

2014 Ordinances & Resolutions

Number	Date	Description
2014-001	02-10-2014	Amending Abatement Procedures
2014-002	02-10-2014	Amending Chapter 95 Health & Sanitation Nuisances
2014-003	02-10-2014	Amending Salary Ordinance-Dispatchers
2014-004	03-10-2014	Adopting Supplement to Code of Ordinances
2014-005	03-24-2014	Rescinding 2000-016, 2005-031 & 2011-023 Longevity
2014-006	03-24-2014	Establishing Longevity Pay
2014-007	03-24-2014	Flood hazard areas for Town of Sellersburg
2014-008	04-18-2014	Amending road inventory for Town of Sellersburg
2014-009	04-28-2014	CEDIT Ordinance
2014-010	05-12-2014	Authorizing chickens within areas zoned R-1
2014-011	05-12-2014	Additional Appropriations
2014-012	07-14-2014	4-way Stop-Pennsylvania Ave. & Georgian Ave.
2014-013	07-14-2014	Defining 53.114 (f) per equivalent dwelling basis fees
2014-014	10-13-2014	Appropriation Reduction-General Fund
2014-015	10-23-2014	2015 Budget
2014-016	12-15-2014	2015 Salary Ordinance
2014-017	12-15-2014	Transfer Ordinance
2014-018	12-15-2014	HRA/Out of Pocket

R-2014-001	1-27-2014	HB1001-SB1-Opposition Property Tax Cut Businesses
R-2014-002	2-24-2014	Donating Land to Oak Park Conservancy

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2014 -001

AN ORDINANCE AMENDING ABATEMENT PROCEDURES
§ 95.16 REFUSAL OR NEGLECT TO ABATE

WHEREAS, this Town Council of Sellersburg, Indiana ("Council") is the town legislative body and the president of the town council is the town executive pursuant to I.C. 35-5-2; and,

WHEREAS, the Town of Sellersburg amends its ordinances from time to time, and

WHEREAS, this Council desires to amend §95.16 REFUSAL OR NEGLECT TO ABATE.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that §95.16 REFUSAL OR NEGLECT TO ABATE is hereby vacated in its entirety and rewritten as follows:

§ 95.16 REFUSAL OR NEGLECT TO ABATE

(A) If the owner, occupant or other person served with a notice to abate the nuisance shall refuse or neglect to abate the nuisance within the time designated in the notice, the person shall then be served with a citation from the Building Commissioner citing him or her to the appropriate court to be prosecuted by the Town Attorney or cited in before the Town Council for an enforcement hearing provided said ordinance comprises such language.

(B) If the nuisance is not then abated the Town Council may cause a nuisance to be abated in any manner authorized by law, including the commencement of an action in the name of the town against the owner, occupant or other person, to have the nuisance abated and to recover the amount of expenses for the abatement, any unpaid fine, costs, expenses and attorney fees incurred in the enforcement.

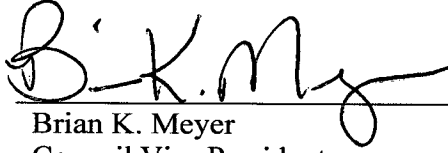
This Ordinance shall be in full force and effect upon its adoption.

So Ordained this 10th day of February, 2014

[signature page to follow]



Paul J. Rhodes
Council President



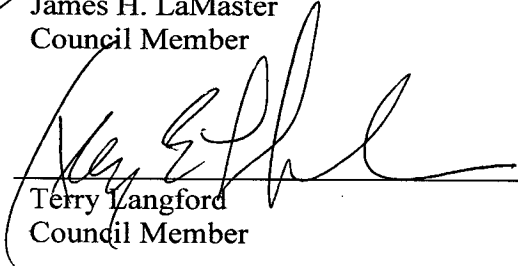
Brian K. Meyer
Council Vice President



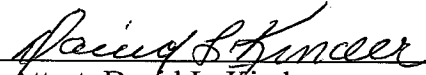
James H. LaMaster
Council Member



Michael N. Lockhart
Council Member



Terry Langford
Council Member



Attest: David L. Kinder
Clerk-Treasurer

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2014 -002

**AN ORDINANCE AMENDING CHAPTER 95: HEALTH AND SANITATION;
NUISANCES - § 95.99 PENALTY**

WHEREAS, this Town Council of Sellersburg, Indiana (“Council”) is the town legislative body and the president of the town council is the town executive pursuant to I.C. 35-5-2; and,

WHEREAS, the Town of Sellersburg amends its ordinances from time to time, and,

WHEREAS, this Council desires to amend §95.99 *PENALTY*.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that §95.99 *PENALTY* is hereby amended to include the following subsection:

§ 95.99 PENALTY

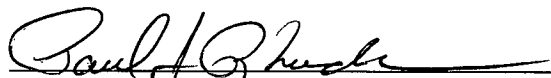
(C) Upon conviction of a violation of § 95 *et seq.*, the violator shall pay a fine not exceeding \$2,500 per occurrence. Each day that a violation is in effect shall constitute a separate offense/occurrence.


All other subsections have not been amended and are still in full force and effect.

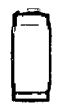
This Ordinance shall be in full force and effect upon its adoption.


So Ordained this 10th day of February, 2014

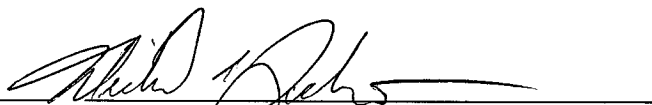
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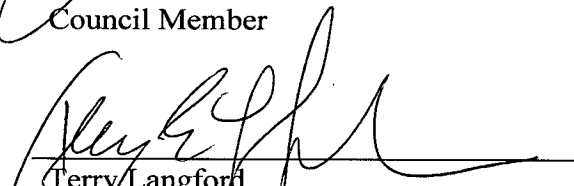

Paul J. Rhodes
Council President

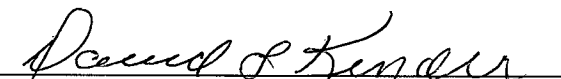

Brian K. Meyer
Council Vice President




James H. LaMaster
Council Member


Michael N. Lockhart
Council Member


Terry Langford
Council Member


Attest: David L. Kinder
Clerk-Treasurer



ORDINANCE NO. 2014-003

**AN ORDINANCE AMENDING ORDINANCE 2013-011
HOURLY, WEEKLY AND MONTHLY PAY FOR EMPLOYEES AND ELECTED
OFFICIALS OF THE TOWN OF SELLERSBURG, INDIANA FOR CALENDAR YEAR 2014**

and Monthly pay for the Town of Sellersburg, Indiana for calendar year 2014 payable from the General Fund, Public Safety, Parks Fund, Water Utility and Waste Water Utility of the Town of Sellersburg, Indiana shall be as follows:

Town Council 1/3 Water, WasteWater, General	Qty.	Hourly	Weekly	Monthly
Town Council President	1			\$926.12
Town Council Members	4			\$826.12

Police Officers-General Fund	Qty.	Hourly	Weekly	Monthly
Chief	1		\$1,093.98	
Asst. Chief	1		\$1,007.06	
Detective	1		\$853.06	
Sergeant	3		\$835.06	
Corporal	3		\$812.26	
First Class Patrolman	6		\$792.26	
School Resource Officer	1		\$792.26	
Probationary Patrolman			\$765.06	

Dispatchers-Public Safety Fund		Hourly	Weekly	Monthly
Full Time Police Dispatcher/Secretary	1		\$750.66	
Full Time Police Dispatcher/IDACS Coordinator	1	\$15.83		
Full Time Police Dispatcher	3	\$14.83		
Part-Time Police Dispatcher	1	\$14.83		
Probationary Dispatchers		\$14.13		

Clerk Treasurer's Office-1/3 Water, WasteWater, General		Hourly	Weekly	Monthly
Clerk Treasurer	1		\$903.85	
Chief Deputy Clerk Treasurer	1		\$880.68	
Deputy Clerk Treasurer	1		\$817.88	

Pool/Seasonal Part-Time-Parks Fund		Hourly
Pool Manager	1	\$13.47
Assistant Manager	1	\$12.47
Pool Maintenance Worker	1	\$11.47
Head Lifeguard	1	\$11.47
Senior Lifeguard		\$10.97
Junior Lifeguard		\$10.22
Concession Workers		\$9.22

Public Works-General Fund		Hourly	Weekly	Monthly
Team Member w/CDL	2	\$18.08		
Team Member w/CDL	1	\$17.84		

Public Works-Water Fund		Hourly	Weekly	Monthly
Water Superintendent	1		\$948.62	
Team Member	1	\$18.58		

Public Works-WasteWater Fund		Hourly	Weekly	Monthly
Asst. Public Works Director	1		\$1,123.46	
WasteWater Superintendent	1		\$906.60	
Safety Coordinator	1	\$18.08		
Team Member	1	\$17.58		

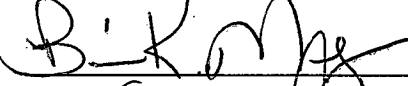
Public Works-Split Funds		Hourly	Weekly	Monthly
15% Civil/40% Water/45% Waste Water				
Public Works Director	1		\$1,217.06	
Building/Utilities Inspector	1		\$865.38	
Billing Manager	1		\$813.04	
Billing Clerk	2	\$16.58		
Public Works Supervisor	1		\$948.62	
Team Member	1	\$17.84		
Team Member	2	\$17.58		
Team Member	2	\$16.00		
Team Member-Seasonal/Part-Time	2	\$10.72		
Team Member's Hired in 2014		\$13.72		
On Call Pay 15.00 per day				
Hourly Increase for obtaining a CDL		\$0.50		

Overtime pay is one and a half times the hourly rate.

