of services performed by the Schimpeler-Corradino Group in the development of the Town's comprehensive plan; and

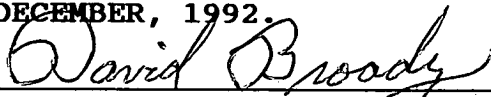
WHEREAS, this matter has been considered in an open meeting where the public and citizens of the Town of Sellersburg, Indiana, were given the opportunity to be heard; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined said action is necessary for the efficient and effective administration of Town Government.

BE IT THEREFORE RESOLVED by the Town Council for the Town of Sellersburg, Indiana, that \$3,670.00 shall be transferred from the Utility Cash Reserve Fund to the Town's General Fund by the Clerk Treasurer for the Town of Sellersburg to pay for services performed by the Schimpeler-Corradino Group in developing the Town of Sellersburg's Comprehensive Plan.

SO RESOLVED THIS 14 DAY OF DECEMBER, 1992.


STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS


KARL N. TRUMAN

ATTEST: _____
LINDA SCHAFFER
CLERK/TREASURER

ORDINANCE NO. 92-

AN ORDINANCE OF THE TOWN OF SELLERSBURG, INDIANA,
FOR EQUAL OPPORTUNITY AND FAIR HOUSING

WHEREAS, it is the public policy of the Town of Sellersburg, Indiana, and the State of Indiana to provide all of its citizens equal opportunity for education, and acquisition through purchase or rental of real property including but not limited to housing, and to eliminate segregation or separation based solely on race, religion, color, sex, handicap, national origin or ancestry, since such segregation is an impediment to equal opportunity; and

WHEREAS, equal education and employment opportunities and equal access to and use of public accommodations and equal opportunity for acquisition of real property are declared to be civil rights in accordance with the Indiana Civil Rights Law found under I.C. 22-9-1;

BE IT THEREFORE ORDAINED, by the Town Council for the Town of Sellersburg, Indiana, that it is the public policy of the Town of Sellersburg, Indiana, to support and encourage equal education and employment opportunities and equal access to and use of public accommodations and equal opportunity for acquisition of real property in accordance with the Indiana Civil Rights Law found under I.C. 22-9-1; and

BE IT FURTHER ORDAINED, by the Town Council for the Town of Sellersburg, Indiana, that the Indiana Civil Rights Commission shall be designated as the agency appropriate to implement the purposes and objectives of the Indiana Civil Rights Law and to enforce the provisions thereof, and

BE IT FURTHER ORDAINED, by the Town Council for the Town of Sellersburg, Indiana, that this ordinance shall be in full

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| To | Linda Schaefer | From | Stan Tucker |
| Co. | | Co. | 1 |
| Dept. | | Phone # | |
| Fax # | 246-3658 | Fax # | |

force and effect from and after its passage and approval by the Sellersburg Town Council.

SO ORDAINED, on this _____ day of July, 1992.

TOWN COUNCIL FOR THE TOWN OF SELLERSBURG, INDIANA

STANLEY E. TUCKER

DAVID BROADY

ROY E. EVERITT

AULTON D. EDDINGS

KARL N. TRUMAN

ATTEST: _____
LINDA SCHAFER
CLERK/TREASURER