

2000 ORDINANCES

2000-001 See 2000-005		Amend Ordinance 99-721, pay for Deputy Clerk Treasurer & Town Clerk – Denied
2000-002	01-10-2000	Establish Clerk Treasurer's Petty Cash Fund
2000-003	04-24-2000	Drug & Alcohol Testing for Safety & Other Employees
2000-004	01-10-2000	Establish Street Dept. Petty Cash
2000-005	02-14-2000	Amends Salary Ordinance 99-721
2000-006	05-08-2000	Collection of Yard Waste, Leaves and Branches
2000-007	06-26-2000	Stop sign at Hampton Court & Regents Park
2000-008	06-26-2000	Stop sign at South Street & Edgeland
2000-009	06-26-2000	Health Insurance for Employees
2000-010	07-10-2000	Additional Appropriations for 2000
2000-011	07-10-2000	Petty Cash Fund for Swimming Pool
2000-012	09-11-2000	Reducing Speed Limit on W. Utica St.
2000-013	09-11-2000	No Parking on W. Utica from US 31 to Ehringer
2000-014	09-18-2000	2001 Budget
2000-015	09-18-2000	2001 Salary, Holiday and Longevity Pay
2000-016	09-18-2000	Longevity Pay for Town Employee's <i>Rescinded by: 2014-005</i>
2000-017	09-18-2000	Amendment to 2000-16, adding Animal Control Officer
2000-018	10-09-2000	Parking and Stopping on Schellers Ave.
2000-019	10-09-2000	Regulating Dumping of Fill Material within the Town
2000-020	10-09-2000	Amendment to Ordinances 316 & 435, Control of Plants and Weeds in Town.
2000-021	11-13-2000	Amends Ord. 412, Police Pension Death Benefit (1925 Fund)
2000-022	11-13-2000	Amends Ord. 2000-018, Parking & Stopping on Schellers Ave.
2000-023	12-11-2000	Amends Ord. 95-633, Rate of pay for Parks, Planning & Zoning, Appeals and Police Commission Boards.
2000-024	12-11-2000	Establishes Uniform/Clothing Allowance for Police/Clerk-Treasurer
2000-025	12-11-2000	Amends Ord. 2000-009, Employee's Health Insurance
2000-026	12-11-2000	Amends Section 3-9 of Sellersburg Town Code
2000-027	03-12-2001	Ordinance Suspending Provisions Code 2-15-6 Portable Signs

ORDINANCE NO. 2000-2

AN ORDINANCE ESTABLISHING A PETTY CASH FUND
FOR THE TOWN OF SELLERSBURG

WHEREAS, the Clerk-Treasurer for the Town of Sellersburg has determined that the Town of Sellersburg does not maintain a Petty Cash Fund; and

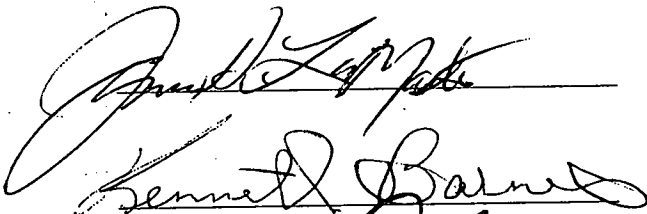
WHEREAS, the Town Council for the Town of Sellersburg has determined that a Petty Cash Fund should be established for the efficient and effective administration of Town Government; and

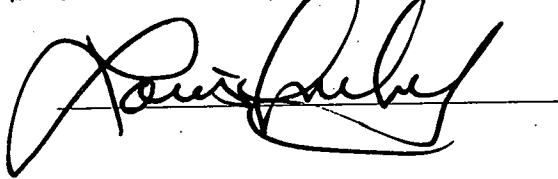
WHEREAS, this matter was considered at an open meeting to which the public were invited to participate; and

BE IT THEREFORE NOW ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG that there shall be established for the Town of Sellersburg a Petty Cash Fund which shall be administered and maintained by the Town of Sellersburg Clerk/Treasurer.

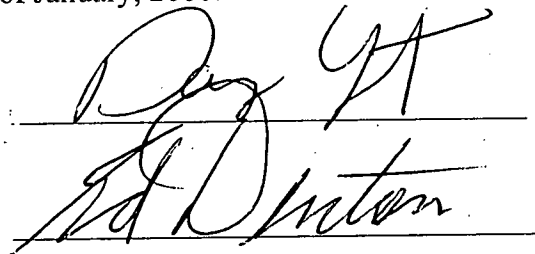
BE IT FURTHER ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG that one hundred and fifty dollars (\$150.00) shall be maintained in the Petty Cash Fund.

SO ORDAINED this 10th day of January, 2000.

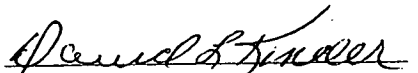


Bennett Barnes


David Kinder



Ed Dinton

ATTEST: 
DAVID KINDER
CLERK-TREASURER

ORDINANCE NUMBER 2000- 03

An Ordinance Setting Forth a Drug & Alcohol Testing Policy for Safety-Related and Other Employees of the Town of Sellersburg, Indiana

Whereas, the State of Indiana is a drug Free workplace;

Whereas, the Town of Sellersburg, in an attempt to provide a healthy and safe work environment for its employees and to ensure the safety of the general public recognizes the benefits of instituting a policy for random testing of employees for alcohol and/or controlled substances;

Whereas, those employees holding a Commercial Drivers License (CDL) as a condition of employment as required by Federal and State law to be tested for controlled substances at random times;

Whereas, employees who have positions relating to public safety are held to a higher standard of conduct than other employees; and

Whereas, an Ordinance adopting a specific drug and alcohol policy and procedures for all new Town employees and all employees deemed to be in a safety sensitive position and/or utilizing a commercial driver's license in the performance of duties for the Town of Sellersburg is an efficient, effective and equitable method of serving the best interests of the Town of Sellersburg, its employees, its citizens and the other persons and businesses located within the Town.

NOW, THEREFORE, BE IT ORDAINED by the Town Counsel of the Town of Sellersburg that the following policy be implemented and put into effect as soon as practical as part of the employment policy for the Town of Sellersburg.

DEFINITIONS

Accident – means is an incident that involves fatality, an injury requiring treatment away from the scene, or the towing of a vehicle from the scene.

Alcohol Concentration – shall mean percentage, by weight, of alcohol in the blood. References to alcohol in blood (e.g. .08) mean alcohol concentration in the blood of the employee.

Town – means the Town of Sellersburg, Indiana.

DOT – United States Department of Transportation.

FHWA – Federal Highway Administration.

FMLA – The federal Family and Medical Leave Act.

Intoxication – The state of being under the influence of alcohol, controlled substances or any substance, or combination of substances, such that a person's ability to function is impaired to the degree that the person could, while performing any responsibility which could be required as an employee of the Town of Sellersburg, pose a danger to himself or any other person or any property.

SAP – Means Substance Abuse Professional as described below.

Safety Director – Means the person appointed by the Town Council for the Town of Sellersburg as Safety Director.

Safety Sensitive Position – Means all current job positions in the Town of Sellersburg which include or which are directly or indirectly is related to or which affect one or more of the following:

- a. Law Enforcement, including but not limited to law enforcement officers, employees who dispatch, schedule or provide clerical or other services for law enforcement officers.
- b. Utility services, including but not limited to connection to or repair of these services.
- c. All positions which may require the operation of any power equipment or which involve traffic safety or the placement, replacement or repair of street signage.
- d. Any job position which may require the operation of any electrical, diesel or gasoline powered appliances or equipment.
- e. Positions which require an employee to operate and or maintain a commercial motor vehicle and/or hold a Commercial Drivers License (CDL) or which may require an employee to operate any motor vehicle.
- f. Positions where an employee has supervisory responsibility.

This term also means all employees hired or rehired or granted raises in pay after the passage of this ordinance. If an elected official or other employee voluntarily agrees to participate in this program the Town shall bear the expense to the elected official or employee in taking the tests described herein.

Utility Services – Means Water, sanitary sewage or trash and rubbish removal.

PURPOSE

The purpose of this ordinance (policy) is to address the inappropriate use and possession of alcohol, controlled substances, physician prescribed medications and over-the-counter

medications and other mind altering substances by all new Town employees and all present Town employees in positions that have been classified as safety sensitive. It shall be the policy of this Town to comply with and abide by all laws and regulations that have been established by the U.S. Department of Transportation (DOT), Federal Highway Administration (FHWA) and Indiana Department of Transportation (INDOT).

Section I – Test Covered by this Policy

The Town of Sellersburg will require the following tests for all safety-sensitive employees.

- a. Pre-employment controlled substance testing.
- b. Random controlled substance and alcohol testing.
- c. Post-accident controlled substance and alcohol testing.
- d. Reasonable suspicion controlled substance and alcohol testing.
- e. Return to duty/follow up controlled substance and alcohol testing.
- f. Baseline testing of all employees covered by this ordinance/policy.

Section II – Types of drugs to be tested for

The Town may test for any substance capable of causing intoxication of an employee. In addition, this testing program will test for alcohol, and at least the five (5) types of drugs listed below:

- a. Marijuana;
- b. Cocaine;
- c. Opiates;
- d. Amphetamines; and
- e. Phencyclidine (PCP).

Section III – Employees subject to this policy

(a) – Safety Sensitive Positions. In compliance with DOT/FHWA regulations, positions within the Town that require employees to operate commercial motor vehicles and/or hold a Commercial Drivers License are automatically classified as “safety sensitive”. In addition, all employees who hold safety sensitive positions, as defined above, are subject to the provisions of this ordinance.

(b) – Applicability. In addition to complying with DOT/FHWA regulations, Town employees are subject to this policy while:

- a. On duty, while either on or off Town Property.
- b. In the workplace or on Town property, while either on or off duty.
- c. Acting as a representative of the Town.
- d. Operating Town owned vehicles or equipment.

Section IV – Participation Requirements

This ordinance requires the cooperation of all employees. All employees are required to abide by the terms of this ordinance as it affects them, which ordinance shall be known as the Town of Sellersburg Drug and Alcohol Policy. Participation in all aspects of this policy and testing program, including pre-employment, random, post accident, reasonable suspicion and return to duty/follow-up testing are a condition of employment or continued employment with the Town of Sellersburg.

Section V – Prohibited Behavior

Any employee who takes part in prohibited behavior shall be considered “unfit for duty” and immediately removed from their jobs or duties and subject to disciplinary action as specified in the section of the policy titled: Section VIII: Consequences of Violating Policy, or as otherwise allowed.

(a) – Possession. It is the policy of the Town of Sellersburg to strictly prohibit the possession of alcohol or controlled substances by employees while on duty or as described in *Section III* above, unless legally prescribed by a physician. Alcohol may only be in possession of such an employee if it is manifested and transported as part of shipment authorized by the Town Council.

(b) – Use of Alcohol and/or Controlled Substance

Alcohol: It is the policy of the Town of Sellersburg to strictly prohibit the use of alcohol by all employees while on duty. No employee shall report to duty, remain on duty or perform any function while having an alcohol concentration of .02% or greater. No employee shall use alcohol within four (4) hours of reporting to duty.

Illegal Controlled Substances: It is the policy of the Town of Sellersburg to strictly prohibit the use of illegal controlled substances and legal controlled substances used in an illegal manner. No employee shall report on duty or perform any function when that employee 1) possesses illegal controlled substances, 2) has used illegal controlled substances and is under the influence of legal or illegal controlled substances, or 3) has tested positive for illegal controlled substances or who has been intoxicated, at work, by virtue of the use of legal controlled substances, without first successfully completing the employees re-qualification procedures, as outlined in this ordinance in Section X: Employee Re-qualification.

Use of a prescription drug that has not been prescribed to the employee, or in any way other than as prescribed will be regarded as illegal use of a controlled substance and will be subject to the same provisions and penalties as use of illegal controlled substances.

(c) Prescribed Medication and Over-the-Counter Medications

Physician prescribed and over-the-counter medications can also affect employee behavior, judgment and performance. It is the policy of the Town of Sellersburg to require all employees, whether or not in safety sensitive positions to:

- a. Inform their supervisor when using physician-prescribed and/or over-the-counter medications which can cause intoxication; and
- b. Secure documentation from a licensed physician, (or pharmacist in the case of over-the-counter medication), advising that the substance in use does not adversely affect the employee's ability to perform the functions of their job as specified by their job description.

An employee who is temporarily using medication that does not allow him/her to safely perform his job and provides documentation stating such from a licensed physician, will be reassigned to a safe duty, or if none is available, then may be required to take leave using any available sick leave, FMLA or other applicable programs. If use of medication extends, beyond sick leave, the FMLA and any other available leave options, then reasonable accommodations will be made. If the Town is unable to make reasonable accommodation, the employee may be terminated or given leave without benefits or pay.

An employee who is required to use medication that does not allow him/her to perform job functions for an indefinite period that exceeds beyond all available time under sick leave, the FMLA and any other available leave options must provide documentation stating such from a licensed physician. That employee may be reassigned to safe duties, or, if none, terminated or given leave without benefits or pay.

Using over-the-counter medication in a way other than as directed so as to cause intoxication will be regarded as a substance abuse matter and shall be subject to the same provisions and penalties as illegal use of controlled substances.

(d) Post-Accident Use

No employee who is or may be required to submit a post-accident alcohol test shall use alcohol for eight (8) hours, or until tested for alcohol content, whichever occurs first. No employee who is or may be required to submit to a post-accident controlled substance test shall use any controlled substances, except as prescribed by a licensed physician, for thirty-two (32) hours or until tested for controlled substance use, whichever occurs first.

(e) Refusal to Submit to a Required Alcohol or Controlled Substance Test

No employee shall refuse to submit to an alcohol or controlled substance test if ordered to do so pursuant to this ordinance.

(f) Supervisor Responsibility

No supervisor having knowledge that an employee has violated any part of this ordinance (policy) shall permit the employee to continue to perform any job and/or function until the violation is cured. Failure of a supervisor to do so will be cause for employee discipline, which may include oral or written reprimand, suspension with or without pay, or termination of employment, as the case may warrant.

Section VI – Administration of Alcohol or Controlled Substance Test

(a) – Pre-Employment Testing

No employee shall be hired without being subjected to and passing a controlled substance test, by a testing agency selected by the Town Council for the Town of Sellersburg.

At the discretion of the Town, an applicant may not need to submit to a controlled substance test if that applicant can verify that he/she has participated in a valid DOT drug testing program within the proceeding thirty (30) days and while participating in that program, was either tested within the past thirty (30) days. The Town can require an applicant to submit to a pre-employment controlled substance test even if that applicant can verify that he/she has previously participated in a drug testing program.

All individuals applying for a transfer or new position with the Town must sign a *Release of Information* as a condition of employment. This release is intended to permit the Town to contact previous employers and receive a disclosure all information concerning the employee, including but not limited to alcohol/controlled substance testing results and insurance and employment records.

The Town will incur all costs of one pre-employment controlled substance test.