Any changes to salaries are to be approved by the Town Council and the Salary Ordinance is to be amended to reflect the change.

So Ordained this 10th day of **February, 2014**.

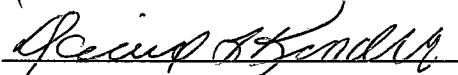

Paul J. Rhodes, Council President


Brian K. Meyer, Council Vice President


James H. LaMaster, 2nd Vice President


Terry E. Langford, Council Member


Michael N. Lockhart, Council Member


Attest: David L. Kinder, Clerk Treasurer

ORDINANCE 2014-004

AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES FOR THE TOWN OF SELLERSBURG, INDIANA AND DECLARING AN EMERGENCY.

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the 2013 supplement of Code of Ordinances of the Town of Sellersburg, Clark County, Indiana, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this Political Subdivision; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make reference to sections of the Indiana code; and

WHEREAS, it is necessary to provide for the usual daily operation of the Town of Sellersburg and for the immediate preservation of the public peace, health, safety and general welfare of the Town of Sellersburg that this ordinance take effect at an early date;

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE TOWN OF SELLERSBURG;

Section 1. That the 2013 supplement to the Code of Ordinances of the Town of Sellersburg, Clark County, Indiana as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Town of Sellersburg,


Clark County, Indiana, is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk.

Section 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of the Town of Sellersburg, and shall take effect at the earliest date provided by law.


PASSED AND ADOPTED by the Sellersburg Town Council of the Town of Sellersburg, Clark County, Indiana on the 10TH day of March 2014.

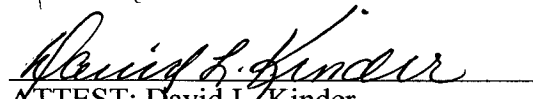

Paul J. Rhodes, Council President


Brian K. Meyer, Council Vice-President


James H. LaMaster, 2nd Vice-President


Terry E. Langford, Council Member


Michael N. Lockhart, Council Member


ATTEST: David L. Kinder
Clerk-Treasurer

Ordinance No. 2014-005

AN ORDINANCE RESCINDING ORDINANCES 2000-016, 2005-031 AND 2011-023 CONCERNING LONGEVITY PAY FOR ELIGIBLE EMPLOYEES

WHEREAS, the Town of Sellersburg Town Council has determined there exists a need to rescind Ordinances 2000-016, 2005-031 and 2011-023.

WHEREAS, the Town Council for the Town of Sellersburg has determined that rescinding Ordinances 2000-016, 2005-031 and 2011-023 is necessary for continued efficient and effective administration of the Town; and

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

BE IT NOW THEREFORE ORDAINED AS FOLLOWS:

Ordinances 2000-016, 2005-031 and 2011-023 are rescinded.

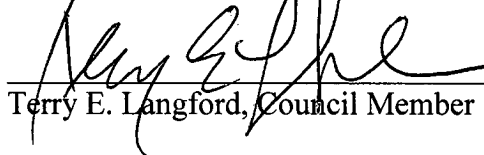
SO ORDAINED THIS 24th DAY OF March, 2014.

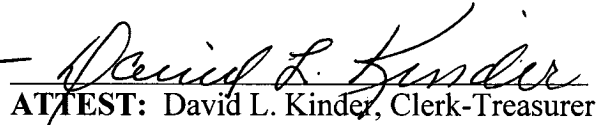

Paul J. Rhodes, Council President


Brian K. Meyer, Council Vice President


James H. LaMaster, 2nd Vice President


Michael N. Lockhart, Council Member


Terry E. Langford, Council Member


ATTEST: David L. Kinder, Clerk-Treasurer

AN ORDINANCE ESTABLISHING LONGEVITY PAY FOR FULL TIME EMPLOYEES OF THE TOWN OF SELLERSBURG

WHEREAS, the Town of Sellersburg Town Council has determined there exists a need to establish Longevity pay for full time employees of the Town; and


WHEREAS, the Town Council for the Town of Sellersburg has determined that Longevity Pay is necessary for continued efficient and effective administration of the Town; and

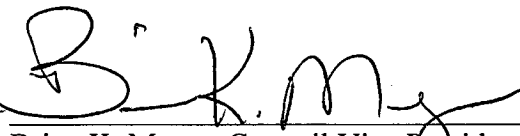
WHEREAS, this matter was considered in an open public meeting at which the public were invited to attend and participate.


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

1. All full time employees, including the Clerk Treasurer, who have served at least two (2) consecutive, full-time, non-interrupted years of service with the Town of Sellersburg, as of the adoption of the herein ordinance, shall be eligible to receive annually, on his/her anniversary date, the lump sum amount equal to 1% of the base salary of a First Class Patrolman, multiplied by the number of years of service that the eligible employee has to the Town of Sellersburg, with a maximum accumulation of twenty (20) years of service.
2. 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.
3. All eligible employees who have completed at least twenty (20) years of service with the Town of Sellersburg, will be entitled to receive Longevity pay, prior to his/her anniversary date, prorated by the number of full-time calendar months worked, upon termination of employment or retirement with the Town of Sellersburg in said year.

SO ORDAINED THIS 24th DAY OF March, 2014.

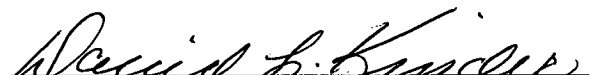

Paul J. Rhodes, Council President


Brian K. Meyer, Council Vice President


James H. LaMaster, 2nd Vice President


Michael N. Lockhart, Council Member


Terry E. Langford, Council Member


ATTEST: David L. Kinder, Clerk-Treasurer

Ordinance No. 2014-007

AN ORDINANCE FOR FLOOD HAZARD AREAS FOR THE TOWN OF SELLERSBURG

WHEREAS, The flood hazard areas of the Town of Sellersburg are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare; and

WHEREAS, These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, inadequately flood-proofed, or otherwise unprotected from flood damages.

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

BE IT NOW THEREFORE ORDAINED AS FOLLOWS:

Article 1. Statutory Authorization, Findings of Fact, Purpose, and Objectives.

Section A. Statutory Authorization.

The Indiana Legislature has in IC 36-7-4 granted the power to local government units to control land use within their jurisdictions. Therefore, the Town Council of the Town of Sellersburg does hereby adopt the following floodplain management regulations.

Section B. Findings of Fact.

- (1) The flood hazard areas of the Town of Sellersburg are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- (2) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, inadequately flood-proofed, or otherwise unprotected from flood damages.

Section C. Statement of Purpose.

It is the purpose of this ordinance to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, which result in damaging increases in erosion or in flood heights or velocities.
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters.
- (4) Control filling, grading, dredging, and other development which may increase erosion or flood damage.
- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.
- (6) Make federally subsidized flood insurance available for structures and their contents in the Town of Sellersburg by fulfilling the requirements of the National Flood Insurance Program.

Section D. Objectives.

The objectives of this ordinance are:

- (1) To protect human life and health.
- (2) To minimize expenditure of public money for costly flood control projects.
- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public.
- (4) To minimize prolonged business interruptions.
- (5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, streets, and bridges located in floodplains.
- (6) To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas.

Article 2. Definitions.

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

A zone means portions of the SFHA in which the principal source of flooding is runoff from rainfall, snowmelt, or a combination of both. In A zones, floodwaters may move slowly or rapidly, but waves are usually not a significant threat to buildings. These areas are labeled as Zone A, Zone AE, Zones A1-A30, Zone AO, Zone AH, Zone AR and Zone A99 on a FIRM. The definitions are presented below:

Zone A: Areas subject to inundation by the one-percent annual chance flood event. Because detailed hydraulic analyses have not been performed, no base flood elevation or depths are shown.