(b) – Post-Accident Testing

Any employee involved in an accident, which does or could result in:

- a. the loss of human life;
- b. the issuance of a citation under State or local law for a violation arising from the accident; or
- c. an injury to any person which could require medical treatment, either at the scene or away from the scene of the accident.

shall be subject to be given a post-accident alcohol and/or controlled substance tests. The Town can order an employee to submit to post-accident tests after any accident. Post-accident testing for circumstances other than listed above can be ordered on a case-by case basis, at the discretion of the Safety Director or his/her designee. Employees must contact their immediate supervisor, the Safety Director, and/or any other designated Town or Department official as soon as possible following ANY accident.

Any employee who is involved in an accident and may be subject to a post-accident test shall remain readily available for such testing. That employee must make his/her whereabouts known to his/her immediate supervisor and the Safety Director, for a period of eight (8) hours following the accident. Failure to do so will be regarded as a refusal to take a post-accident test if one may be required.

(c) – Post-Accident Alcohol Tests

In the case that an accident requires the ordering of a post-accident alcohol test, the immediate supervisor and the Safety Director should make every effort to arrange for the administration of an alcohol test within two (2) hours of the time of the accident. If the test is not administered within two (2) hours of the accident, then written record shall be made stating the type of test, triggering event(s), reason(s) the test could not be completed and where the test would have occurred if given.

If the test is not administered within eight (8) hours of the time of the accident, then his/her immediate supervisor and the Safety Director should cease attempts to have the alcohol test administered and make written record stating the type of test, triggering event, reasons the tests could not be completed and where the test would have occurred if given.

An employee who is or may be required to take a post-accident alcohol test shall not use alcohol for eight (8) hours following the time of the accident, or until after the post-accident alcohol test has been administered, whichever is first.

(d) – Post-Accident Controlled Substance Tests

In the case that an accident requires the ordering of a post-accident controlled substance test, the employee's immediate supervisor and the Safety Director shall make every effort to arrange for the administration of a controlled substance test within thirty-two (32) hours of the time of the accident.

If the test is not administered within thirty-two (32) hours of the accident, the immediate supervisor and the Safety Director should cease attempts to have the controlled substance test administered and make written record stating the type of test, triggering event, reasons the test could not be completed and where the test would have occurred.

An employee who is or may be required to take a post-accident controlled substance test shall not use controlled substances for thirty-two (32) hours following the time of the accident, or until after the post accident controlled substance test has been administered, unless medically necessary.

(e) – Accidents Resulting In Serious Injury/Death Of The Employee

As a condition of continuing employment, all employees of the Town shall execute a release authorizing the Town to obtain/secure substance and/or information, reports and documentation verifying the absence or presence of controlled substances and/or alcohol in any situation where an employee involved in an accident requiring a post-accident

controlled substance and/or alcohol test has sustained injuries that do now allow the employee to consent or submit to post accident tests.

(f) – Tests Administered By Other Authorities

The results of alcohol or controlled substance tests administered by Federal, State, or local officials having independent authority to order such tests (i.e. law enforcement agencies) shall meet the requirements of this section, provided such tests conform to the applicable Federal, State or local requirements, and that the results of the test are obtained by the employer.

(g) – Section Notes

Nothing in this section should be construed as to the delay or deny any employee necessary medical treatment or to prohibit the employee from leaving the scene of an accident:

1. to obtain assistance in responding to the accident;
2. at the direction of a law enforcement officer investigating the accident; or
3. to receive any required medical attention.

(h) – Random Testing

All safety-sensitive employees are subject to random controlled substance and alcohol testing. Names of employees subject to random testing will be entered into a pool and selected from that pool, at random, by a scientifically valid method. Each employee has an equal chance of being tested each time sections are made. Random selections may result in an employee being selected more than once in a calendar year or not at all.

Dates of future tests shall be unannounced and be treated as confidential information.

(i) – Random Testing Rate

The minimum annual rate at which the total employee population safety sensitive positions (as defined) are randomly tested is 50% for controlled substance use and the same as the DOT for alcohol use.

The Town reserves the right to determine whether controlled substance and alcohol testing pools will be combined or chosen separately. If testing pools are combined, then half of the individuals selected to be tested for controlled substances will also be tested for alcohol. If testing pools are chosen separately, then two random selections will occur. One selection will be for those employees who are to be tested for alcohol and the other selection will be for those who are to be tested for controlled substances. The random nature of this selection process may cause an employee who is selected to be tested for controlled substance to also be selected for an alcohol test.

In accordance with DOT/FHWA regulations, the Town will ensure that an appropriate number of employees who operate commercial motor vehicles and hold CDLs will be randomly tested for controlled substance and alcohol use.

(j) – Employee Notification

Employees will be tested just before, during or just after performing job functions (i.e. sometime during their normally scheduled work day.) If an employee who is selected for testing is on vacation or absent from work either an alternate employee will be selected in his/her place or the employee will be required to submit to the test when he/she returns.

Employees will be notified that they have been selected to be tested by the Safety Director or his/her designee. Employees selected to be tested will not be notified until the day of the test, preferably immediately before the test is to be administered. Once an employee is notified that he/she has been selected for testing, he/she must immediately proceed to the designated collection area and submit all required samples. Failure to proceed to the testing area or to submit required samples will be deemed by the Town as having refused to submit to testing and will be cause for immediate termination of employment.

(k) – Reasonable Suspicion Testing

All employees who hold supervisory positions within the Town work force shall attend a training course to become educated in recognizing the circumstances which give rise to reasonable suspicion drug and alcohol testing.

An employee must submit to an alcohol and/or controlled substance test if a supervisor or the Safety Director has determined that reasonable suspicion exists to believe the employee is under the influence of alcohol and/or controlled substances.

A supervisor or Safety Director must witness and document specific observations relating to the appearance, body odor, speech or behavior of the employee to determine that a test must be ordered.

The Town will bear the cost of a reasonable suspicion alcohol and/or controlled substance test.

While awaiting the results of a reasonable suspicion alcohol or controlled substance test, the employee may be required to refrain from performing any safety sensitive jobs, and may be assigned to perform non-sensitive duties until the results of the tests are received.

(l) – Time for Conducting Reasonable Suspicion Alcohol Tests

In the case that reasonable suspicion requires the ordering of an alcohol test, the supervisor, Safety Director or his/her designee should make every effort to arrange for the administration of the alcohol test within two (2) hours of determining that reasonable

suspicion exists. If the test is not administered within two (2) hours, then written record should be made stating the type of test, triggering event, reasons the test could not be completed and where the test would have occurred.

If the test is not administered within eight (8) hour of the time of determination, then the supervisor, Safety Director or his/her designee shall cease attempts to have the alcohol test administered and make written record stating the type of test, triggering event, reasons the test could not be completed and where the test would have occurred.

An employee who has been ordered to take a reasonable suspicion alcohol test shall not use alcohol for eight (8) hours following the time of notification, or until after the alcohol test has been administered, whichever is first.

(m) – Time for Conducting Reasonable Suspicion Controlled Substance Tests

In the case that reasonable suspicion requires the ordering of a controlled substance test, the supervisor, Safety Director or his/her designee shall make every effort to arrange for the administration of a controlled substance test within thirty-two (32) hours determining that reasonable suspicion exists.

If the test is not administered within thirty-two (32) hours that reasonable suspicion exists, the supervisor, Safety Director or his/her designee shall cease attempts to have the controlled substance test administered and make written record stating the type of test, triggering event, reasons the test could not be completed and where the test would have occurred.

An employee who is ordered to take a post-accident controlled substance test shall not use controlled substances for thirty-two (32) hours following notification, or until after the controlled substance has been administered, unless medically necessary.

(n) – Return to Duty/Follow-Up Testing

Return to Duty: An employee who has tested positive for controlled substance or alcohol use shall test negative for controlled substances and alcohol before being considered “re-qualified” for returning to duty. Both alcohol and controlled substance return to duty test must be required, at the recommendation and direction of a Substance Abuse Professional (SAP).

Follow-Up: An employee who has tested positive will be subject to follow-up controlled substance and alcohol testing upon return to duty. Both alcohol and controlled substance follow-up tests may be required, at the recommendation and direction of a Substance Abuse Professional (SAP). These tests shall be unannounced and given at least six (6) times in the first twelve (12) months. The follow-up testing may not continue beyond sixty (60) months from the date of re-qualification for duty and may be terminated at any time after the first six (6) tests at the recommendation of the SAP.

The employee shall be subject to random selection testing in addition to any follow-up testing.

The employee must bear the cost of all evaluations, prescribed treatments and return to duty/follow-up testing.

(o) – Baseline Testing

A baseline test is a “one time” test performed on all covered employee at the onset of random testing policy. All employees in safety sensitive positions shall submit to a Baseline controlled substance and/or alcohol test. The Town shall bear the cost of such testing.

Section VII – Test and Collection Procedures

Care shall be used to protect the integrity of the testing process, ensure the validity of test results and ensure test results are matched with correct employee. These procedures will be established by the Board of Public Works, in cooperation with the testing company. The Safety Director or his/her designee and the employee will be contacted by a Medical Review Officer of the testing company as soon as possible in the case of a failed test.

Section VIII – Test Refusal

Refusal to submit to a controlled substance or alcohol test permitted by this ordinance (policy) under any circumstances or for any non-medical or non-emergency reason is strictly prohibited and is cause for immediate termination of employment. Upon being ordered to submit a sample for a test, all actions taken by the employee must contribute to the collection of a sample. Upon notification, an employee may not continue to perform work and must go directly to the collection site. Refusal to submit to a test includes, but is not limited to the following acts:

- a) Failure to report to the collection site as directed.
- b) Failure to provide the required amount of specimen, i.e. urine or breath (refer to Refusal to take test – inability to provide adequate sample).
- c) Failure to remain readily available and notify supervisor of whereabouts following an accident that requires or may require a controlled substance and/or alcohol test.
- d) Any action that does not lead to the collection of a sample.
- e) Any action or conduct that clearly obstructs the proper collection of a sample.

(a) – Inability To Provide Adequate Sample

An employee who cannot provide an adequate sample for testing is not “fit for duty” and shall not be allowed to continue working at any jobs until an adequate sample can be provided.

If an employee cannot or will not provide an adequate breath or urine sample, the employee may be examined by a physician of the Town’s choice and a blood sample taken, at the expense of the Town. If there is no medical explanation for the inability to provide a sample, or if the employee refuses to be examined by a physician, it will be considered a refusal to submit to a test. If there is a medical explanation found by the physician for inability to provide an adequate sample for testing, reasonable accommodation will be made, at the direction of the physician, for collection of the sample.

Until a cause for the employee’s inability to provide an adequate sample is determined, the employee shall be removed from duties, without pay.

Section VIII – Consequences of Violating Policy

This ordinance describes and/or has classified disciplinary procedures for violations of this policy. These descriptions/classifications are provided only to illustrate the procedures that will generally be followed in respect to such conduct and are not intended as an exclusive remedy. Likewise, these disciplinary procedures should not be construed, in any way, to limit the Town’s discretion in exercising discipline, as it finds appropriate, as is otherwise allowed by law, based on the conduct of the employee and considering the totality of the circumstances.

The Town reserves the right to exercise authority independent of PART 382 – CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING of the Federal Motor Carrier Safety Regulations, in administering disciplinary actions.

(a) – Refusal to Take Test (As defined in policy)

Refusal to take an alcohol or controlled substance test may result in:

1. Immediate suspension without pay or termination of employment; or
2. the withdraw of any conditional offer of employment and refusal to hire an applicant.

(b) – Positive Test – Pre-Employment

A prospective employee who tests positive for alcohol or controlled substances shall not be hired and any conditional offer of employment shall be withdrawn.

A prospective employee who tests positive during the pre-employment screening process may re-apply for a position with the Town no earlier than one (1) calendar year from the date that the initial positive test sample was collected.

(c) – Positive Test – Random/Reasonable Suspicion

Alcohol (0.02-0.0399)

An employee who has a positive test for alcohol registering from 0.02 to 0.0399 shall be:

- a) **1st Offense** – Immediately removed from duty and allowed to return to work no sooner than twenty-four (24) hours from the time that the positive test sample was collected. An employee shall not receive pay for any work missed due to this disciplinary procedure.
- b) **2nd Offense** – Immediately removed from duty, and suspended without pay for ten (10) days.
- c) **3rd Offense** – Immediately removed from duty and terminated.

Alcohol (0.04-.0799) And Controlled Substances:

An employee who has a positive test for alcohol registering from 0.04 to .0799 shall be considered “unfit for duty” and:

- a) immediately removed from duty;
- b) placed on unpaid leave of absence; and
- c) be subject to successful completion of the EMPLOYEE REQUALIFICATION requirements as outlined in section titled: Section X: Employee Re-qualification, before returning to duty.

Alcohol (0.08 and over):

An employee who has a positive test for alcohol registering 0.08 or over may have his employment immediately terminated.

(d) – Positive Test – Return to Duty/Follow-Up

Return to Duty:

Any employee who tests positive for controlled substances or alcohol 0.02 and over when taking a return to duty test will be subject to immediate termination.

Follow-Up:

Any employee who tests positive for controlled substances or alcohol 0.02 and over when taking a follow-up test will be subject to immediate termination.

(e) – Failure To Remain Available Following An Accident

Failure to remain available following an accident shall be regarded as a refusal to take a test, if it is determined that a test is appropriate under this ordinance. An employee who fails to keep his/her supervisor and the Safety Director informed of his/her whereabouts following an accident will be considered to have refused a test.

(f) – Prohibited Alcohol And/Or Controlled Substance Use Following An Accident

An employee who is asked to submit to a post accident controlled substance an/or alcohol test and has used alcohol within eight (8) hours and/or non-physician prescribed controlled substances within thirty-two (32) hours of that accident may be immediately terminated.

(g) – Failure To Become Re-Qualified For Duty Within The Prescribed Time Limitations

Any employee who does not become re-qualified for duty within ninety (90) days may be immediately terminated.

(h) – Unreported Use of Over-The-Counter Or Physician Medication

Any employee who is found to be using over-the-counter or prescription medication which could cause intoxication, without properly reporting it to their supervisor and/or receiving approval from a licensed physician or pharmacist, if applicable, will be suspended without pay until proper documentation is provided or use of the medication is stopped.

(i) – Second Positive Test

It is the policy of this Town to immediately terminate an employee who receives a total of two (2) positive tests for controlled substance, alcohol (0.02 and over) or a combination of both.

(j) – All other Violations

Violations of the rules, regulations and prohibitions of this policy not listed herein will be subject to disciplinary measures based on the severity of the misconduct or the totality of the circumstances at the discretion of the Town Counsel and/or the Board of Public Works & Safety.

Section X – Employee Re-qualification

An employee who tests positive for controlled substances and/or alcohol, at or above 0.04 shall remain on unpaid leave until becoming “re-qualified” for duty.

(a) – Re-qualification Criteria

To become re-qualified for duty, the employee must successfully complete the following steps within the prescribed amount of time limitations.

1. The employee must be evaluated by a Substance Abuse Professional (SAP), designated by the Town (or selected jointly by the Town and the employee) to determine if the employee is in need of assistance in resolving an alcohol and/or substance abuse problem. The cost of this evaluation will be borne by the employee.
 - (a) If the employee is determined to have a substance abuse problem, the employee must successfully complete any and all treatment prescribed by SAP and approved by the Town. The cost of any treatment prescribed by the SAP shall be borne by the employee.
 - (b) If the employee is determined to not have substance abuse problem, the employee will still be subject to all other provisions of the Re-Qualification Criteria.
2. The employee must pass a return to duty alcohol and/or controlled substance test at the direction of the SAP.
3. The employee must be cleared to return to duty by the SAP. If the employee has been determined to have a substance abuse problem, then clearance will be conditioned on successful completion and maintenance of the treatment program that was prescribed by the SAP.
4. Upon clearance to return to duty, the employee must successfully complete all required follow-up controlled substance and/or alcohol tests, as determined by SAP, to remain qualified for duty.

(b) – Re-Qualification Time Limitations

An employee must successfully complete the re-qualification criteria and become re-qualified to perform safety sensitive functions within ninety (90) days of the date that the positive sample was collected. Any employee who is not re-qualified to return duty within ninety (90) days may be immediately terminated.

(c) – Substance Abuse Professional (SAP)

The Town Council or Board of Public Works may rely upon the opinion of a Substance Abuse professional, who shall have authority to advise:

- 1) whether or not a substance abuse problem exists;
- 2) what, if any, treatment should be prescribed;
- 3) whether or not any prescribed treatment has been successfully complete and

- 4) maintained;
- 5) whether control substance tests, alcohol tests or both are advisable for return to duty and follow-up testing;
- 6) when and how may follow-up tests should be administered according to the Follow-Up Test Guidelines this ordinance; and
- 7) if the Town Council or Board of Public Works should grant the employee clearance to return to duty.

(d) – Re-Qualification Notes

Under no circumstances shall the employee return to duty less than forty-eight (48) hours from the time that any positive sample is collected.

The Town of Sellersburg does not guarantee that a job position will be left vacant or that there will be a new position for an employee should the employee regain qualified status. However, the former employee or employee may be considered for immediate rehire after the employee regains qualified status.

Copies of the Drug and Alcohol Policy and Procedures shall be distributed to all Town employees and shall be provided to all newly hired employees at the time a provisional offer of employment is made. All present and future Town employee affected by this policy shall sign a letter of acknowledgement pertaining to this ordinance upon passage.

Section IX – Miscellaneous Provisions

Effective date. This ordinance shall become effective fourteen (14) days after its passage, approval and publication.

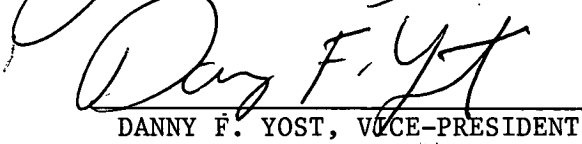
Each Section Adopted Separately. Each section of this ordinance is adopted separately. In the event that any provision, part or section of this ordinance is deemed to be illegal or invalid only that part or section shall be repealed. The remaining parts or sections of the ordinance shall remain in effect.

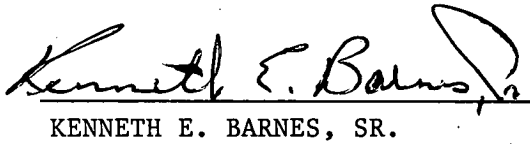
Ordinance Subject To Other Laws. This ordinance does not supercede Federal or State laws, statutes or regulations, except as allowed. Should an employee be subject to immediate termination or other discipline under the terms this ordinance it shall be in accordance with the requirements of superceding authority.

Conviction of Crime. If any employee of the Town is convicted, in a court of law, of a criminal offense involving alcohol or controlled substances, the employee is subject to immediate termination of employment. If any employee of the Town is charged, in a court of law, of a criminal offense involving alcohol or controlled substances, the employee is subject to suspension, with or without pay, at the discretion of the Board of Public Works.

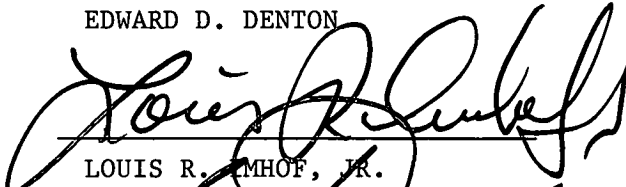
This ordinance was passed and adopted by the Town Council for the Town of Sellersburg, Clark County, State of Indiana, on the 24th day of April, 2000.

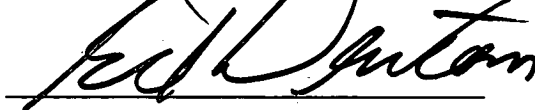

JAMES H. LAMASTER, PRESIDENT


DANNY F. YOST, VICE-PRESIDENT

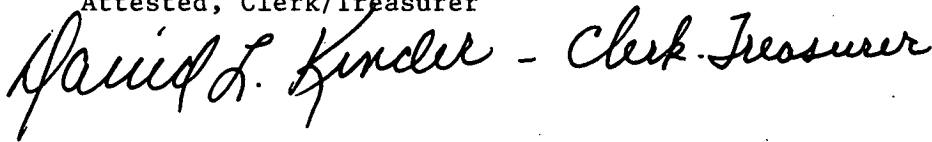

KENNETH E. BARNES, SR.

EDWARD D. DENTON


LOUIS R. MOHR, JR.



Attested, Clerk/Treasurer

 - Clerk-Treasurer

ORDINANCE NO. 2000- 004

AN ORDINANCE ESTABLISHING A PETTY CASH FUND FOR THE
SELLERSBURG STREET DEPARTMENT

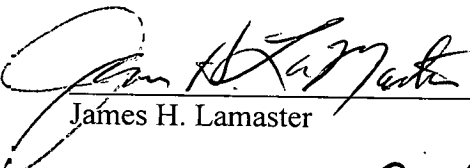
WHEREAS, the Town Council for the Town of Sellersburg believes that the
Town of Sellersburg Street Department should have a Petty Cash Fund in the amount of
\$150.00; and

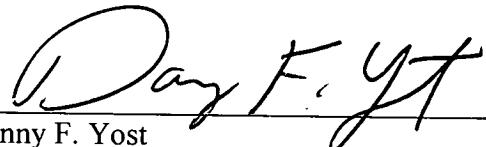
WHEREAS, the Town Council for the Town of Sellersburg has determined that
the herein ordinance is necessary for the efficient and effective administration of the
Town Government; and

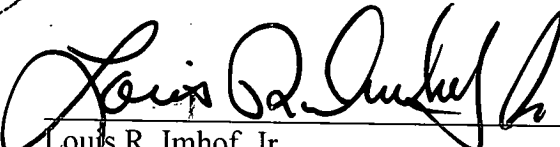
WHEREAS, the Town Council considers this matter an open meeting which the
public are invited to attend and participate; and

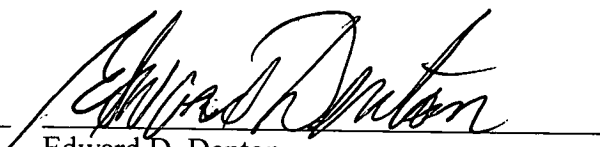
BE IT THEREFORE NOW ORDAINED that the Town of Sellersburg Street
Department shall have a Petty Cash Fund in the amount of \$150.00.

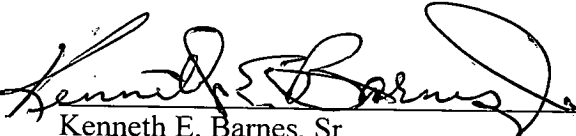
SO ORDAINED THIS 10th DAY OF January, 2000.

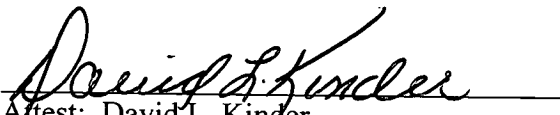

James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clark-Treasurer

ORDINANCE NO. 2000-5

AN ORDINANCE AMENDING ORDINANCE NO. 99-721 REGARDING 2000
SALARY, HOLIDAY AND LONGEVITY PAY

WHEREAS, the Sellersburg Town Council did on the 8TH day of
AUGUST, 1999, adopt Ordinance No. 99-721, establishing 2000
Salary, Holiday and Longevity Pay; and

WHEREAS, the Sellersburg Town Council has determined that said
Ordinance should be amended to accurately reflect the new rates of pay for
the Chief Deputy Clerk and Town Hall Clerk; and

WHEREAS, the Sellersburg Town Council has determined that said
Ordinance should be amended for the efficient and effective administration
of Town Government; and

WHEREAS, the herein Ordinance was considered at an open meeting
of the Sellersburg Town Council to which the public were invited to attend
and participate.

BE IT THEREFORE NOW ORDAINED that Ordinance No. 99-721,
regarding 2000 Salary, Holiday and Longevity Pay be amended as follows:

The hourly rate for the Chief Deputy Clerk shall be changed from
\$9.89 per hour to \$10.25 per hour;

The hourly rate for the Town Hall Clerk shall be changed from \$8.79
per hour to \$9.50 per hour.

The amendment to Ordinance No. 99-721 shall be retroactive to
January 1, 2000.

All other provisions of Ordinance No. 99-721 shall remain in full force and effect.

SO ORDAINED THIS 14th FEBRUARY DAY OF ~~JANUARY~~, 2000.

YEAS:

NAYS:

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

ATTEST: [Signature]
David Kinder
Clerk/Treasurer

ORDINANCE NO. 2000-006

AN ORDINANCE AMENDING ORDINANCE NO. 95-619 REGARDING
COLLECTION OF YARD WASTE, LEAVES, AND BRANCHES

WHEREAS, the Sellersburg Town Council did on the 24th day of April, 1995,
pass Ordinance No. 95-619, concerning the disposal of yard waste, leaves, and branches;
and

WHEREAS, the Sellersburg Town Council has received numerous inquires about
increasing the number of containers for yard waste materials to be collected by the Town
of Sellersburg; and

WHEREAS, the Sellersburg Town Council has determined that said Ordinance
should be amended for the efficient and effective administration of Town Government;

BE IT THEREFORE NOW ORDAINED by the Sellersburg Town Council that
Ordinance No. 95-619, shall be and hereby is amended and that each owner and occupant
within the Town of Sellersburg which is served by the Town of Sellersburg municipal
refuge and garbage collection services shall be entitled to dispose of six (6) bags of yard
waste per pick up, or in the alternative, two (2) thirty-two (32) gallon containers which
have been clearly marked for yard waste. Each owner and occupant shall be entitled to
dispose of twelve (12) thirty (30) gallon bags per month, or four (4) thirty-two (32) gallon
containers per month, whichever the occupant shall elect.

All other provisions of Ordinance No. 95-619 not in conflict where with shall

remain in full force and effect without modification or amendment.

SO ORDAINED THIS 8 DAY OF MAY, 2000.

YEAS:

NAYS:

[Signature]
Kenneth E. Barnd
Paul. Oudej
Ray F. J...
Ed. H. Man

ATTEST:

David L. Kinder
David Kinder
Clerk/Treasurer

ORDINANCE NO. 2000-7

ORDINANCE FOR STOP SIGN LOCATED AT
HAMPTON COURT AND REGENTS PARK.

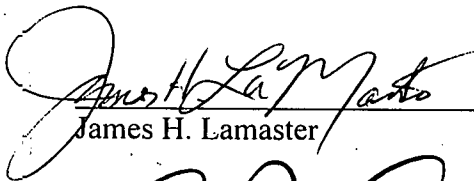
WHEREAS, the Sellersburg Town Council has determined that it is necessary for a stop sign to be placed at the intersection of Hampton Court and Regions Park; and

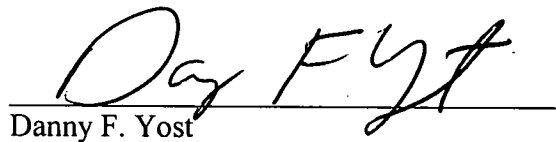
WHEREAS, the Sellersburg Town Council has determined that said stop sign is necessary for the efficient and effective administration of Town Government; and

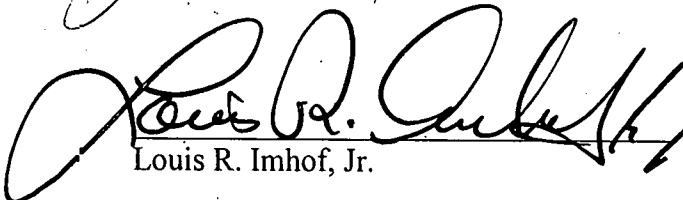
WHEREAS, the herein Ordinance was considered at an open meeting of the Sellersburg Town Council to which the public were invited to attend and participate.

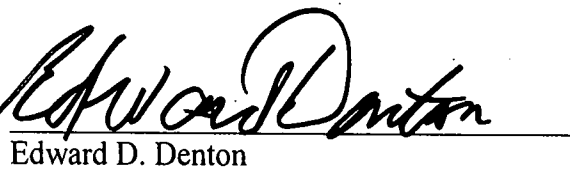
BE IT THEREFORE NOW ORDAINED that a stop sign shall be placed at the intersection of Hampton Court and Regents Park.

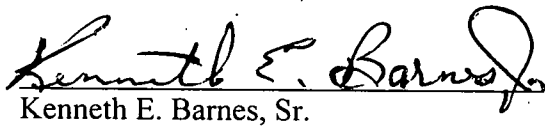
SO ORDAINED THIS 26th DAY OF JUNE, 2000.

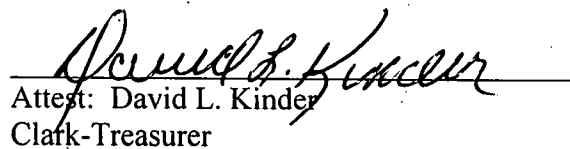

James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clark-Treasurer

ORDINANCE NO. 2000- 008

ORDINANCE FOR STOP SIGN LOCATED AT SOUTH & EDGELAND AVE.

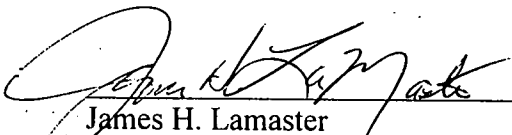
WHEREAS, the Sellersburg Town Council has determined that it is necessary for a stop sign to be placed at the intersection of South and Edgeland Ave; and

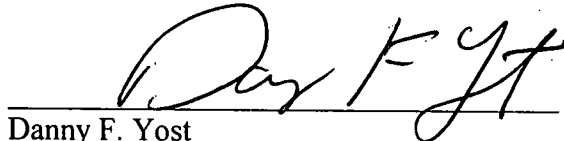
WHEREAS, the Sellersburg Town Council has determined that said stop sign is necessary for the efficient and effective administration of Town Government; and

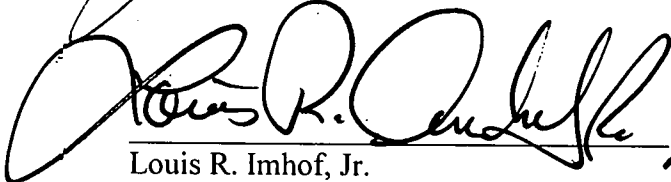
WHEREAS, the herein Ordinance was considered at an open meeting of the Sellersburg Town Council to which the public were invited to attend and participate.