Zone AE and A1-A30: Areas subject to inundation by the one-percent annual chance flood event determined by detailed methods. Base flood elevations are shown within these zones. (Zone AE is on new and revised maps in place of Zones A1-A30.)

Zone AO: Areas subject to inundation by one-percent annual chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone.

Zone AH: Areas subject to inundation by one-percent annual chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone.

Zone AR: Areas that result from the decertification of a previously accredited flood protection system that is determined to be in the process of being restored to provide base flood protection.

Zone A99: Areas subject to inundation by the one-percent annual chance flood event, but which will ultimately be protected upon completion of an under-construction Federal flood protection system. These are areas of special flood hazard where enough progress has been made on the construction of a protection system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. Zone A99 may only be used when the flood protection system has reached specified statutory progress toward completion. No base flood elevations or depths are shown.

Accessory structure (appurtenant structure) means a structure with a floor area 400 square feet or less that is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures should constitute a minimal initial investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds

Addition (to an existing structure) means any walled and roofed expansion to the perimeter of a structure in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load-bearing walls, is new construction.

Appeal means a request for a review of the floodplain administrator's interpretation of any provision of this ordinance.

Area of shallow flooding means a designated AO or AH Zone on the community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Base Flood means the flood having a one percent chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE) means the elevation of the one-percent annual chance flood.

Basement means that portion of a structure having its floor sub-grade (below ground level) on all sides.

Boundary River means the part of the Ohio River that forms the boundary between the Kentucky and Indiana.

Boundary River Floodway means the floodway of a boundary river.

Building - see "Structure."

Community means a political entity that has the authority to adopt and enforce floodplain ordinances for the area under its jurisdiction.

Community Rating System (CRS) means a program developed by the Federal Insurance Administration to provide incentives for those communities in the Regular Program that have gone beyond the minimum floodplain management requirements to develop extra measures to provide protection from flooding.

Critical facility means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire, and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.

Development means any man-made change to improved or unimproved real estate including but not limited to:

- (1) construction, reconstruction, or placement of a structure or any addition to a structure;
- (2) installing a manufactured home on a site, preparing a site for a manufactured home or installing a recreational vehicle on a site for more than 180 days;
- (3) installing utilities, erection of walls and fences, construction of roads, or similar projects;
- (4) construction of flood control structures such as levees, dikes, dams, channel improvements, etc.;
- (5) mining, dredging, filling, grading, excavation, or drilling operations;
- (6) construction and/or reconstruction of bridges or culverts;
- (7) storage of materials; or
- (8) any other activity that might change the direction, height, or velocity of flood or surface waters.

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

Elevated structure means a non-basement structure built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, filled stem wall foundations (also called chain walls), pilings, or columns (posts and piers).

Elevation Certificate is a certified statement that verifies a structure's elevation information.

Emergency Program means the first phase under which a community participates in the NFIP. It is intended to provide a first layer amount of insurance at subsidized rates on all insurable structures in that community before the effective date of the initial FIRM.

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

Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEMA means the Federal Emergency Management Agency.

Flood means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.

Flood Boundary and Floodway Map (FBFM) means an official map on which the Federal Emergency Management Agency (FEMA) or Federal Insurance Administration (FIA) has delineated the areas of flood hazards and regulatory floodway.

Flood Insurance Rate Map (FIRM) means an official map of a community, on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study (FIS) is the official hydraulic and hydrologic report provided by FEMA. The report contains flood profiles, as well as the FIRM, FBFM (where applicable), and the water surface elevation of the base flood.

Flood Prone Area means any land area acknowledged by a community as being susceptible to inundation by water from any source. (See "Flood")

Flood Protection Grade (FPG) is the elevation of the regulatory flood plus two feet at any given location in the SFHA. (see "Freeboard")

Floodplain means the channel proper and the areas adjoining any wetland, lake, or watercourse which have been or hereafter may be covered by the regulatory flood. The floodplain includes both the floodway and the fringe districts.

Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

Floodplain management regulations means this ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power which control development in flood-prone areas. This term describes federal, state, or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage. Floodplain management regulations are also referred to as floodplain regulations, floodplain ordinance, flood damage prevention ordinance, and floodplain management requirements.

Floodproofing (dry floodproofing) is a method of protecting a structure that ensures that the structure, together with attendant utilities and sanitary facilities, is watertight to the floodproofed design elevation with walls that are substantially impermeable to the passage of water. All structural components of these walls are capable of resisting hydrostatic and hydrodynamic flood forces, including the effects of buoyancy, and anticipated debris impact forces.

Floodproofing certificate is a form used to certify compliance for non-residential structures as an alternative to elevating structures to or above the FPG. This certification must be by a Registered Professional Engineer or Architect.

Floodway is the channel of a river or stream and those portions of the floodplains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.

Freeboard means a factor of safety, usually expressed in feet above the BFE, which is applied for the purposes of floodplain management. It is used to compensate for the many unknown factors that could contribute to flood heights greater than those calculated for the base flood.

Fringe is those portions of the floodplain lying outside the floodway.

Hardship (as related to variances of this ordinance) means the exceptional hardship that would result from a failure to grant the requested variance. The Board of Zoning Appeals requires that the variance is exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is NOT exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

Highest adjacent grade means the highest natural elevation of the ground surface, prior to the start of construction, next to the proposed walls of a structure.

Historic structures means any structures individually listed on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures.

Increased Cost of Compliance (ICC) means the cost to repair a substantially damaged structure that exceeds the minimal repair cost and that is required to bring a substantially damaged structure into compliance with the local flood damage prevention ordinance. Acceptable mitigation measures are elevation, relocation, demolition, or any combination thereof. All renewal and new business flood insurance policies with effective dates on or after June 1, 1997, will include ICC coverage.

Letter of Final Determination (LFD) means a letter issued by FEMA during the mapping update process which establishes final elevations and provides the new flood map and flood study to the community. The LFD initiates the six-month adoption period. The community must adopt or amend its floodplain management regulations during this six-month period unless the community has previously incorporated an automatic adoption clause.

Letter of Map Change (LOMC) is a general term used to refer to the several types of revisions and amendments to FEMA maps that can be accomplished by letter. They include Letter of Map Amendment (LOMA), Letter of Map Revision (LOMR), and Letter of Map Revision based on Fill (LOMR-F). The definitions are presented below:

Letter of Map Amendment (LOMA) means an amendment by letter to the currently effective FEMA map that establishes that a property is not located in a SFHA through the submittal of property specific elevation data. A LOMA is only issued by FEMA.

Letter of Map Revision (LOMR) means an official revision to the currently effective FEMA map. It is issued by FEMA and changes flood zones, delineations, and elevations.

Letter of Map Revision Based on Fill (LOMR-F) means an official revision by letter to an effective NFIP map. A LOMR-F provides FEMA's determination concerning whether a structure or parcel has been elevated on fill above the BFE and excluded from the SFHA.

Lowest adjacent grade means the lowest elevation, after completion of construction, of the ground, sidewalk, patio, deck support, or basement entryway immediately next to the structure.

Lowest floor means the lowest elevation described among the following:

- (1) The top of the lowest level of the structure.
- (2) The top of the basement floor.
- (3) The top of the garage floor, if the garage is the lowest level of the structure.
- (4) The top of the first floor of a structure elevated on pilings or pillars.
- (5) The top of the floor level of any enclosure, other than a basement, below an elevated structure where the walls of the enclosure provide any resistance to the flow of flood waters unless:
 - a) the walls are designed to automatically equalize the hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters by providing a minimum of two openings (in addition to doorways and windows) in a minimum of two exterior walls; if a structure has more than one enclosed area, each shall have openings on exterior walls;
 - b) the total net area of all openings shall be at least one (1) square inch for every one square foot of enclosed area; the bottom of all such openings shall be no higher than one (1) foot above the exterior grade or the interior grade immediately beneath each opening, whichever is higher; and,
 - c) such enclosed space shall be usable solely for the parking of vehicles and building access.

Manufactured home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

Manufactured home park or subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Market value means the building value, excluding the land (as agreed to between a willing buyer and seller), as established by what the local real estate market will bear. Market value can be established by independent certified appraisal, replacement cost depreciated by age of building (actual cash value), or adjusted assessed values.

Mitigation means sustained actions taken to reduce or eliminate long-term risk to people and property from hazards and their effects. The purpose of mitigation is twofold: to protect people and structures, and to minimize the cost of disaster response and recovery.

National Flood Insurance Program (NFIP) is the federal program that makes flood insurance available to owners of property in participating communities nationwide through the cooperative efforts of the Federal Government and the private insurance industry.