BE IT THEREFORE NOW ORDAINED that a stop sign shall be placed at the intersection of South and Edgeland Ave.

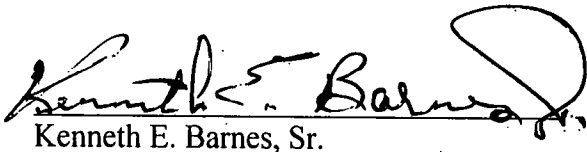
SO ORDAINED THIS 26th DAY OF JUNE, 2000.

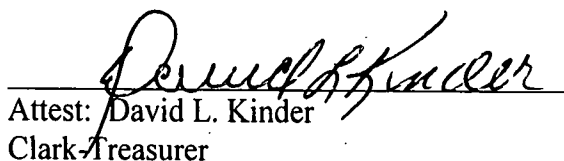

James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clark-Treasurer

ORDINANCE NO. 2000- 009

ORDINANCE ESTABLISHING HEALTH
INSURANCE BENEFITS FOR TOWN OF SELLERSBURG
EMPLOYEE AND PREMIUM RESPONSIBILITY

WHEREAS, the Town Council for the Town of Sellersburg has determined that is it necessary to provide Health Insurance coverage for its employees; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that the Town shall be responsible for a percentage of the premiums associated with said health insurance coverage for its employees; and

WHEREAS, the Town Council for the Town of Sellersburg has received substantial information from its health insurance provider's agent, Joe Olson, and

WHEREAS, the Town Council for the Town of Sellersburg has determined the exact amount of premiums the Town shall pay on behalf of its employees as well as the exact amount of premiums the Town employee shall be responsible for paying; and

WHEREAS, this matter was considered at an open meeting at which the public were invited to attend and participate.

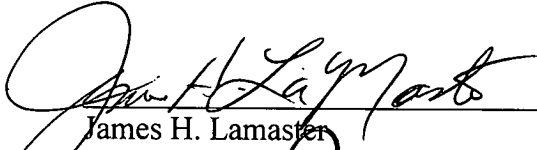
BE IT NOW THEREFORE ORDAINED by the Town Council for the Town of Sellersburg as follows:

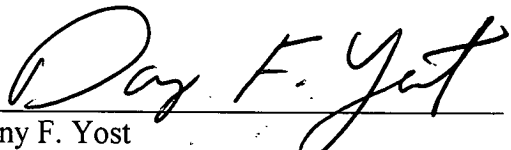
1. The Town shall pay on behalf of its employee \$52.19 per week of the total premium for single coverage, the employee shall be responsible for \$.53 per week of the total premium.
2. The Town of Sellersburg shall pay on behalf of its employee who has children, \$73.28 per week of the total premiums, the employee shall be responsible for \$21.62 per week of the total premium.
3. The Town of Sellersburg shall pay on behalf of its employee and spouse \$81.19 per week of the total premiums, the employee shall be responsible for \$29.53 per week of the total premium.
4. The Town of Sellersburg shall pay on behalf of an employee and family the amount of \$102.28 per week of the total premiums, the employee shall be responsible for \$50.60 per week of the total premium.

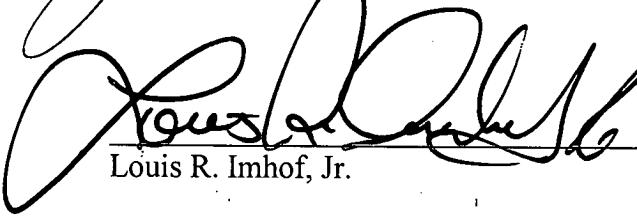
The above reflects the Town Council for the Town of Sellersburg decision to pay 99% of the total premiums on behalf of the employee and 50% of the total premiums as it concerns dependants for health insurance.

This ordinance shall be made retroactive to the 26th day of June, 2000 and shall amend and supersede all other ordinance which concern health insurance coverage for the Town of Sellersburg employees.

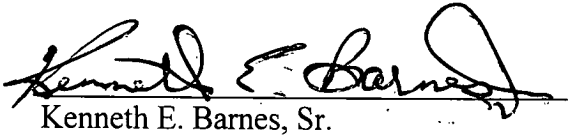
SO ORDAINED THIS 26th DAY OF JUNE, 2000.

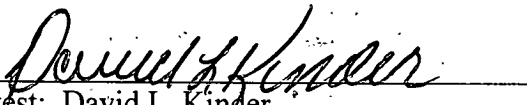

James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clark-Treasurer

ORDINANCE 2000-010

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 COUNCIL of the TOWN OF SELLERSBURG, Clark County, Indiana, THAT FOR THE EXPENSES OF SAID MUNICIPAL CORPORATION THE FOLLOWING ADDITIONAL SUMS OF MONEY ARE HEREBY APPROPRIATED AND ORDERED SET APART OUT OF SEVERAL FUNDS THEREIN NAMED AND FOR THE PURPOSES HEREIN SPECIFIED, SUBJECT TO THE LAWS GOVERNING THE SAME:

GENERAL FUND

- # 1 PERSONAL SERVICES
- # 2 SUPPLIES
- #3 OTHER SERVICES AND CHARGES
- #4 CAPITAL OUTLAY

TOWN COUNCIL

# 124 Group Insurance	\$ 5,000.00
# 371 Animal Shelter	10,000.00
# 392 Instruction & Seminars	500.00
# 394 Miscellaneous Services	15,000.00
# 395 Judgements & Settlements	20,000.00

TOTAL FOR TOWN COUNCIL \$50,500.00

CLERK /TREASURER'S OFFICE

# 124 Group Insurance	\$ 5,000.00
# 213 Clerk/Treasurer Office Supplies	5,000.00
# 314 Consulting Services	5,000.00
# 323 Telephone and Pagers	5,000.00
# 364 Repairs to Town Hall	10,000.00
# 392 Instruction and Seminars	5,000.00
# 441 Clerk/Treasurer Office Equipment	20,000.00

TOTAL FOR CLERK/TREASURER \$55,000.00

STREET AND SANITATION

# 124 Group Insurance	\$10,000.00
# 125 Civil Retirement	5,000.00
# 232 Universal Uniforms	5,000.00
# 242 Miscellaneous Supplies	2,000.00
# 323 Telephone and Pagers	5,000.00
# 381 Garbage Contract	5,000.00
# 394 Miscellaneous	3,000.00

TOTAL FOR STREET AND SANITATION \$35,000.00

POLICE DEPARTMENT

# 124 Group Insurance	\$ 5,000.00
# 213 Office Supplies	2,000.00

ORDINANCE 2000-010

Page 2

# 223	Police Equipment	10,000.00
# 232	Universal Uniforms	1,000.00
# 323	Telephone and Pagers	2,000.00
# 363	Maintenance Police Vehicles	5,000.00
# 393	Police Training	5,000.00
# 394	Miscellaneous Services	5,000.00
# 395	Matching Funds for Grants	15,000.00

TOTAL FOR POLICE DEPARTMENT \$50,000.00

ANIMAL CONTROL

# 124	Group Insurance	\$ 5,000.00
# 242	Miscellaneous Supplies	1,000.00
# 323	Telephone and Pagers	5,000.00
# 393	Miscellaneous Services	2,000.00

TOTAL FOR ANIMAL CONTROL \$13,000.00

TOTAL FOR GENERAL FUND \$203,500.00

LOCAL ROADS AND STREET

# 398	Paving	\$100,000.00
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TOTAL FOR LOCAL ROADS AND STREET \$100,000.00

MOTOR VEHICLE HIGHWAY

# 397	Paving and Culverts	\$150,000.00
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TOTAL FOR MOTOR VEHICLE HIGHWAY \$150,000.00

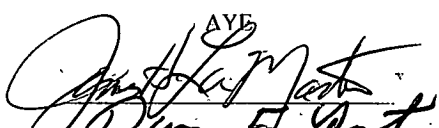
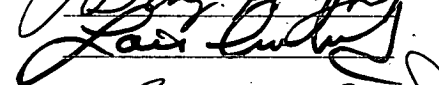
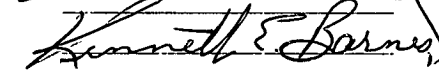
PARKS

# 245	Other Supplies	\$ 2,000.00
# 311	Consulting Services	1,000.00
# 394	Miscellaneous Services & Charges	2,000.00

TOTAL FOR PARKS DEPARTMENT \$5,000.00

LAW ENFORCEMENT CONTINUING EDUCATION (L.E.C.E.) \$10,000.00

ADOPTED THIS 10TH DAY OF JULY, 2000.

	AYE	
	NAY	
		
		

ATTESTED:

Clerk/Treasurer

ORDINANCE NO. 2000- 011

AN ORDINANCE ESTABLISHING A PETTY CASH FUND FOR THE
SELLERSBURG SWIMMING POOL

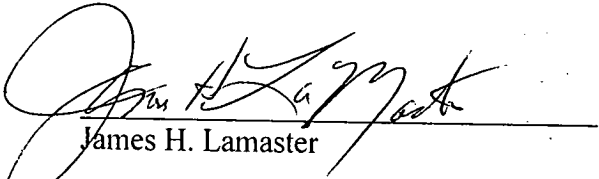
WHEREAS, the Town Council for the Town of Sellersburg believes that the
Town of Sellersburg Swimming Pool should have a Petty Cash Fund in the amount of
\$ 100.00; and

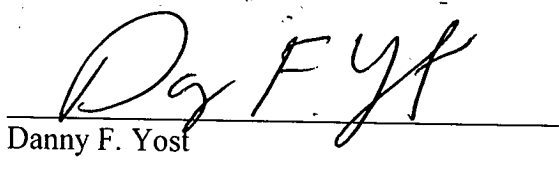
WHEREAS, the Town Council for the Town of Sellersburg has determined that
the herein ordinance is necessary for the efficient and effective administration of the
Town Government; and

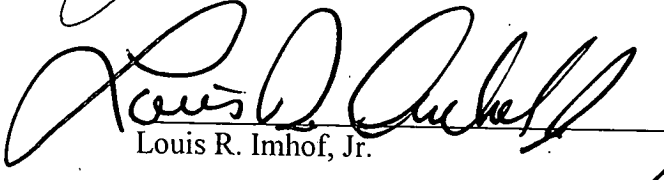
WHEREAS, the Town Council considers this matter an open meeting which the
public are invited to attend and participate; and

BE IT THEREFORE NOW ORDAINED that the Town of Sellersburg Swimming
Pool shall have a Petty Cash Fund in the amount of \$ 100.00.

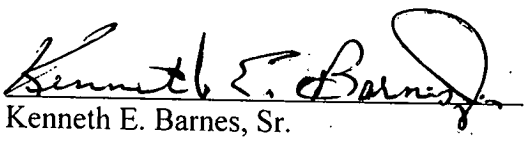
SO ORDAINED THIS 10th DAY OF July, 2000.

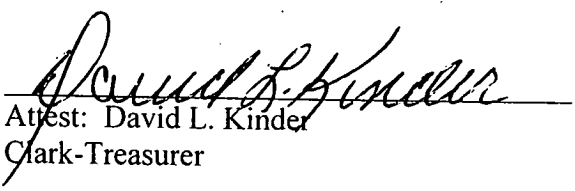

James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clark-Treasurer

ORDINANCE NO. 2000- 012

ORDINANCE REDUCING SPEED LIMIT ON WEST UTICA STREET,
SELLERSBURG, INDIANA

WHEREAS, the Town Council for the Town of Sellersburg has been advised by the Town of Sellersburg Chief of Police that it is in the best interest of the public safety to decrease the speed limit on West Utica Street from 30 miles per hour to 25 miles per hour; and

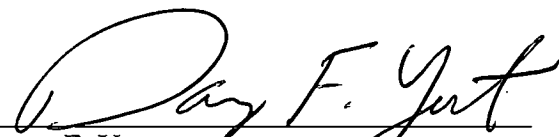
WHEREAS, the Town Council for the Town of Sellersburg has determined that the reduction of said speed limit will be an effective safety measure for the Town of Sellersburg residents and those persons who operate vehicles upon said roadway; and

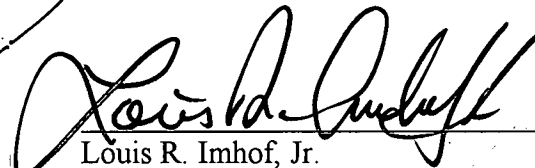
WHEREAS, the Town Council for the Town of Sellersburg has considered this ordinance in an open meeting to which the public were invited to attend and participate.

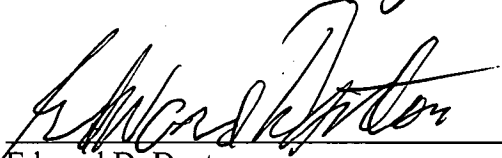
BE IT THEREFORE NOW ORDAINED by the Town Council for the Town of Sellersburg that the speed limit on West Utica Street shall be and hereby is reduced from 30 miles per hour to 25 miles per hour, effective upon proper publication of the herein ordinance.

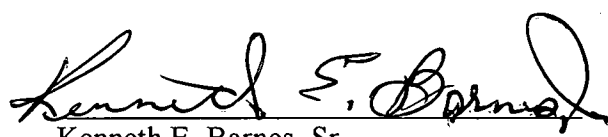
SO ORDAINED THIS 11th DAY OF September, 2000.

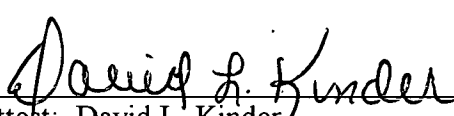

James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clark-Treasurer

ORDINANCE NO. 2000- 013

ORDINANCE ENFORCING A NO PARKING REQUIREMENT
ON UTICA STREET, TOWN OF SELLERSBURG, INDIANA

WHEREAS, the Town Council has determined that an Ordinance should be enacted for the no parking of vehicles on Utica Street, Indiana; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that said Ordinance is necessary for the efficient and effective administration of Town Government and the Safety of the Town of Sellersburg residents; and


WHEREAS, the Town Council for the Town of Sellersburg has conferred with the Chief of Police in regard to said Ordinance and has determined it is in the best interest of the residents of the Town of Sellersburg; and

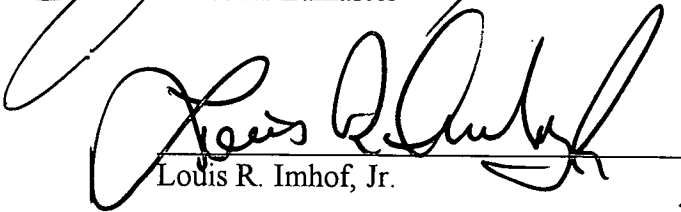
WHEREAS, this matter was considered at an open meeting at which the public was invited to attend and participate.