National Geodetic Vertical Datum (NGVD) of 1929 as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

New construction means any structure for which the "start of construction" commenced after the effective date of the community's first floodplain ordinance.

New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the community's first floodplain ordinance.

Non-boundary river floodway means the floodway of any river or stream other than a boundary river.

North American Vertical Datum of 1988 (NAVD 88) as adopted in 1993 is a vertical control datum used as a reference for establishing varying elevations within the floodplain.

Obstruction includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, canalization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation, or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water; or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

One-percent annual chance flood is the flood that has a one percent (1%) chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter A is subject to the one-percent annual chance flood. See "Regulatory Flood".

Physical Map Revision (PMR) is an official republication of a community's FEMA map to effect changes to base (1-percent annual chance) flood elevations, floodplain boundary delineations, regulatory floodways, and planimetric features. These changes typically occur as a result of structural works or improvements, annexations resulting in additional flood hazard areas, or correction to base flood elevations or SFHAs.

Public safety and nuisance means anything which is injurious to the safety or health of an entire community, neighborhood or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

Recreational vehicle means a vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projections; (3) designed to be self-propelled or permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling, but as quarters for recreational camping, travel, or seasonal use.

Regular program means the phase of the community's participation in the NFIP where more comprehensive floodplain management requirements are imposed and higher amounts of insurance are available based upon risk zones and elevations determined in a FIS.

Regulatory flood means the flood having a one percent (1%) chance of being equaled or exceeded in any given year, as calculated by a method and procedure that is acceptable to and approved by the Indiana Department of Natural Resources and the Federal Emergency Management Agency. The regulatory flood elevation at any location is as defined in Article 3 (B) of this ordinance. The "Regulatory Flood" is also known by the term "Base Flood", "One-Percent Annual Chance Flood", and "100-Year Flood".

Repetitive loss means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equaled or exceeds 25% of the market value of the structure before the damage occurred.

Section 1316 is that section of the National Flood Insurance Act of 1968, as amended, which states that no new flood insurance coverage shall be provided for any property that the Administrator finds has been declared by a duly constituted state or local zoning authority or other authorized public body to be in violation of state or local laws, regulations, or ordinances that intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

Special Flood Hazard Area (SFHA) means those lands within the jurisdiction of the Town of Sellersburg subject to inundation by the regulatory flood. The SFHAs of the Town of Sellersburg are generally identified as such on the Clark County, Indiana and Incorporated Areas Flood Insurance Rate Map dated April 16, 2014 as well as any future updates, amendments, or revisions, prepared by the Federal Emergency Management Agency with the most recent date. (These areas are shown on a FIRM as Zone A, AE, A1- A30, AH, AR, A99, or AO).

Start of construction includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means a structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, or a prefabricated building. The term also includes recreational vehicles to be installed on a site for more than 180 days.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "repetitive loss" or "substantial damage" regardless of the actual repair work performed. The term does not include improvements of structures to correct existing violations of state or local health, sanitary, or safety code requirements or any

alteration of a "historic structure", provided that the alteration will not preclude the structures continued designation as a "historic structure".

Suspension means the removal of a participating community from the NFIP because the community has not enacted and/or enforced the proper floodplain management regulations required for participation in the NFIP.

Variance is a grant of relief from the requirements of this ordinance, which permits construction in a manner otherwise prohibited by this ordinance where specific enforcement would result in unnecessary hardship.

Violation means the failure of a structure or other development to be fully compliant with this ordinance. A structure or other development without the elevation, other certification, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

Watercourse means a lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

X zone means the area where the flood hazard is less than that in the SFHA. Shaded X zones shown on recent FIRMs (B zones on older FIRMs) designate areas subject to inundation by the flood with a 0.2 percent chance of being equaled or exceeded (the 500-year flood). Unshaded X zones (C zones on older FIRMs) designate areas where the annual exceedance probability of flooding is less than 0.2 percent.

Zone means a geographical area shown on a FIRM that reflects the severity or type of flooding in the area.

Zone A (see definition for A zone)

Zone B, C, and X means areas identified in the community as areas of moderate or minimal hazard from the principal source of flood in the area. However, buildings in these zones could be flooded by severe, concentrated rainfall coupled with inadequate local drainage systems. Flood insurance is available in participating communities but is not required by regulation in these zones. (Zone X is used on new and revised maps in place of Zones B and C.)

Article 3. General Provisions.

Section A. Lands to Which This Ordinance Applies.

This ordinance shall apply to all SFHAs and known flood prone areas within the jurisdiction of the Town of Sellersburg.

Section B. Basis for Establishing Regulatory Flood Data.

This ordinance's protection standard is the regulatory flood. The best available regulatory flood data is listed below.

- (1) The regulatory flood elevation, floodway, and fringe limits for the studied SFHAs within the jurisdiction of the Town of Sellersburg shall be as delineated on the one-percent annual chance flood profiles in the Flood Insurance Study of Clark County, Indiana and Incorporated Areas and the corresponding Flood Insurance Rate Map dated April 16, 2014 as well as any future updates, amendments, or revisions, prepared by the Federal Emergency Management Agency with the most recent date.
- (2) The regulatory flood elevation, floodway, and fringe limits for each of the SFHAs within the jurisdiction of the Town of Sellersburg, delineated as an "A Zone" on the Clark County, Indiana and Incorporated Areas Flood Insurance Rate Map dated April 16, 2014 as well as any future updates, amendments, or revisions, prepared by the Federal Emergency Management Agency with the most recent date, shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile. Whenever a party

disagrees with the best available data, the party needs to replace existing data with better data that meets current engineering standards. To be considered, this data must be submitted to the Indiana Department of Natural Resources for review, subsequently approved.

- (3) In the absence of a published FEMA map, or absence of identification on a FEMA map, the regulatory flood elevation, floodway, and fringe limits of any watercourse in the community's known flood prone areas shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile.
- (4) Upon issuance of a Letter of Final Determination (LFD), any more restrictive data in the new (not yet effective) mapping/study shall be utilized for permitting and construction (development) purposes, replacing all previously effective less restrictive flood hazard data provided by FEMA.

Section C. Establishment of Floodplain Development Permit.

A Floodplain Development Permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities in areas of special flood hazard.

Section D. Compliance.

No structure shall hereafter be located, extended, converted or structurally altered within the SFHA without full compliance with the terms of this ordinance and other applicable regulations. No land or stream within the SFHA shall hereafter be altered without full compliance with the terms of this ordinance and other applicable regulations.

Section E. Abrogation and Greater Restrictions.

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Section F. Discrepancy between Mapped Floodplain and Actual Ground Elevations.

- (1) In cases where there is a discrepancy between the mapped floodplain (SFHA) on the FIRM and the actual ground elevations, the elevation provided on the profiles shall govern.
- (2) If the elevation of the site in question is below the base flood elevation, that site shall be included in the SFHA and regulated accordingly.
- (3) If the elevation (natural grade) of the site in question is above the base flood elevation and not located within the floodway, that site shall be considered outside the SFHA and the floodplain regulations will not be applied. The property owner shall be advised to apply for a LOMA.

Section G. Interpretation.

In the interpretation and application of this ordinance all provisions shall be:

- (1) Considered as minimum requirements.
- (2) Liberally construed in favor of the governing body.
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

Section H. Warning and Disclaimer of Liability.

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods can and

will occur on rare occasions. Therefore, this ordinance does not create any liability on the part of the Town of Sellersburg, the Indiana Department of Natural Resources, or the State of Indiana, for any flood damage that results from reliance on this ordinance or any administrative decision made lawfully thereunder.

Section I. Penalties for Violation.

Failure to obtain a Floodplain Development Permit in the SFHA or failure to comply with the requirements of a Floodplain Development Permit or conditions of a variance shall be deemed to be a violation of this ordinance. All violations shall be considered a common nuisance and be treated as such in accordance with the provisions of the Zoning Code for the Town of Sellersburg.

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

Article 4. Administration.

Section A. Designation of Administrator.

The Town Council of the Town of Sellersburg hereby appoints the Building Commissioner and/or designee to administer and implement the provisions of this ordinance and is herein referred to as the Floodplain Administrator.

Section B. Permit Procedures.

Application for a Floodplain Development Permit shall be made to the Floodplain Administrator on forms furnished by him or her prior to any development activities, and may include, but not be limited to, the following: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill, storage of materials or equipment, drainage facilities, and the location of the foregoing. Specifically the following information is required:

- (1) Application Stage.
 - a) A description of the proposed development.
 - b) Location of the proposed development sufficient to accurately locate property and structure(s) in relation to existing roads and streams.
 - c) A legal description of the property site.
 - d) A site development plan showing existing and proposed development locations and existing and proposed land grades.
 - e) Elevation of the top of the planned lowest floor (including basement) of all proposed buildings. Elevation should be in NAVD 88 or NGVD.
 - f) Elevation (in NAVD 88 or NGVD) to which any non-residential structure will be floodproofed.
 - g) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development. A hydrologic and hydraulic engineering study is required and any watercourse changes

submitted to DNR for approval and then to FEMA as a Letter of Map Revision. (See Article 4, Section C. (6) for additional information.)

(2) Construction Stage.

Upon establishment of the lowest floor of an elevated structure or structure constructed on fill, it shall be the duty of the applicant to submit to the Floodplain Administrator a certification of the NAVD 88 or NGVD elevation of the lowest floor, as built. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by the same. (The Floodplain Administrator shall review the lowest floor elevation survey data submitted.) The applicant shall correct deficiencies detected by such review before any further work is allowed to proceed. Failure to submit the survey or failure to make said corrections required hereby shall be cause to issue a stop-work order for the project. Any work undertaken prior to submission of the elevation certification shall be at the applicant's risk. The Floodplain Administrator shall review the lowest floor elevation survey data submitted. The applicant shall correct any deficiencies detected by such review. Failure to submit the elevation certification or failure to make correction required shall be cause to issue a stop-work order for the project.

Upon establishment of the floodproofed elevation of a floodproofed structure, it shall be the duty of the applicant to submit to the Floodplain Administrator a floodproofing certificate. Certification shall be prepared by or under the direction supervision of a registered professional engineer and certified by same. (The Floodplain Administrator shall review the floodproofing certification submitted.) The applicant shall correct any deficiencies detected by such review before any further work is allowed to proceed. Failure to submit the floodproofing certification or failure to make correction required shall be cause to issue a stop-work order for the project.

(3) Finished Construction.


Upon completion of construction, a FEMA elevation certificate which depicts all finished construction, is required to be submitted to the Floodplain Administrator. If the project includes a floodproofing measure, a FEMA flood proofing certificate is required to be submitted by the applicant to the Floodplain Administrator.

Section C. Duties and Responsibilities of the Floodplain Administrator.

The Floodplain Administrator and/or designated staff is hereby authorized and directed to enforce the provisions of this ordinance. The administrator is further authorized to render interpretations of this ordinance, which are consistent with its spirit and purpose.

Duties and Responsibilities of the Floodplain Administrator shall include, but are not limited to:

- (1) Review all floodplain development permits to assure that the permit requirements of this ordinance have been satisfied.
- (2) Inspect and inventory damaged structures in the SFHA and complete substantial damage determinations.
- (3) Ensure that construction authorization has been granted by the Indiana Department of Natural Resources for all development projects subject to Article 5, Section E and G (1) of this ordinance, and maintain a record of such authorization (either copy of actual permit/authorization or floodplain analysis/regulatory assessment).
- (4) Ensure that all necessary federal or state permits have been received prior to issuance of the local floodplain development permit. Copies of such permits/authorizations are to be maintained on file with the floodplain development permit.

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- (5) Maintain and track permit records involving additions and improvements to residences located in the floodway.
 - (6) Notify adjacent communities and the State Floodplain Coordinator prior to any alteration or relocation of a watercourse, and submit copies of such notifications to FEMA.
 - (7) Maintain for public inspection and furnish upon request local permit documents, damaged structure inventories, substantial damage determinations, regulatory flood data, SFHA maps, Letters of Map Change (LOMC), copies of DNR permits, letters of authorization, and floodplain analysis and regulatory assessments (letters of recommendation), federal permit documents, and "as-built" elevation and floodproofing data for all buildings constructed subject to this ordinance.
 - (8) Utilize and enforce all Letters of Map Change (LOMC) or Physical Map Revisions (PMR) issued by FEMA for the currently effective SFHA maps of the community.
 - (9) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.
 - (10) Review certified plans and specifications for compliance.
 - (11) Verify and record the actual elevation of the lowest floor (including basement) of all new or substantially improved structures, in accordance with Article 4 Section B.
 - (12) Verify and record the actual elevation to which any new or substantially improved structures have been floodproofed in accordance with Article 4, Section B.



(13) Stop Work Orders

- a) Upon notice from the floodplain administrator, work on any building, structure or premises that is being done contrary to the provisions of this ordinance shall immediately cease.
- b) Such notice shall be in writing and shall be given to the owner of the property, or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed.


(14) Revocation of Permits

- a) The floodplain administrator may revoke a permit or approval, issued under the provisions of the ordinance, in cases where there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.
- b) The floodplain administrator may revoke a permit upon determination by the floodplain administrator that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the structure for which the permit was issued is in violation of, or not in conformity with, the provisions of this ordinance.

Article 5. Provisions for Flood Hazard Reduction.

Section A. General Standards.

In all SFHAs and known flood prone areas the following provisions are required:


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- (1) New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

- (2) Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.
- (3) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage below the FPG.
- (4) New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage.
- (5) Electrical, heating, ventilation, plumbing, air conditioning equipment, utility meters, and other service facilities shall be located at/above the FPG or designed so as to prevent water from entering or accumulating within the components below the FPG. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities may be located below the FPG.
- (6) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- (7) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- (8) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (9) Any alteration, repair, reconstruction or improvements to a structure that is in compliance with the provisions of this ordinance shall meet the requirements of "new construction" as contained in this ordinance.

Section B. Specific Standards.

In all SFHAs, the following provisions are required:

- (1) In addition to the requirements of Article 5, Section A, all structures to be located in the SFHA shall be protected from flood damage below the FPG. This building protection requirement applies to the following situations:
 - a) Construction or placement of any structure having a floor area greater than 400 square feet.
 - b) Addition or improvement made to any existing structure where the cost of the addition or improvement equals or exceeds 50% of the value of the existing structure (excluding the value of the land).
 - c) Reconstruction or repairs made to a damaged structure where the costs of restoring the structure to it's before damaged condition equals or exceeds 50% of the market value of the structure (excluding the value of the land) before damage occurred.
 - d) Installing a travel trailer or recreational vehicle on a site for more than 180 days.
 - e) Installing a manufactured home on a new site or a new manufactured home on an existing site. This ordinance does not apply to returning the existing manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage.
 - f) Reconstruction or repairs made to a repetitive loss structure.
 - g) Addition or improvement made to any existing structure with a previous addition or improvement constructed since the community's first floodplain ordinance.




(2) **Residential Structures.** New construction or substantial improvement of any residential structure (or manufactured home) shall have the lowest floor, including basement, at or above the FPG (two feet above the base flood elevation). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the standards of Article 5, Section B (4).

(3) **Non-Residential Structures.** New construction or substantial improvement of any commercial, industrial, or non-residential structure (or manufactured home) shall either have the lowest floor, including basement, elevated to or above the FPG (two feet above the base flood elevation) or be floodproofed to or above the FPG. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the standards of Article 5, Section B (4). Structures located in all "A Zones" may be floodproofed in lieu of being elevated if done in accordance with the following:

- a) A Registered Professional Engineer or Architect shall certify that the structure has been designed so that below the FPG, the structure and attendant utility facilities are watertight and capable of resisting the effects of the regulatory flood. The structure design shall take into account flood velocities, duration, rate of rise, hydrostatic pressures, and impacts from debris or ice. Such certification shall be provided to the official as set forth in Article 4, Section C (12).
- b) Floodproofing measures shall be operable without human intervention and without an outside source of electricity.


(4) **Elevated Structures.** New construction or substantial improvements of elevated structures shall have the lowest floor at or above the FPG.



Elevated structures with fully enclosed areas formed by foundation and other exterior walls below the flood protection grade shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls. Designs must meet the following minimum criteria:

- a) Provide a minimum of two openings located in a minimum of two exterior walls (having a total net area of not less than one square inch for every one square foot of enclosed area).
- b) The bottom of all openings shall be no more than one foot above the exterior grade or the interior grade immediately beneath each opening, whichever is higher.
- c) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
- d) Access to the enclosed area shall be the minimum necessary to allow for parking for vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).
- e) The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.
- f) The interior grade of such enclosed area shall be at an elevation at or higher than the exterior grade.

(5) **Structures Constructed on Fill.** A residential or nonresidential structure may be constructed on a permanent land fill in accordance with the following:

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- a) The fill shall be placed in layers no greater than 1 foot deep before compacting to 95% of the maximum density obtainable with either the Standard or Modified Proctor Test method. The results of the test showing compliance shall be retained in permit file.