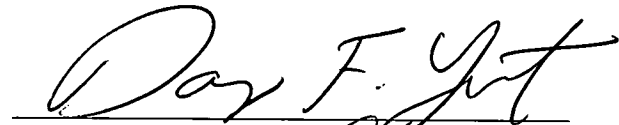
BE IT NOW THEREFORE ORDAINED by the Town Council for the Town of Sellersburg there shall be no parking of vehicles on both sides of the roadway on West Utica Street from State Route 31 to Ehringer Street.

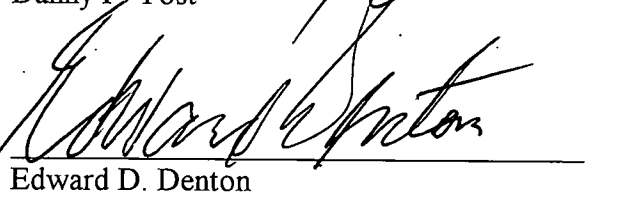
That the herein Ordinance shall become effective on the date of its passage by the Sellersburg Town Council.

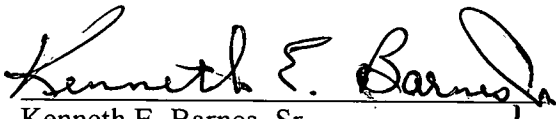
SO ORDAINED THIS 11th DAY OF September, 2000.

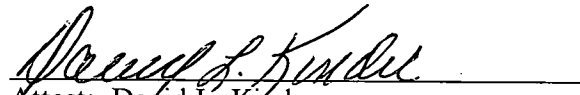

James H. Lamaster


Louis R. Imhof, Jr.


Danny F. Yost


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clark-Treasurer

Ordinance No. 2000-14
ORDINANCE FOR APPROPRIATIONS AND TAX RATES

Be it Ordained by the TOWN OF SELLERSBURG, Indiana: That for the expenses of the Town government and its institutions for the year ending December 31, 2001, the sums of money shown on Budget Form 4-A are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition for the purpose of raising revenue to meet the necessary expense of county, city and town government, tax rates are shown on Budget Form 4-B and included herein. Two (2) copies of Budget Forms 4-A and 4-B for all funds and departments are made a part of the budget report and submitted herewith.

COUNTY COUNCIL

Presented to the County Council of _____ County, Indiana, and read in full for the first time this _____ day of _____, 1997.

President County Council

ATTEST:

County Auditor and/or Clerk of County Council

Presented to the County Council of _____ County, Indiana, and read in full for the second time, and adopted this _____, 1997 by the following vote:

YEA

NAY

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

ATTEST:

County Auditor and/or Clerk of County Council

APPROVED BY:

COMMON COUNCIL

This ordinance shall be in full force and effect from and after its passage and approval by the Common Council and the Mayor. Adopted by the following vote on _____, 1997.

YEA

NAY

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Approved by the Mayor _____, 1997

Mayor

ATTEST:

City Clerk or Clerk-Treasurer

TOWN COUNCIL

This Ordinance shall be in full force and effect from and after its passage and approval by the Town Council. Adopted with the following vote on SEPTEMBER 18, 2000

YEA

NAY

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

ATTEST:

Town Clerk-Treasurer

Prescribed by the State Board of Tax Commissioners
Approved by the State Board of Accounts

Notice is hereby given the taxpayers of County, City, or Town of SELLEBURG, Indiana, that the Town Council of Sellersburg, Indiana, at SELLEBURG TOWN HALL on SEPTEMBER 5, yr 2000 at 6:00 p.m. will conduct a public hearing on the budget. Following this meeting, any ten or more taxpayers may object to a budget, tax rate, or tax levy by filing an objection petition with the proper officers of the political subdivision within seven days after the hearing. The objection petition must identify the provisions of the budget, tax rate or tax levy that taxpayers object to. If a petition is filed, the political subdivision shall adopt with its budget a finding concerning the objections filed and testimony presented. Following the aforementioned hearing, the Council will meet at SELLEBURG TOWN HALL on SEPTEMBER 18, yr 2000, at 6:00 p.m. to adopt the following budget.

BUDGET ESTIMATE

Net Assessed Value 37,931,300

Complete details of budget estimates by fund and/or department may be seen at the County Auditor, City Controller, or Clerk-Treasurer's Offices.

Table with columns: Fund Name, Budget Estimate, Maximum Estimated Funds To Be Raised (including appeals and levies exempt from maximum levy limitations), Excessive Levy Appeals (included in Column 3), Current Tax Levy. Rows include GENERAL, PARK & RECREATION, MPP, LRS, MVH, CCI, CCD.

Table with columns: Fund Name, Budget Estimate, Maximum Estimated Funds To Be Raised (including appeals and levies exempt from maximum levy limitations), Excessive Levy Appeals (included in Column 3), Current Tax Levy. Includes a TOTAL row at the bottom with values 2,731,251.00, 1,234,283.00, 0.00, and 1,147,174.00.

The 2001 estimated maximum levy limitation for the unit is 1,168,675 (Compares to Controlled Levies box above)

The Property Tax Replacement Credit used to reduce the rate for this unit is 0

Taxpayers appearing at the hearing shall have an opportunity to be heard. After the tax levies have been determined, fixed by the appropriate governing body, and the tax rates published by the County Auditor, ten or more taxpayers objecting to the levies may appeal to the State Board of Tax Commissioners by filing a petition with the County Auditor. The petition must be filed on or before the tenth day after publication of the tax rates charged. Upon certification of the objecting by the County Auditor, the State Board of Tax Commissioners will set a date for a hearing in this county.

Date: August 21, 2000

David B. Kinzie
(Clerk-Treasurer)

2001 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

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

NOW, THEREFORE, BE IT ORDAINED, this 18TH day of SEPTEMBER, 2000 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, 2001.

GENERAL FUND

TOWN COUNCIL MEMBER (PRESIDENT)	7066.20 PER YEAR
TOWN COUNCIL MEMBER	5866.20 PER YEAR
TOWN COUNCIL MEMBER	5866.20 PER YEAR
TOWN COUNCIL MEMBER	5866.20 PER YEAR
TOWN COUNCIL MEMBER	5866.20 PER YEAR
TOWN MANAGER	30000.00 PER YEAR
TOWN ATTORNEY	28000.00 PER YEAR
CLERK TREASURER	30560.00 PER YEAR
CHIEF DEPUTY CLERK	23816.00 PER YEAR (LONGEVITY 2115.00)
TOWN HALL CLERK	23504.00 PER YEAR (LONGEVITY 705.00)
POLICE COMMISSIONER	600.00 PER YEAR
POLICE COMMISSIONER	600.00 PER YEAR
POLICE COMMISSIONER	600.00 PER YEAR
POLICE COMMISSIONER	600.00 PER YEAR
POLICE COMMISSIONER	600.00 PER YEAR
PARKS BOARD MEMBER	600.00 PER YEAR
PARKS BOARD MEMBER	600.00 PER YEAR
PARKS BOARD MEMBER	600.00 PER YEAR
PARKS BOARD MEMBER	600.00 PER YEAR
PARKS BOARD MEMBER	600.00 PER YEAR
PLANNING COMMISSION MEMBER	600.00 PER YEAR
PLANNING COMMISSION MEMBER	600.00 PER YEAR
PLANNING COMMISSION MEMBER	600.00 PER YEAR
PLANNING COMMISSION MEMBER	600.00 PER YEAR
PLANNING COMMISSION MEMBER	600.00 PER YEAR
ZONING APPEALS MEMBER	600.00 PER YEAR
ZONING APPEALS MEMBER	600.00 PER YEAR
ZONING APPEALS MEMBER	600.00 PER YEAR
ZONING APPEALS MEMBER	600.00 PER YEAR
ZONING APPEALS MEMBER	600.00 PER YEAR
ZONING APPEALS SECRETARY	600.00 PER YEAR

**2001 SALARY, HOLIDAY AND LONGEVITY PAY
CONTINUED**

POLICE DEPARTMENT

	<u>HOURLY</u>	<u>LONGEVITY</u>
DISPATCHER/SECRETARY	11.00 PER HOUR	1747.20
DISPATCHER	10.75 PER HOUR	1310.40
DISPATCHER	10.50 PER HOUR	436.80
DISPATCHER	10.50 PER HOUR	436.80
DISPATCHER	10.50 PER HOUR	436.80
PART-TIME DISPATCHER	10.00 PER HOUR	-0-

Starting Pay for dispatchers hired in 2001 will be 10.25 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 x and average of 10.63 per hour.

	<u>SALARY</u>	<u>HOLIDAY</u>	<u>LONGEVITY</u>
CHIEF OF POLICE	40435.20(19.44)	1399.68	4439.70
ASSISTANT CHIEF(TBA)	36820.00(17.75)	1278.00	-0-
CAPTAIN (TBA)	30721.60(14.77)	1063.44	-0-
SERGEANT	31824.00(15.30)	1101.60	1479.90
SERGEANT	31824.00(15.30)	1101.60	5919.60
SERGEANT	31824.00(15.30)	1101.60	1183.92
1 ST CLASS PATROLMAN	29598.40(14.23)	1024.56	3847.74
1 ST CLASS PATROLMAN	29598.40(14.23)	1024.56	1183.92
1 ST CLASS PATROLMAN	29598.40(14.23)	1024.56	887.94
1 ST CLASS PATROLMAN	29598.40(14.23)	1024.56	887.94
1 ST CLASS PATROLMAN	29598.40(14.23)	1024.56	591.96
1 ST CLASS PATROLMAN	29598.40(14.23)	1024.56	591.96
1 ST CLASS PATROLMAN	29598.40(14.23)	1024.56	-0-

*Patrolman hired in 2000 will receive an increase in pay on their one year anniversary date to equal a 1st Class Patrolman's pay. Holiday pay will also be adjusted to equal that of a 1st Class Patrolman.

*Patrolman hired in 2001 will receive a starting pay of 27,352.00(13.15 per hour) plus holiday pay at 13.15 per hour per holiday.

STREET AND SANITATION DEPARTMENT

	<u>WEEKLY</u>	<u>HOURLY</u>	<u>LONGEVITY</u>
SUPERINTENDENT	684.00	17.10	4492.80
TRUCK DRIVER	520.00	13.00	4742.40
LABORER/CREW LEADER	520.00	13.00	748.80
LABORER	500.00	12.50	3744.00
LABORER	500.00	12.50	499.20
LABORER	480.00	12.00	4992.00
LABORER	480.00	12.00	3244.80
LABORER	480.00	12.00	1248.00

2001 SALARY, HOLIDAY AND LONGEVITY PAY
CONTINUED


ANIMAL CONTROL

ANIMAL CONTROL OFFICER

350.00 PER WEEK

The Salary Ordinance is subject to change due to section 03.02-VACATIONS, in the Policies and Procedures Manual adopted by the Sellersburg Town Council 05/11/92.

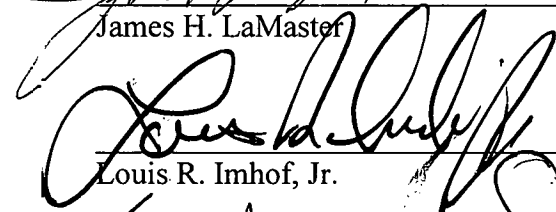
SO ORDAINED THIS 18TH DAY OF SEPTEMBER, 2000 FOR THE COMING YEAR OF 2001.



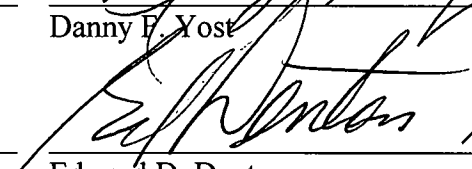
James H. LaMaster



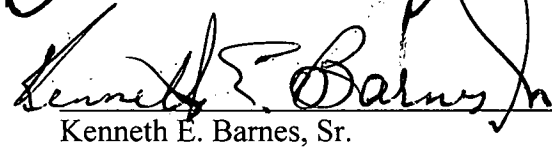
Danny F. Yost



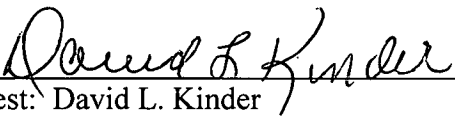
Louis R. Imhof, Jr.

 10-9-00

Edward D. Denton



Kenneth E. Barnes, Sr.



Attest: David L. Kinder
Clerk/Treasurer

ORDINANCE NO. 2000- 016

ORDINANCE REGARDING LONGEVITY PAY FOR
ELIGIBLE EMPLOYEES OF THE TOWN OF SELLERSBURG STREET AND
SANITATION DEPARTMENT, CLERK TREASURERS
OFFICE, POLICE DISPATCHERS AND ANIMAL CONTROL OFFICER

WHEREAS, the Town Council for the Town of Sellersburg has determined that the longevity pay rate for eligible full time employees of the Town of Sellersburg should be amended; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that said change is necessary for the efficient and effective administration of the Town government; and

WHEREAS, the Town Council for the Town of Sellersburg considered this matter in an open meeting to which the public were invited to attend and participate.

BE IT NOW THE RESOLUTION OBTAINED by the Town Council for the Town of Sellersburg as follows:

(a) Generally after an eligible employee has completed two (2) consecutive, full time, non-interrupted years of service to the Town of Sellersburg as an employee of the street and sanitation department, the Clerk-Treasurers Office or in a police dispatchers position or animal control officer, he or she shall receive, on his/her anniversary date, an amount equal to 1% of the base salary of an entry level position in their respective department, which the applicable base salary being that set for a entry level position within that department for the year that the payment is due. For each year thereafter, up to and including the eligible employee's twentieth (20th) year of service to their respective department, he or she shall receive on his/her anniversary date, an amount equal to 1% of the base salary for an entry level position in said department, with the applicable base salary being that set for an entry level position in that department for

the year that the payment is due. The amount of longevity pay for an eligible employee is accumulating, meaning that any amount paid to him or her for prior years shall carry over and accrue to any succeeding year or years. The eligible employee shall receive an amount equal to 1% of the base salary of an entry level position for the department in which they serve, multiplied by the number of years of service. An eligible employee shall not be entitled to longevity pay for any year or years after he/she has completed twenty (20) years of service in their respective department.

(b) That longevity pay shall continue to accumulate while the eligible employee is employed with the Town of Sellersburg as a full time employee regardless of the transfer to another department within the Town of Sellersburg.