- b) The fill shall extend 10 feet beyond the foundation of the structure before sloping below the BFE.
 - c) The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or bulkheading. If vegetative cover is used, the slopes shall be no steeper than 3 horizontal to 1 vertical.
 - d) The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties.
 - e) The top of the lowest floor including basements shall be at or above the FPG.
- (6) **Standards for Manufactured Homes and Recreational Vehicles.** Manufactured homes and recreational vehicles to be installed or substantially improved on a site for more than 180 days must meet one of the following requirements:
- a) These requirements apply to all manufactured homes to be placed on a site outside a manufactured home park or subdivision; in a new manufactured home park or subdivision; in an expansion to an existing manufactured home park or subdivision; or in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood:
 - (i) The manufactured home shall be elevated on a permanent foundation such that the lowest floor shall be at or above the FPG and securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
 - (ii) Fully enclosed areas formed by foundation and other exterior walls below the FPG shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls as required for elevated structures in Article 5, Section B. 4.
 - (iii) Flexible skirting and rigid skirting not attached to the frame or foundation of a manufactured home are not required to have openings.
 - b) These requirements apply to all manufactured homes to be placed on a site in an existing manufactured home park or subdivision that has not been substantially damaged by a flood:
 - (i) The manufactured home shall be elevated so that the lowest floor of the manufactured home chassis is supported by reinforced piers or other foundation elevations that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
 - (ii) Fully enclosed areas formed by foundation and other exterior walls below the FPG shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls as required for elevated structures in Article 5, Section B. 4.
 - (iii) Flexible skirting and rigid skirting not attached to the frame or foundation of a manufactured home are not required to have openings.
 - c) Recreational vehicles placed on a site shall either:
 - (i) be on site for less than 180 days;
 - (ii) be fully licensed and ready for highway use (defined as being on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or
 - (iii) meet the requirements for "manufactured homes" as stated earlier in this section.

(7) **Accessory Structures.** Relief to the elevation or dry floodproofing standards may be granted for accessory structures. Such structures must meet the following standards:

- a) Shall not be used for human habitation.
- b) Shall be constructed of flood resistant materials.
- c) Shall be constructed and placed on the lot to offer the minimum resistance to the flow of floodwaters.
- d) Shall be firmly anchored to prevent flotation.
- e) Service facilities such as electrical and heating equipment shall be elevated or floodproofed to or above the FPG.
- f) Shall be designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls as required for elevated structures in Article 5, Section B. 4.

(8) **Above Ground Gas or Liquid Storage Tanks.** All above ground gas or liquid storage tanks shall be anchored to prevent flotation or lateral movement.

Section C. Standards for Subdivision Proposals.

- (1) All subdivision proposals shall be consistent with the need to minimize flood damage.
- (2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- (4) Base flood elevation data shall be provided for subdivision proposals and other proposed development (including manufactured home parks and subdivisions), which is greater than the lesser of fifty (50) lots or five (5) acres.
- (5) All subdivision proposals shall minimize development in the SFHA and/or limit density of development permitted in the SFHA.
- (6) All subdivision proposals shall ensure safe access into/out of SFHA for pedestrians and vehicles (especially emergency responders).

Section D. Critical Facility.

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the SFHA. Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated to or above the FPG at the site. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the FPG shall be provided to all critical facilities to the extent possible.

Section E. Standards for Identified Floodways.

Located within SFHAs, established in Article 3, Section B, are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of floodwaters, which carry debris, potential projectiles, and has erosion potential. If the site is in an identified floodway, the Floodplain Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources and apply for a permit for construction in a floodway. Under the provisions of IC 14-28-1 a permit for construction in a floodway from the Indiana Department of Natural Resources is required prior to the issuance of a

local building permit for any excavation, deposit, construction, or obstruction activity located in the floodway. This includes land preparation activities such as filling, grading, clearing and paving etc. undertaken before the actual start of construction of the structure. However, it does exclude non-substantial additions/improvements to existing (lawful) residences in a non-boundary river floodway. (IC 14-28-1-26 allows construction of a non-substantial addition/ improvement to a residence in a non-boundary river floodway without obtaining a permit for construction in the floodway from the Indiana Department of Natural Resources. Please note that if fill is needed to elevate an addition above the existing grade, prior approval for the fill is required from the Indiana Department of Natural Resources.)

No action shall be taken by the Floodplain Administrator until a permit or letter of authorization (when applicable) has been issued by the Indiana Department of Natural Resources granting approval for construction in the floodway. Once a permit for construction in a floodway or letter of authorization has been issued by the Indiana Department of Natural Resources, the Floodplain Administrator may issue the local Floodplain Development Permit, provided the provisions contained in Article 5 of this ordinance have been met. The Floodplain Development Permit cannot be less restrictive than the permit for construction in a floodway issued by the Indiana Department of Natural Resources. However, a community's more restrictive regulations (if any) shall take precedence.

No development shall be allowed, which acting alone or in combination with existing or future development, that will adversely affect the efficiency of, or unduly restrict the capacity of the floodway. This adverse affect is defined as an increase in the elevation of the regulatory flood of at least fifteen-hundredths (0.15) of a foot as determined by comparing the regulatory flood elevation under the project condition to that under the natural or pre-floodway condition as proven with hydraulic analyses.

For all projects involving channel modifications or fill (including levees) the Town shall submit the data and request that the Federal Emergency Management Agency revise the regulatory flood data per mapping standard regulations found at 44 CFR § 65.12.

Section F. Standards for Identified Fringe.

If the site is located in an identified fringe, then the Floodplain Administrator may issue the local Floodplain Development Permit provided the provisions contained in Article 5 of this ordinance have been met. The key provision is that the top of the lowest floor of any new or substantially improved structure shall be at or above the FPG.

Section G. Standards for SFHAs without Established Base Flood Elevation and/or Floodways/Fringes.

- (1) Drainage area upstream of the site is greater than one square mile:

If the site is in an identified floodplain where the limits of the floodway and fringe have not yet been determined, and the drainage area upstream of the site is greater than one square mile, the Floodplain Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources for review and comment.

No action shall be taken by the Floodplain Administrator until either a permit for construction in a floodway (including letters of authorization) or a floodplain analysis/regulatory assessment citing the one-percent annual chance flood elevation and the recommended Flood Protection Grade has been received from the Indiana Department of Natural Resources.

Once the Floodplain Administrator has received the proper permit for construction in a floodway (including letters of authorization) or floodplain analysis/regulatory assessment approving the proposed development, a Floodplain Development Permit may be issued provided the conditions of the Floodplain Development Permit are not less restrictive than the conditions received from the Indiana Department of Natural Resources and the provisions contained in Article 5 of this ordinance have been met.

- (2) Drainage area upstream of the site is less than one square mile:

If the site is in an identified floodplain where the limits of the floodway and fringe have not yet been determined and the drainage area upstream of the site is less than one square mile, the Floodplain Administrator shall require the applicant to provide an engineering analysis showing the limits of the floodplain and one-percent annual chance flood elevation for the site.

Upon receipt, the Floodplain Administrator may issue the local Floodplain Development Permit, provided the provisions contained in Article 5 of this ordinance have been met.

- (3) The total cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the regulatory flood more than 0.14 of one foot and will not increase flood damages or potential flood damages.

Section H. Standards for Flood Prone Areas.

All development in known flood prone areas not identified on FEMA maps, or where no FEMA published map is available, shall meet applicable standards as required per Article 5.

Article 6. Variance Procedures.

Section A. Designation of Variance and Appeals Board.

The Board of Zoning Appeals shall hear and decide appeals and requests for variances from requirements of this ordinance.

Section B. Duties of Variance and Appeals Board.

The board shall hear and decide appeals when it is alleged an error in any requirement, decision, or determination is made by the Floodplain Administrator in the enforcement or administration of this ordinance. Any person aggrieved by the decision of the board may appeal such decision to the Clark County Circuit Court.

Section C. Variance Procedures.

In passing upon such applications, the board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and;

- (1) The danger of life and property due to flooding or erosion damage.
- (2) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
- (3) The importance of the services provided by the proposed facility to the community.
- (4) The necessity to the facility of a waterfront location, where applicable.
- (5) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage.
- (6) The compatibility of the proposed use with existing and anticipated development,
- (7) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area.
- (8) The safety of access to the property in times of flood for ordinary and emergency vehicles.

- (9) The expected height, velocity, duration, rate of rise, and sediment of transport of the floodwaters at the site.
- (10) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

Section D. Conditions for Variances.

- (1) Variances shall only be issued when there is:
 - a) A showing of good and sufficient cause.
 - b) A determination that failure to grant the variance would result in exceptional hardship.
 - c) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing laws or ordinances.
- (2) No variance for a residential use within a floodway subject to Article 5, Section E or Section G (1) of this ordinance may be granted.
- (3) Any variance granted in a floodway subject to Article 5, Section E or Section G (1) of this ordinance will require a permit from the Indiana Department of Natural Resources.
- (4) Variances to the Provisions for Flood Hazard Reduction of Article 5, Section B, may be granted only when a new structure is to be located on a lot of one-half acre or less in size, contiguous to and surrounded by lots with existing structures constructed below the flood protection grade.
- (5) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (6) Variances may be granted for the reconstruction or restoration of any structure individually listed on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures.
- (7) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the Flood Protection Grade and the elevation to which the lowest floor is to be built and stating that the cost of the flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation (See Article 6, Section E).
- (8) The Floodplain Administrator shall maintain the records of appeal actions and report any variances to the Federal Emergency Management Agency or the Indiana Department of Natural Resources upon request (See Article 6, Section E).

Section E. Variance Notification.

Any applicant to whom a variance is granted that allows the lowest floor of a structure to be built below the flood protection grade shall be given written notice over the signature of a community official that:

- (1) The issuance of a variance to construct a structure below the flood protection grade will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; and;

(2) Such construction below the flood protection grade increases risks to life and property. A copy of the notice shall be recorded by the Floodplain Administrator in the Office of the County Recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

The Floodplain Administrator will maintain a record of all variance actions, including justification for their issuance.

Section F. Historic Structure.

Variances may be issued for the repair or rehabilitation of "historic structures" upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an "historic structure" and the variance is the minimum to preserve the historic character and design of the structure.

Section G. Special Conditions.

Upon the consideration of the factors listed in Article 6, and the purposes of this ordinance, the Board of Zoning Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.


Article 7. Severability.


If any section, clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

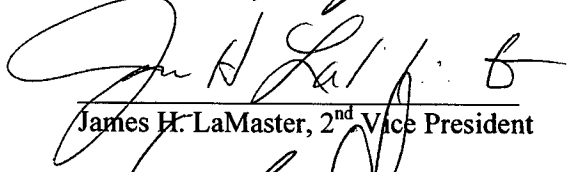
Article 8. Effective Date.


This ordinance shall be in full force and effect on April 16, 2014.

SO ORDAINED THIS 24th DAY OF March, 2014.


Paul J. Rhodes, Council President


Brian K. Meyer, Council Vice President


James H. LaMaster, 2nd Vice President


Michael N. Lockhart, Council Member


Terry E. Langford, Council Member

ATTEST: 
David L. Kinder
Clerk-Treasurer

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2014 - 008

AN ORDINANCE AMENDING THE ROAD INVENTORY FOR THE TOWN OF SELLERSBURG, INDIANA

WHEREAS, this Town Council of Sellersburg, Indiana ("Council") is the town legislative body and the president of the town council is the town executive pursuant to I.C. 35-5-2; and,

WHEREAS, the Town of Sellersburg (hereinafter "Town") retains an inventory of all roads in which the Town maintains; and,

WHEREAS, after the annexation of the Allentown Road and Covered Bridge area, Stantec, INDOT, and Public Works Director, Ken Alexander, conducted a survey of all roads under the control of the Town; and,

WHEREAS, this Council desires to amend the current road inventory with the updated and attached road inventory (*See Exhibit "A"*).

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following:

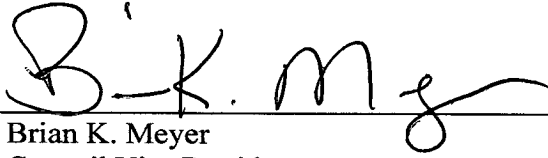
1. The Town of Sellersburg's road inventory is hereby amended as set forth in *Exhibit "A"*.
2. This ordinance will be in full force and effect upon its promulgation and adoption as supported by the signatures below.

So Ordained this 14th day of April, 2014

[signature page to follow]



Paul J. Rhodes
Council President



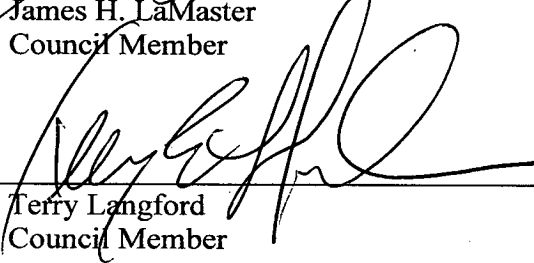
Brian K. Meyer
Council Vice President



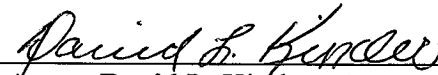
James H. LaMaster
Council Member



Michael N. Lockhart
Council Member



Terry Langford
Council Member



Attest: David L. Kinder
Clerk-Treasurer

Road Name	Classification	Mileage	Feet
ADKINS AVE	EXISTING	0.14	715.5
ADKINS CT	EXISTING	0.19	999.2
ALABAMA DR	EXISTING	0.66	3499.2
ALBERTA CT	EXISTING	0.06	293.8
ALDEN RD	EXISTING	0.20	1035.7
ALLEN RD	EXISTING	0.14	739.2
ALLENTOWN RD	EXISTING	0.36	1899.5
ALLHANDS AVE	EXISTING	0.33	1734.6
ANDRES ST	EXISTING	0.17	910.2
APPLEGATE LN	EXISTING	0.10	518.3
APPLELEAF LN	EXISTING	0.29	1535.3
BANNER AVE	EXISTING	0.09	484.7
BEAU-VISTA PL	EXISTING	0.03	178.3
BEECHWOOD DR	EXISTING	0.30	1581.4
BON AIR PL	EXISTING	0.03	156.0
BOTTOROFF DR	EXISTING	0.07	388.9
BROADWAY ST	EXISTING	0.36	1889.3
BUCHHEIT ST	EXISTING	0.03	167.9
CAROLINA AVE	EXISTING	0.14	740.7
CATALPA ST	EXISTING	0.25	1323.8
CELESTA WAY	EXISTING	0.30	1571.1
CHERRY AVE	EXISTING	0.05	265.1
CHURCH ST	EXISTING	0.11	573.3
DENTON AVE	EXISTING	0.18	934.7
DOLD AVE	EXISTING	0.12	650.5
DREYER LN	EXISTING	0.27	1451.5
E DELAWARE CT	EXISTING	0.07	346.2
E VILLA DR	EXISTING	0.18	947.1
EASTSIDE AVE	EXISTING	0.21	1084.3
EDGELAND AVE	EXISTING	0.15	785.3
EDGEWOOD DR	EXISTING	0.24	1252.2
EHRINGER DR	EXISTING	0.19	1000.6
EMERALD DR	EXISTING	0.18	964.6
FERN ST	EXISTING	0.65	3433.6
FLORIDA DR	EXISTING	0.21	1112.5

EXHIBIT
"A"

FOOTHILL RD	EXISTING	0.24	1274.5
FORREST DR	EXISTING	0.03	163.0
FULTON ST	EXISTING	0.20	1060.6
GEORGIAN AVE	EXISTING	0.45	2401.2
GILOLA AVE	EXISTING	0.15	786.7
GREENWOOD RD	EXISTING	0.51	2679.8
HAAS LN	EXISTING	0.19	1006.7
HAMPTON CT	EXISTING	0.23	1233.8
HANGER AVE	EXISTING	0.15	777.4
HAUSS AVE	EXISTING	0.13	701.8
HELBIG AVE	EXISTING	0.07	390.2
HIGHLAND AVE	EXISTING	0.18	955.5
INDIANAOLA DR	EXISTING	0.17	894.4
IOWA AV	EXISTING	0.13	680.3
KAHL CT	EXISTING	0.23	1199.7
KAHL ST	EXISTING	0.15	782.9
KAY AVE	EXISTING	0.16	833.7
LANE AVE	EXISTING	0.18	936.8
LINNWOOD AVE	EXISTING	0.42	2229.0
LISA AVE	EXISTING	0.14	713.1
MAPLE ST	EXISTING	0.16	846.6
MILLER AVE	EXISTING	0.13	685.6
MILLER WEST	EXISTING	0.05	266.4
MILLVIEW CIR	EXISTING	0.07	366.8
MILLVIEW DR	EXISTING	0.12	607.8
MILLVIEW ST	EXISTING	0.06	333.4
MOSLEY PARK RD	EXISTING	0.09	486.6
MULBERRY ST	EXISTING	0.29	1530.7
N FORREST DR	EXISTING	0.42	2211.3
NEVADA DR	EXISTING	0.28	1504.2
NEW ALBANY AVE	EXISTING	0.89	4713.7
NORMAN DR	EXISTING	0.54	2866.1
NOVEL LN	EXISTING	0.13	681.7
OAK ST	EXISTING	0.07	375.3
OHIO AVE	EXISTING	1.03	5428.1
OLD SR 60	EXISTING	0.35	1839.2