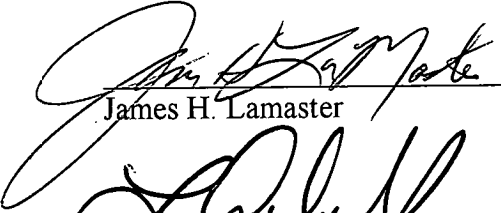
(c) ONE TIME LUMP SUM: Eligible employees who have served at least two (2) consecutive, full-time non-interrupted years of service to the Town of Sellersburg in their respective department as of the adoption of the herein ordinance, shall receive, on his or her anniversary date, the lump sum amount equal to 1% of the base salary of an entry level employee for each department for the year payment is due, multiplied by the number of years of service that the eligible employee has to the Town of Sellersburg in their respective department. This is a one time payment, and those employees who have completed twenty (20) or more years of service to the Town of Sellersburg shall not be entitled to any future longevity pay, as set forth in the proceeding paragraph.

(d) That longevity pay shall accumulate as long as the individual is a full time employee with the Town of Sellersburg regardless of any transfer of the employee to

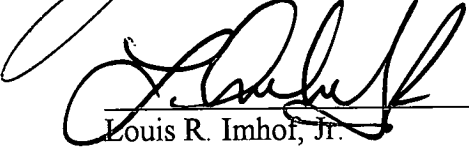
another department within the Town of Sellersburg.

This Ordinance shall become effective January 1, 2001

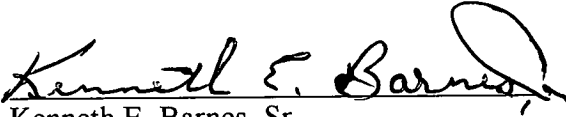
SO ORDAINED THIS 18 DAY OF September, 2000.

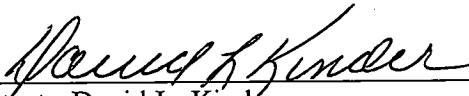

James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clark-Treasurer

ORDINANCE NO. 2000-017

ORDINANCE AMENDING ORDINANCE NO. 96-645 REGARDING
LONGEVITY PAY FOR ELIGIBLE EMPLOYEES OF THE POLICE DEPARTMENT

WHEREAS, the Town Council for the Town of Sellersburg did in 1996 pass Ordinance No. 96-645 regarding longevity pay for eligible employees of the Town of Sellersburg Police Department; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that the longevity pay rate for eligible employees of the Town of Sellersburg Police Department should be amended; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that said amendment to this ordinance is necessary for the efficient and effective administration of the Town government; and

WHEREAS, the Town Council for the Town of Sellersburg considered this matter an open meeting to which the public were invited to attend and participate.

BE IT NOW THEREFORE ORDAINED by the Town Council for the Town of Sellersburg, Ordinance No. 96-645 shall be amended and read as follows:

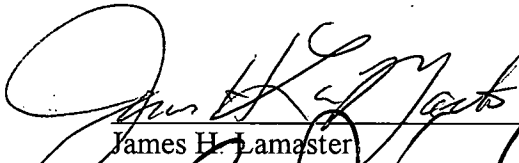
(a) Generally, after an eligible employee has completed two (2) consecutive, full time, non-interrupted years of service to the Sellersburg Police Department, he or she shall receive, on his/her anniversary date, an amount equal to 1% of the base salary of a first class police officers, which the applicable base salary being that set for a first class police officer for the year that the payment is due. For each year thereafter, up to and including the eligible employee's twentieth (20th) year of service to the Sellersburg Police Department, he or she shall receive on his/her anniversary date, an amount equal to 1% of the base salary of a first class police officer, with the applicable base salary being that set for a first class police officer for the year that the payment is due. The

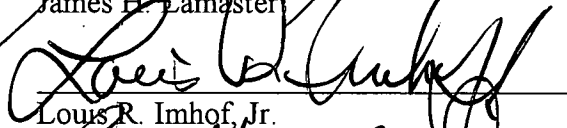
amount of longevity pay for an eligible employee is accumulating, meaning that any amount paid to him or her for prior years shall carry over and accrue to any succeeding year or years. The eligible employee shall receive an amount equal to 1% of the base salary of a first class police officer multiplied by the number of years of service. An eligible employee shall not be entitled to longevity pay for any year or years after he/she has completed twenty (20) years of service to the Sellersburg Police Department.

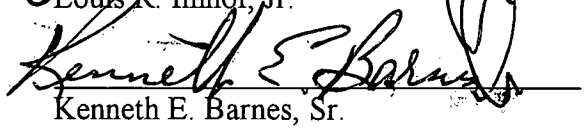
(b) ONE TIME LUMP SUM: Eligible employees who have served at least two (2) consecutive, full-time non-interrupted years of service to the Sellersburg Police Department as of the adoption of the herein amended ordinance, shall received, on his or her anniversary date, the lump sum amount equal to 1% of the base salary of a first class police officer for the year payment is due, multiplied by the number of years of service that the eligible employee has to the Sellersburg Police Department. This is a one time payment, and those employees who have completed twenty (20) or more years of service to the Sellersburg Police Department shall not be entitled to any future longevity pay, as set forth in the proceeding paragraph.


This ordinance shall become effective January 1, 2001.

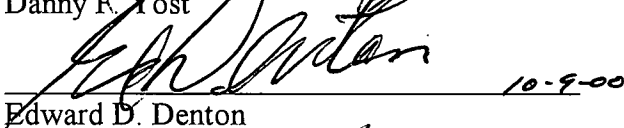
SO ORDAINED THIS 18 DAY OF September, 2000.

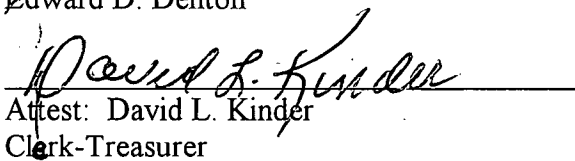

James H. Lamaster


Louis R. Imhof, Jr.


Kenneth E. Barnes, Sr.


Danny F. Yost


Edward D. Denton 10-9-00


Attest: David L. Kinder
Clerk-Treasurer

ORDINANCE NO. 2000- 18

ORDINANCE PROHIBITING STOPPING AND PARKING
ON THE SCHOOL SIDE OF SCHELLERS AVENUE, SELLERSBURG, INDIANA

WHEREAS, the Town Council for the Town of Sellersburg has been advised by its Chief of Police for the need to implement a no parking and stopping zone along the South side of Schellers Avenue, Sellersburg, Indiana; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that the herein ordinance shall provide for the safe pick up and delivery of school children at St. Paul Elementary School; and

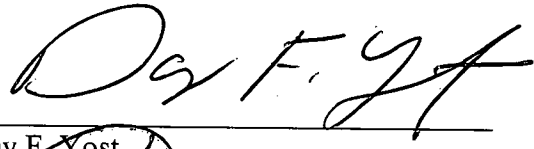
WHEREAS, the Town Council for the Town of Sellersburg has considered this ordinance in an open meeting to which the public were invited to attend and participate.

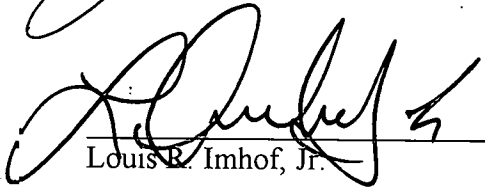
BE IT THEREFORE NOW ORDAINED by the Town Council for the Town of Sellersburg, there shall be a No Stopping and No Parking Zone along the school side of Schellers' Avenue where St. Paul Elementary School property begins, along the chain link fence, to the first stop sign on Schellers Avenue. This area shall be a no parking zone and no stopping zone from 6:00 a.m. to 4:00 p.m. Monday through Friday;

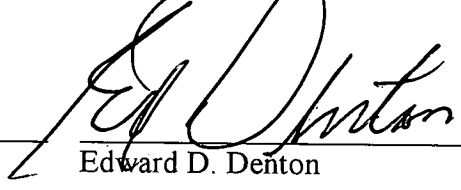
IT SHALL BE FURTHER ORDAINED by the Town Council for the Town of Sellersburg that any individual found to violate the herein ordinance shall be fined not less than \$25.00 and not more than \$100.00 per occurrence. This ordinance shall be effective thirty (30) days from the date of its publication.

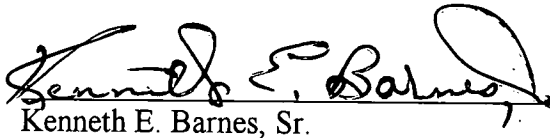
SO ORDAINED THIS 9th DAY OF October, 2000.

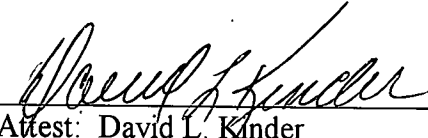

James H. Lamaster


Danny E. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clark-Treasurer

ORDINANCE NO. 2000- 19

ORDINANCE REGULATING THE DUMPING OF FILL
MATERIAL WITHIN THE TOWN OF SELLERSBURG, INDIANA

WHEREAS, the Town Council for the Town of Sellersburg has in place a solid waste dumping ordinance however, said ordinance does not address the dumping of fill material within the municipal limits of the Town of Sellersburg; and

WHEREAS, the Town Council for the Town of Sellersburg desires to enact local legislation which will deal effectively with the current status of dumping fill material within the municipal limits of the Town of Sellersburg; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that the herein ordinance is necessary for the efficient and effective administration of Town government; and

WHEREAS, the Town Council for the Town of Sellersburg has considered this ordinance in an open meeting at which the public were invited to attend and participate:

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

1. There shall be no landfill dumping within the municipal limits of the Town of Sellersburg without a State permit approving said landfill dumping;
2. Upon the issuance of a landfill dumping permit by the State of Indiana, the following fill dumping regulations shall apply;
3. That the herein ordinance is enacted to define the dumping, the control of the dumping and disposal of fill material within the municipal limits of the Town of Sellersburg and to establish the penalties for violation of the herein ordinance as well as providing for the clean up for any violation thereof. For purposes of this ordinance, the following definitions shall apply unless the context clearly indicates it requires a different meaning.

DUMPING – The discarding of items of solid waste commonly known as gravel, soil, earthen material, rock, concrete (whether whole or crushed), asphalt (whether whole or crushed), any construction or demolition materials.

PERSON – Any person, corporation, organization, partnership, or other entity.

DISCARDING – The disposal of any solid waste material which is abandoned, recycled or inherently waste like and which is placed upon land in a manner that constitutes the disposal of the same or is used to produce products that are applied to or

placed on the land or are otherwise contained in products that are applied to or placed on the land in which cases the product itself remains a solid waste.

FILL – Gravel, soil, rock, concrete (whether whole or crushed), asphalt (whether whole or crushed), construction or demolition materials or any combination thereof. To add earth, soil, rock, etc., to a low land until a required level is reached. A piece of land artificially raised to a required level.

4. No person shall engage in the filling or dumping at any location within the municipal limits of the Town of Sellersburg unless such location shall be an approved landfill site.

5. The Town Council for the Town of Sellersburg desires to regulate within its Town limits the dumping of any fill dirt in all areas within the municipal limits of the Town and specifically requires that each person whether having obtained a State permit for said landfill dumping shall present to the Town of Sellersburg Planning and Zoning Commission a proposal and plan for dumping of any fill dirt or material within the municipal limits of the Town of Sellersburg and obtain the approval of the Planning and Zoning Commission prior to the initiation of any fill material dumping.

6. If the Town of Sellersburg Planning and Zoning Commission refuses to grant approval to the person desiring to dump fill dirt within the municipal limits of the Town of Sellersburg, said person shall be entitled to file an appeal with the Sellersburg Town Council for consideration. The decision of the Sellersburg Town Council shall be final.

7. Any person who does not obtain approval by the Town of Sellersburg Planning and Zoning Commission or the Town of Sellersburg Town Council after a denial of approval by the Town of Sellersburg Planning and Zoning Commission and thereafter dumps fill dirt or other fill material, shall be fined not more than \$1,000.00 per day not less than \$250.00 per day for the violation. In addition, this person may be required to remove fill dirt or fill material which has been placed or dumped without the approval of the Town of Sellersburg Planning and Zoning Commission or the Town of Sellersburg Town Council.

a.) In the event the Town of Sellersburg shall be required to pursue legal action to prevent or stop dumping of fill dirt or fill material, if the person is found to be in violation of the herein ordinance, said individual will be required to pay the Town of Sellersburg's legal costs and fees associated with the enforcement of the herein ordinance.

b.) If the Town of Sellersburg Planning and Zoning Commission or the Town of Sellersburg Town Council grants the authority to the person for the dumping of fill dirt within the municipal limits of the Town of Sellersburg, the person who dumps said fill dirt shall state the time period in which said fill dirt will be allowed to be dumped, and the exact content of all fill material. In no event shall a person be authorized to dump fill

material within the municipal limits of the Town of Sellersburg for a period of more than three (3) months without obtaining an extension from the Town of Sellersburg Planning and Zoning Commission. If the Town of Sellersburg Planning and Zoning Commission refuses to grant the extension of time, the person shall be entitled to appeal their decision to the Sellersburg Town Council. The decision of the Town of Sellersburg Town Council shall be final.

8.) Anyone having knowledge of any dumping at any location throughout the Town of Sellersburg shall give such information to a law enforcement officer or the Town of Sellersburg Building Commissioner who shall investigate the site, along with the assistance of such other Town officials that are deemed necessary to determine from what source said fill material or fill dirt has originated, the manner of dumping, and whether the owner or person in possession of the property on which the fill dirt or fill material is located is aware and consented to said dumping.

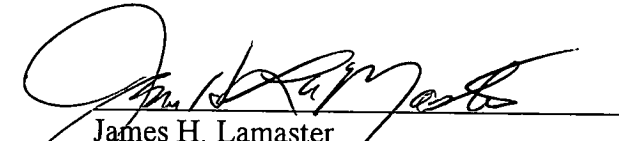
9.) Upon determining the identity of any originating person of fill dirt or fill material, the dumping of same or the consenting or permitting of the dumping of same in any location within the Town of Sellersburg, the Town Attorney shall issue an order directed to the person so identified and to the owner of said real property on which the dumping has occurred, to remove and clean up said fill dirt or fill material within the time period of no less than thirty (30) days. Failure to comply with this order shall require the Town attorney to initiate the clean up and removal of said fill material as required and all costs and expenses associated with the removal and clean up of said fill dirt or fill material, including but not limited to all land fill fees of an approved landfill site, and all Town law enforcement officials' time incurred in the enforcement of the herein ordinance, shall be chargeable to the person, individual, corporation, organization, partnership or entity identified with said dumping location.

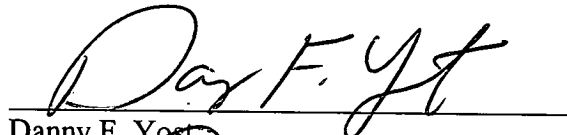
10. Any person identified as having violated the prohibited dumping provisions of the herein ordinance and who are owners of real property within the municipal limits of the Town shall have the cost of said clean up of the area billed to said property owner. If the property owner fails to pay the charges associated with the clean up within sixty (60) days from the date of mailing, then said costs shall be assessed and certified to the Clark County Auditor and Treasurer, said costs and assessment shall be placed on the tax roles of such property owner as an additional assessment for "dumping clean up" and shall be payable by such property owner in the same manner and subject to the same penalties as real property taxes. In the alternative, the Town Attorney shall be entitled to seek injunctive or other relief through the courts of Clark County, and obtain orders requiring individuals, corporations, partnerships, organizations, including non-profit organizations to clean up the dumping area and prohibiting further and future dumping in violation of this ordinance.

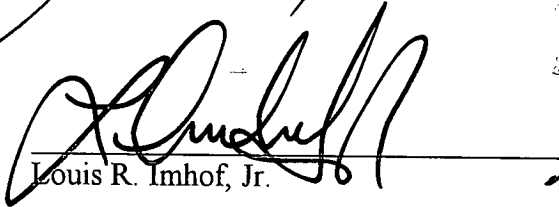
11. In the event that the area of dumping fill dirt or fill material is owned by more than one corporation, individual, or entity or there is information identifying more than one individual, person, corporation, or entity for the clean up of the whole dump

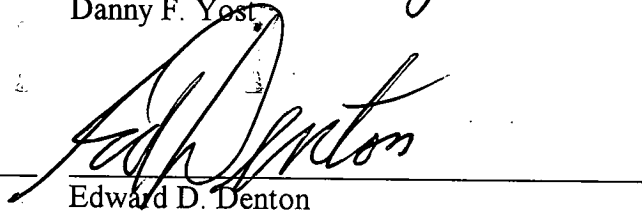
suite, all actions authorized under the herein ordinance shall be taken against any and all such violators regardless if other such individuals are located.

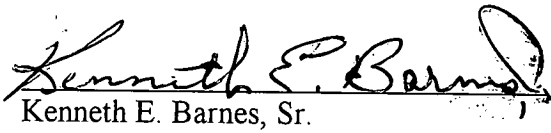
SO ORDAINED THIS 9th DAY OF October, 2000.

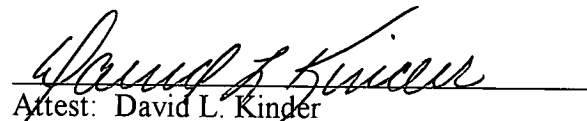

James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clark-Treasurer

ORDINANCE NUMBER 2000- 20

ORDINANCE AMENDING ORDINANCE NO. 316
AND ORDINANCE NO. 435 OF THE SELLERSBURG TOWN CODE AS IT
CONCERNS THE CONTROL OF PLANTS AND WEEDS WITHIN THE
MUNICIPAL LIMITS OF THE TOWN OF SELLERSBURG

WHEREAS, the Town Council for the Town of Sellersburg currently has in place an ordinance which concerns the control of plants and weeds within the limits of the Town of Sellersburg; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that said ordinance is not currently sufficient to address the control of plants and weeds within the municipal limits of the Town of Sellersburg; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that amendment to said ordinance is necessary for the efficient and effective administration of Town government; and

WHEREAS, the Town Council for the Town of Sellersburg has considered this ordinance in an open meeting at which the public were invited to attend and participate.

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

1. Weeds declared a nuisance. Any weeds such as jimson, burdock, ragweed, thistles, cocklebur, or other weeds of a like kind, found growing in any lot or tract of real property in the municipal limits of the Town of Sellersburg are hereby declared to be a nuisance, and it shall be unlawful to permit any such weeds to grow or remain in any such place.
2. Height. It shall be unlawful for any person to permit any weeds, grass, or plants, other than trees, bushes, flowers, or other ornamental plants to grow to a height exceeding ten (10) inches anywhere in the municipal limits of the Town of Sellersburg; any such plants or weeds exceeding such height are hereby declared to be a nuisance. Accepted from this definition are those area of agricultural land within the municipal limits of the Town of Sellersburg which harvest any crop or hay.
3. It shall be a nuisance and unlawful to plant or permit the growth of the bush of the species of tall, common or European Bar Berry, further known as berberis vulgaris or its horticultural varieties within the municipal limits of the Town of Sellersburg.

Removal and Notice. It shall be the duty of the Town of Sellersburg Police Department and/or the Town of Sellersburg Building Commissioner to serve or cause to be served a notice upon the owner or occupant of any premises on which weeds or plants are permitted to grown in violations of the provisions of the herein ordinance and to demand the abatement of the nuisance within five (5) days of said notice. If there is no occupant of said premises, notice shall be posted and attached to the front entrance way of the premises in a conspicuous location.

Abatement. If a person so served does not abate the nuisance within the five (5) days, the Sellersburg Police Department and/or Building Commissioner shall notify the Superintendent of the Street Department who shall proceed to abate such nuisance, keeping an account of the expenses incurred in performing all work necessary for the abatement, such expenses shall be calculated on an hourly rate equal to the hourly rate of pay for a regular employee of the street department, said expenses shall be charged and paid by the owner or occupant of said premises.

Lien. Charges for such weed removal shall be a lien upon the premises. Whenever a bill for such charge remains unpaid for thirty (30) days after it has been rendered, the Clerk Treasurer for the Town of Sellersburg may file with the Recorder of Clark County a statement of lien claim. This statement shall contain a legal description of the premises, the expenses and costs incurred and the date or dates the weeds were cut, and a notice that the Town of Sellersburg claims a lien for said amount.

Notice of such lien claim shall be mailed to the owner of the premises if the address is known.


Provided, however, that failure of the Clerk Treasurer to record such lien, claim or to mail such notice, or the failure of the owner to receive such notice, shall not effect the right to foreclose the lien for such charges as provided in the following section.

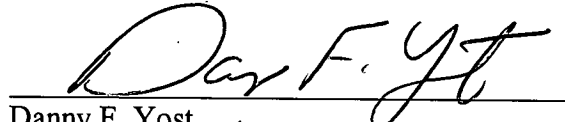
Foreclosure of lien. Property subject to a lien for unpaid weed cutting charges shall be sold for non-payment of the same and the proceeds of such sale shall be applied to pay the charges after deducting the cost, as is the case in foreclosure of statutory liens. Such foreclosure shall be in equity in the name of the Town of Sellersburg.

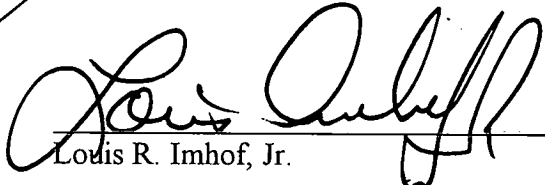
The Town of Sellersburg Town Attorney is hereby authorized and directed to institute such proceedings in the name of the Town of Sellersburg, in any Court having jurisdiction over such matters, against any property for which such bill has remained


unpaid thirty (30) days after it has been rendered.

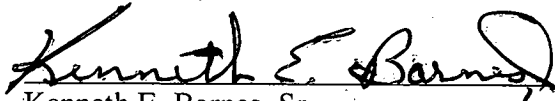
SO ORDAINED THIS 9th DAY OF October, 2000.

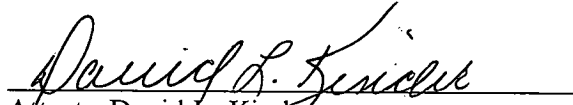

James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clark-Treasurer

ORDINANCE NO. 2000/021

ORDINANCE AMENDING ORDINANCE NUMBER 412
CONCERNING RECEIPT OF DEATH BENEFIT UNDER THE
1925 POLICE PENSION FUND

WHEREAS, the Town Council for the Town of Sellersburg did on the 25th day of November, 1985 passed Ordinance No. 412 in which the Town Council determined upon being notified of the death of a member of the police pension fund, whether active or retired, the Town shall pay to the heirs of the estate of the deceased member the sum of \$3,000.00.

WHEREAS on January 1, 1999 pursuant to I.C. 36-8-6-9.8, the amount to be paid to such a member of the police pension fund who dies after December 31, 1998, changed to \$9,000.00.

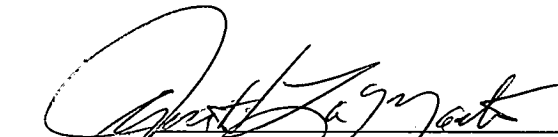
WHEREAS, the Town Council for the Town of Sellersburg has determined the amount which should be paid to a member of the 1925 Police Pension Fund who dies after December 31, 1998, should be changed to \$10,000.00.

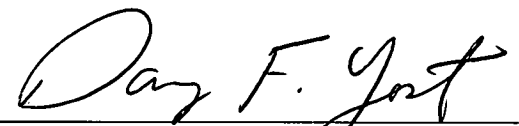
WHEREAS, the Town Council for the Town of Sellersburg has considered this matter at an open meeting to which the public were invited to attend and participate.

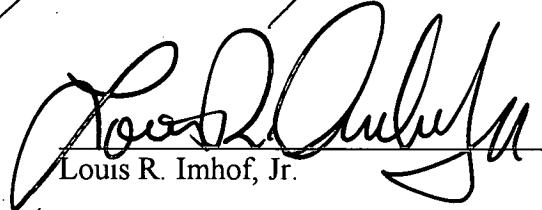
BE IT NOW THEREFORE ORDAINED by the Town Council for the Town of Sellersburg that upon the Town Council being notified of a death of a member of the 1925 Police Pension Fund, the Town of Sellersburg shall pay to the heirs or the estate of said deceased member, the sum of \$10,000.00.

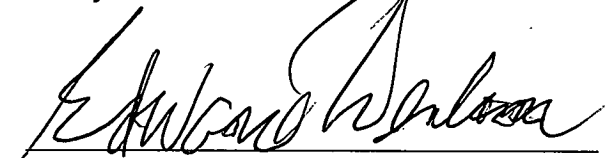
The herein Ordinance repeals Ordinance No. 412. This Ordinance shall become effective January 1, 2001.

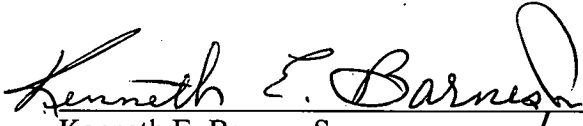
SO ORDAINED THIS 13th DAY OF November, 2000.

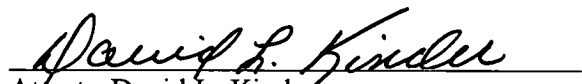

James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clark-Treasurer

ORDINANCE NO. 2000-022

ORDINANCE AMENDING ORDINANCE 2000-18 PROHIBITING
STOPPING AND PARKING ON THE SCHOOL SIDE OF SCHELLERS
AVENUE, SELLERSBURG, INDIANA

WHEREAS, the Town Council for the Town of Sellersburg has been advised by its Chief of Police for the need to implement a no parking and stopping zone along the South side of Schellers Avenue, Sellersburg, Indiana; and

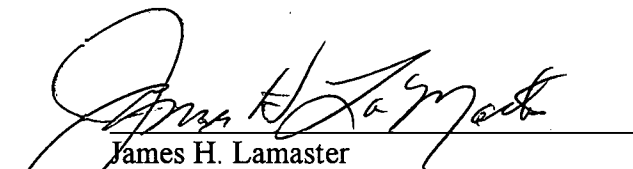
WHEREAS, the Town Council for the Town of Sellersburg has determined that the herein ordinance shall provide for the safe pick up and delivery of school children at St. Paul Elementary School; and

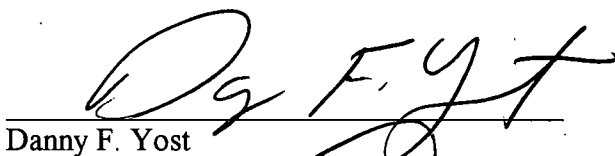
WHEREAS, the Town Council for the Town of Sellersburg has considered this ordinance in an open meeting to which the public were invited to attend and participate.

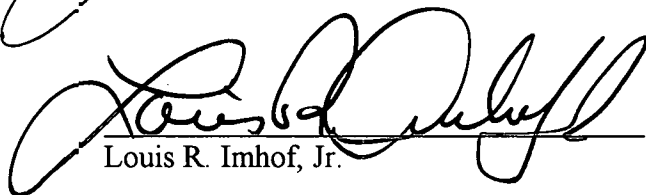
BE IT THEREFORE NOW ORDAINED by the Town Council for the Town of Sellersburg, that Ordinance No. 2000-18 shall be amended and there shall be a No Stopping and No Parking Zone along the school side of Schellers' Avenue where St. Paul Elementary School property begins, along the chain link fence, to the first stop sign on Schellers Avenue. This area shall be a no parking zone and no stopping zone from 6:00 a.m. to 4:00 p.m. Monday through Friday; only during the school year while school is in session.

IT SHALL BE FURTHER ORDAINED by the Town Council for the Town of Sellersburg that any individual found to violate the herein ordinance shall be fined not less than \$25.00 and not more than \$100.00 per occurrence. This ordinance shall be effective thirty (30) days from the date of its publication.

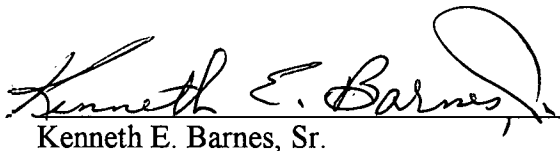
SO ORDAINED THIS 13th DAY OF November, 2000.


James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clark-Treasurer

ORDINANCE NO. 2000- 023

ORDINANCE AMENDING ORDINANCE NO. 95-633 CONCERNING THE RATE OF COMPENSATION FOR MEMBERS OF THE PARKS AND RECREATION BOARD, PLANNING COMMISSION, ZONING APPEAL BOARD AND POLICE COMMISSION

WHEREAS, the Town Council for the Town of Sellersburg has previously established various boards and commissions to perform various and necessary administrative functions of Town Government; and

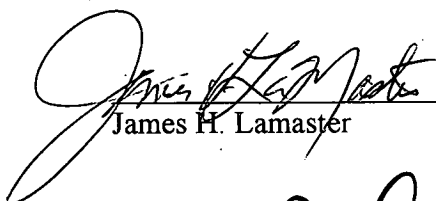
WHEREAS, the Town Council for the Town of Sellersburg has determined members of all such boards and commissions should receive monthly compensation for performance of their duties on such boards and commissions; and

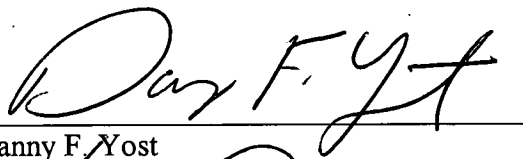
WHEREAS, the Town Council for the Town of Sellersburg has determined that said amendment to the ordinance is necessary for the efficient and effective administration of Town government; and

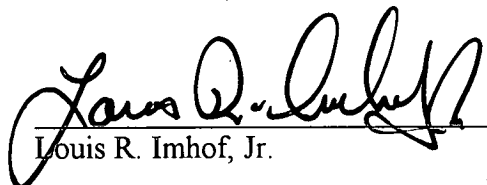
WHEREAS, this matter was presented and considered at an open meeting of the Sellersburg Town Council to which the public were invited to attend and participate;

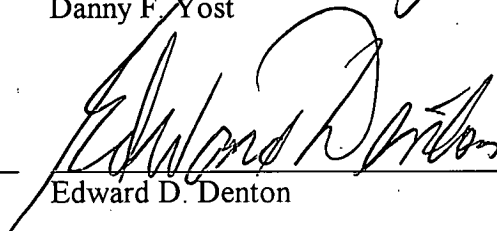
BE IT THEREFORE NOW ORDAINED, by the Town Council for the Town of Sellersburg effective January 1, 2001, each member of the Police Commission, Planning Commission, Board of Zoning Appeals, Parks and Recreation Board, and the Secretary of the Board of Zoning Appeals shall be compensated in the amount of fifty (\$50.00) dollars per monthly meeting up to a total of six hundred (\$600.00) dollars per year.

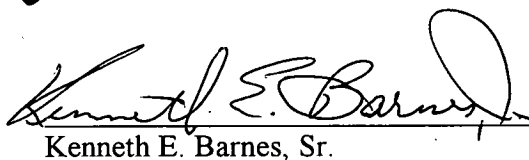
SO ORDAINED THIS 11th DAY OF December, 2000.


James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clark-Treasurer

ORDINANCE NO. 2000- 024

ORDINANCE ESTABLISHING UNIFORM/CLOTHING ALLOWANCES
FOR THE TOWN OF SELLERSBURG POLICE OFFICERS, DISPATCHERS, CLERK/
TREASURER, AND CLERK TREASURER EMPLOYEES

WHEREAS the Town Council for the Town of Sellersburg did determine on April 8, 1996 pursuant to Resolution 1996-36 that the Town of Sellersburg Police Officers, Dispatchers, Clerk/Treasurer, and Clerk/Treasurer Employees should be entitled to a uniform/clothing allowance for each calendar year; and

WHEREAS the Town Council for the Town of Sellersburg has determined that the current uniform/clothing allowance for said employees is insufficient and now desire to amend said uniform/clothing allowance; and

WHEREAS the Town Council for the Town of Sellersburg has determined that each police officer shall receive a uniform/clothing allowance in the amount of one thousand (\$1,000.00) dollars per year which shall be budgeted by the Town Council from year to year in accordance with I.C. 36-8-4-4;

WHEREAS the remaining balance of any uniform/clothing allowance shall be paid to said employee for cleaning and maintenance of uniform/clothing; and

WHEREAS the Town Council for the Town of Sellersburg has determined that each year the Clerk/Treasurer, Clerk/Treasurer employees, and police dispatchers shall receive a uniform/clothing allowance in the amount of two hundred fifty (\$250.00) dollars per person which shall be budgeted by the Town Council from year to year in accordance with I.C. 36-8-4-4. In the event the Clerk/Treasurer, Clerk/Treasurer employees, and police dispatchers do not use their respective uniform/clothing allowance, the remaining balance shall be paid to them for cleaning and maintenance of their uniform/clothing; and

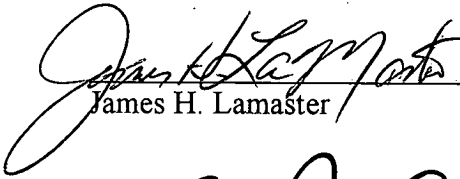
WHEREAS the Town Council for the Town of Sellersburg has considered this matter at an open meeting to which the public were invited to attend and participate; and

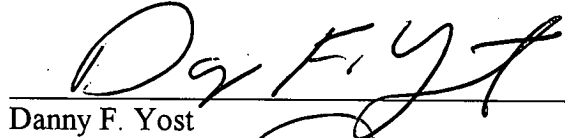
WHEREAS the Town Council for the Town of Sellersburg has determined the herein Ordinance shall be made effective January 1, 2001; and

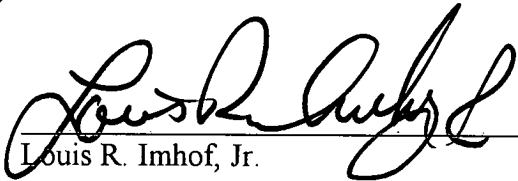
WHEREAS the Town Council for the Town of Sellersburg has determined that the herein

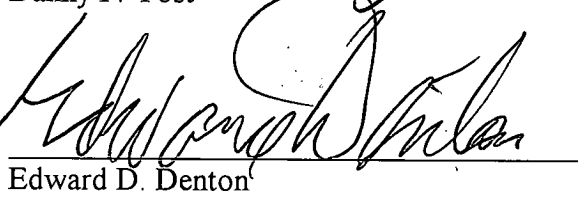
Ordinance is necessary for the efficient and effective administration of Town government.

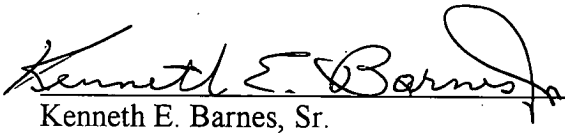
SO ORDAINED THIS 11 DAY OF DECEMBER, 2000.

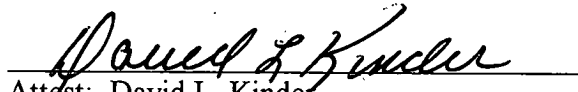

James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clark-Treasurer

ORDINANCE NO. 2000-025

ORDINANCE AMENDING ORDINANCE NO. 2000-009 WHICH ESTABLISHED HEALTH INSURANCE BENEFITS FOR THE TOWN OF SELLERSBURG EMPLOYEES AND PREMIUM RESPONSIBILITIES AND AMENDMENT TO SECTION 2-106 OF THE SELLERSBURG TOWN CODE AS IT CONCERNS INSURANCE BENEFITS, HEALTH AND LIFE

WHEREAS, the Town Council for the Town of Sellersburg did pass Ordinance No. 2000-009 establishing health insurance benefits for the Town of Sellersburg employee and premium responsibilities; and

WHEREAS, the Town Council for the Town of Sellersburg did on or about March 25, 1991 pursuant to Resolution No. 136 established section 2-106 of the Sellersburg Town Code concerning insurance benefits for both health and life; and

WHEREAS, the Town Council for the Town of Sellersburg has determined and it is necessary at this time to amend Ordinance No. 2000-009 and Resolution No. 136 to better articulate the extent of health insurance benefits for the Town of Sellersburg employee as well as premium responsibility; and

WHEREAS, the Town Council for the Town of Sellersburg has determined this matter at an open meeting to which the public were invited to attend and participate.

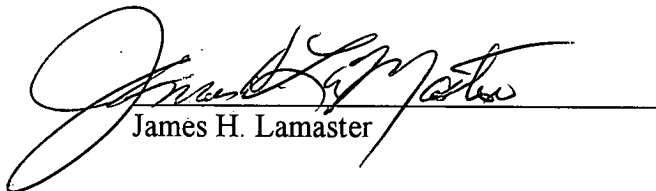
BE IT NOW THEREFORE ORDAINED by the Town Council for the Town of Sellersburg that Ordinance No. 2000-009 and Resolution No. 136 shall be amended and superceded by the herein Ordinance as follows:

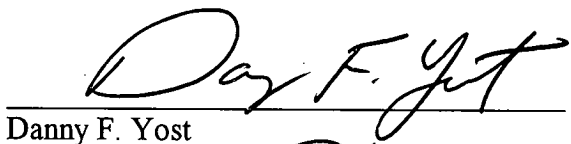
1. The Town of Sellersburg shall pay on behalf of its employees 99 percentage of the weekly total premium for single coverage health benefits. The employee shall be responsible for 1 percentage per week of said total premium.
2. The Town of Sellersburg shall pay on behalf of its employee who has children, 50 percentage of the total weekly premium. The employee shall be responsible for 50 percentage per week of said total premium.
3. The Town of Sellersburg shall pay on behalf of its employee and spouse 50 percentage of the total weekly premium. The employee shall be responsible for 50 percentage of the total weekly premium.
4. The Town of Sellersburg shall pay on behalf of its employee and family the 50 percentage of the total weekly premium. The employee shall be responsible for 50 percentage per week of said total premium.

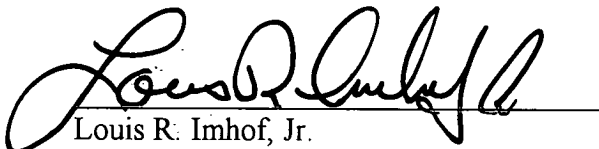
The above calculations reflect that the Town of Sellersburg shall pay 99% of the total premiums on behalf of the employee and 50% of the total premiums as it concerns the employees dependants for health insurance purposes.

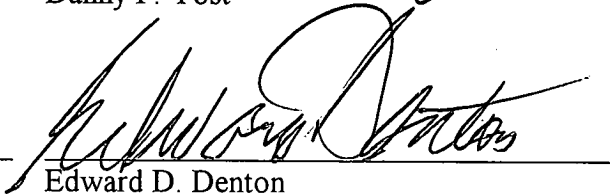
IT IS FURTHER ORDAINED by the Town Council for the Town of Sellersburg and Section 2-106 of the Sellersburg Town Code shall be amended to reflect the provisions of the herein Ordinance and all provisions of Section 2-106 which are not consistent herewith shall become void and unenforceable. All provisions of Section 2-106 concerning dental insurance, life, accidental death, and short term and long term disability, shall remain in full force and affect and shall be provided by the carrier that the Sellersburg Town Council deems best able to provide effective and beneficial insurance coverage to all Town of Sellersburg employees.

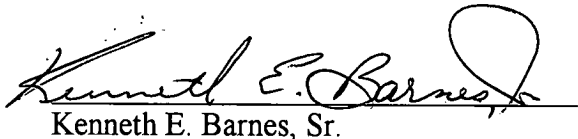
SO ORDAINED THIS 11 DAY OF DECEMBER, 2000.



James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clark-Treasurer

ORDINANCE AMENDING SECTION 3-9 OF THE SELLERSBURG TOWN CODE

WHEREAS, Section 3-9 of the Sellersburg Town Code reflects the regular and special meetings of the Sellersburg Town Council as, that the regular meetings of the Sellersburg Town Council shall be held on the 2nd and 4th Monday of each month at the Sellersburg Public Library with the meeting beginning at 6:30 p.m.; and

WHEREAS, Section 3-9 of the Sellersburg Town Code reflects that the executive session of the Sellersburg Town Council may be held at 5:30 p.m. on the 2nd and 4th Mondays at the Sellersburg Library; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that it is in the best interest of Town government to change the schedule of said regular and special meetings of the Sellersburg Town Council; and

WHEREAS, this matter was considered at an open meeting to which the public were invited to attend and participate.

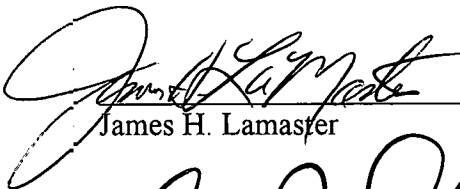
BE IT NOW THEREFORE ORDAINED by the Town Council for the Town of Sellersburg that Section 3-9 of the Sellersburg Town Code shall be and hereby is amended as follows:

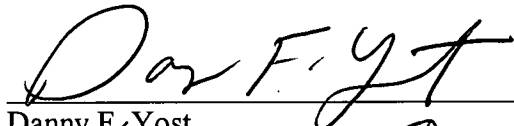
(a) The regular meeting of the Sellersburg Town Council shall be held on the 2nd Monday of each month at the Sellersburg Town Hall, said meeting to begin at 7:00 p.m. If a holiday shall fall on the 2nd Monday of the month the meeting shall be held on the 3rd Monday of the month, unless other Notice is provided.

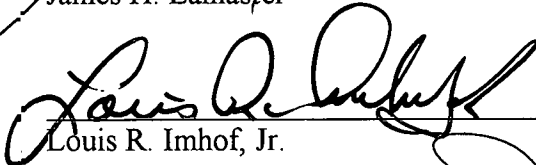
(b) The Sellersburg Town Council shall hold an executive session on the 2nd Monday of each month beginning at 6:00 p.m. until 7:00 p.m., said executive session shall be held at the Sellersburg Town Hall. If a holiday shall fall on the 2nd Monday of the month the meeting shall be held on the 3rd Monday of the month, unless other Notice is provided.

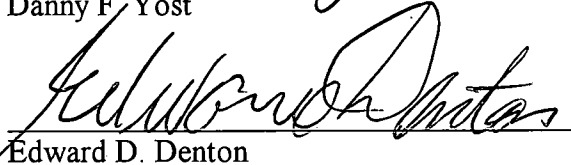
(c) A special meeting of the Sellersburg Town Council may be called pursuant to applicable statute.

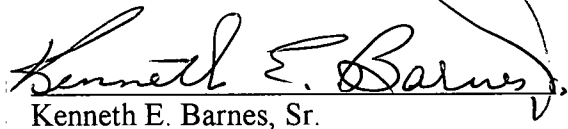
SO ORDAINED THIS 11th DAY OF December, 2000.


James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.

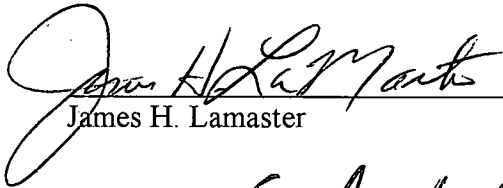

Attest: David L. Kinder
Clark-Treasurer

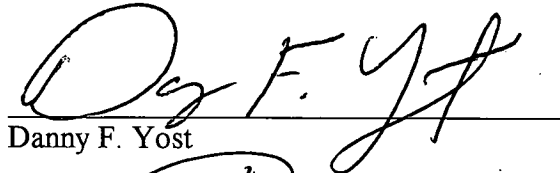
ORDINANCE NO. 2000-027

AN ORDINANCE SUSPENDING THE PROVISIONS OF
SECTION 2.15.6 OF THE SELLERSBURG BUILDING CODE

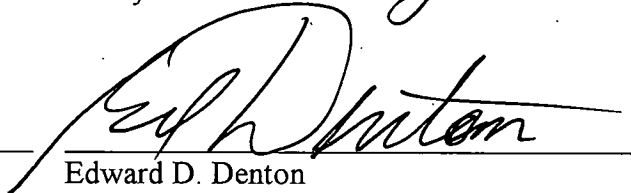
WHEREAS, the Town Council for the Town of Sellersburg has determined that Section
2.15.6 (5) as it concerns "Portable Signs" shall be and hereby is suspended until further notice

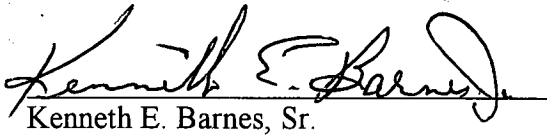
SO ORDAINED this 12 day of MARCH, 2001.

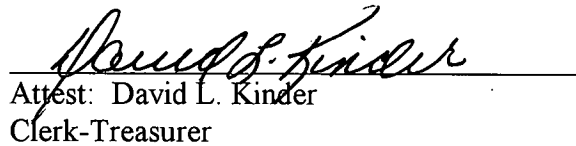

James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clerk-Treasurer