PARADISE AVE	EXISTING	0.22	1176.4
PARALLEL AVE	EXISTING	0.32	1677.0
PAYNE- KOEHLER RD	EXISTING	0.71	3728.8
PENN AVE	EXISTING	0.95	4998.5
PENN ST	EXISTING	0.14	749.3
PENNSYLVANI A AVE	EXISTING	0.31	1621.5
POPLAR DR	EXISTING	0.20	1067.2
POPP AVE	EXISTING	0.57	2995.1
PRATHER LN	EXISTING	0.56	2957.8
REGENTS PARK RD	EXISTING	0.12	659.0
S FORREST DR	EXISTING	0.40	2093.3
SCHELLER AVE	EXISTING	0.14	754.3
SELLERS AVE	EXISTING	0.14	714.4
SHARPS LN	EXISTING	0.12	628.3
SHIRLEY AVE	EXISTING	0.17	887.3
SMITH LN	EXISTING	0.03	150.9
SOUTH ST	EXISTING	0.25	1300.9
ST JOE RD E	EXISTING	0.50	2638.5
ST PAUL ST	EXISTING	0.18	949.3
TERRY LN	EXISTING	0.21	1126.8
TRIANGLE DR	EXISTING	0.22	1178.3
UTICA CT	EXISTING	0.05	280.8
UTICA ST	EXISTING	1.24	6572.9
W DELAWARE CT	EXISTING	0.06	314.7
W UTICA ST	EXISTING	0.31	1614.6
WALK ST	EXISTING	0.07	346.1
WILDWOOD RD	EXISTING	0.29	1542.3
WILLNER DR	EXISTING	0.06	301.7
WILSON LN	EXISTING	0.19	1002.9
Total		24.55	129637.3

Road Name	Classification	Mileage	Feet
ADAMS CREEK DR	ADDED	0.25	1327.0
ALLENTOWN RD	ADDED	2.15	11336.1
ANGEL RUN	ADDED	0.08	422.4
APPLELEAF LN	ADDED	0.30	1604.0
AUTUMN RIDGE	ADDED	0.30	1593.4
AVCO BLVD	ADDED	0.34	1774.2
BRANDON CIR	ADDED	0.15	772.0
BRIDGE CT	ADDED	0.05	284.4
BRIDGEWAY CT	ADDED	0.39	2050.1
BRINGHAM WAY	ADDED	0.19	992.9
BUTLER RD	ADDED	0.41	2174.6
CATALPA ST	ADDED	0.13	667.5
CELESTA WAY	ADDED	0.07	383.5
CHURCH ST	ADDED	0.03	136.8
COVERED BRIDGE RD	ADDED	1.22	6427.5
DEVELOPMENT WAY	ADDED	0.20	1079.8
DORA DR	ADDED	0.12	646.4
EAGLE KNOLL DR	ADDED	0.28	1484.6
EQUESTRIAN DR	ADDED	0.12	634.1
FULTON ST	ADDED	0.04	202.4
GREENBRIAR BLVD	ADDED	1.27	6713.6
HERMITAGE TRL	ADDED	0.06	329.7
HIGH ST	ADDED	0.05	281.7
HUMMINGBIRD WAY	ADDED	0.23	1196.1
KARIE DR	ADDED	0.17	907.9
LAKE DR	ADDED	0.31	1662.3
LAKESIDE CT	ADDED	0.06	314.7
LAKESIDE DR	ADDED	0.80	4220.0
MAGNOLIA POINTE	ADDED	0.06	303.5
MASTERS POINTE	ADDED	0.06	331.0
MAYFAIR DR	ADDED	0.19	1005.9
MIDWAY DR	ADDED	0.08	417.5
MILLER AVE	ADDED	0.17	886.9
MINERS WAY	ADDED	0.16	855.4
MOUNT STERLING DR	ADDED	0.04	230.1
NEW ALBANEY PIKE	ADDED	0.03	159.7
NEWBERRY RD	ADDED	0.23	1212.4
NUGGET CT	ADDED	0.04	196.2
OAK VIEW DR	ADDED	0.05	239.3
OHIO AV	ADDED	0.07	377.8
ONWARD WAY	ADDED	0.08	406.8
PAULS PL	ADDED	0.07	374.4
PENN AVE	ADDED	0.09	496.4
PERRY CROSSING RD	ADDED	1.00	5285.1
PIN OAK PL	ADDED	0.07	361.6
PINEHURST CT	ADDED	0.06	317.1
SAINT JOE RD	ADDED	0.43	2266.7

SERVICE DR	ADDED	0.31	1624.5
SILVER GLADE TRAIL	ADDED	0.60	3168.9
SILVER ST	ADDED	0.03	165.3
SMITH LN	ADDED	0.07	362.8
SOUTH NEW ALBANY ST	ADDED	0.11	579.1
ST ANDREWS PL	ADDED	0.37	1934.7
ST JOE RD E	ADDED	0.04	193.0
STERLING CT	ADDED	0.04	230.0
STERLING OAKS DR	ADDED	1.05	5534.3
STERLING TER	ADDED	0.04	225.3
SUNSET	ADDED	0.06	304.3
TRIANGLE DR	ADDED	0.02	126.0
TURNBERRY TRCE	ADDED	0.06	302.3
TWINBROOK DR	ADDED	0.39	2041.2
VARDON VISTA	ADDED	0.06	297.9
WINGED FOOT DR	ADDED	0.06	326.8
Total		16.05	84760.3

Road Name	Classification	Mileage	Feet
BUCHHEIT ST	DELETED	0.03	165.9
FERN ST	DELETED	0.05	260.9
HIGH ST	DELETED	0.05	279.4
NUNN RD	DELETED	0.09	464.4
OLD SR 311	DELETED	0.70	3713.7
S INDIANA AVE	DELETED	0.03	164.5
ST PAUL ST	DELETED	0.03	154.1
Total		0.99	5203.0

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2014 – 009

AN ORDINANCE ADOPTING AN ECONOMIC DEVELOPMENT INCOME TAX PLAN

WHEREAS, this Town Council of Sellersburg, Indiana (“Council”) is the town legislative body and the president of the town council is the town executive pursuant to I.C. 35-5-2; and,

WHEREAS, I.C. 6-3.5-7-13.1(a) requires the fiscal officer of each county, city, or town for a county in which the county economic development tax is imposed to establish an economic development income tax fund; and;

WHEREAS, in order to spend monies from said fund, this Council must establish an Economic Development Income Tax (hereinafter “EDIT”) plan expounding the uses of said monies; and,


WHEREAS, this Council does now, heretofore, desire to pronounce the uses of the EDIT fund.

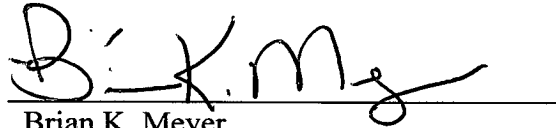
NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following:

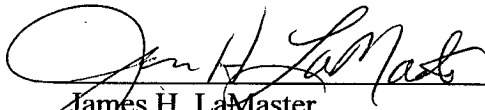
1. Pursuant to I.C. 6-3.5-7-13.1(b)(3), the Town of Sellersburg may expend monies of the EDIT fund for any lawful purpose for which money in any of its other funds may be used.
2. This EDIT plan shall replace and supersede any preciously passed ordinances, resolutions, and or plans that are in contradiction of said plan.
3. This ordinance will be in full force and effect upon its promulgation and adoption as supported by the affirmed signatures below.


So Ordained this 28th day of April, 2014

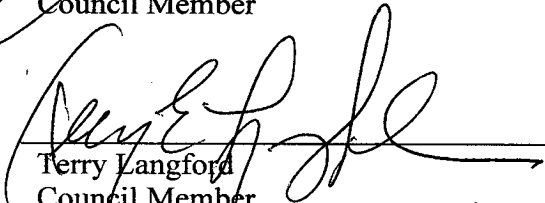
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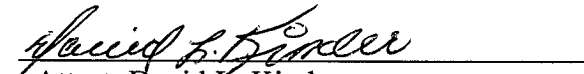

Paul J. Rhodes
Council President


Brian K. Meyer
Council Vice President


James H. LaMaster
Council Member


Michael N. Lockhart
Council Member


Terry Langford
Council Member


Attest: David L. Kinder
Clerk-Treasurer

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2014 -010

AN ORDINANCE AUTHORIZING CHICKENS WITHIN AREAS ZONED R-1

WHEREAS, this Town Council of Sellersburg, Indiana (“Council”) is the town legislative body and the president of the town council is the town executive pursuant to I.C. 35-5-2; and,

WHEREAS, the Town of Sellersburg (hereinafter “Town”) has received interest from several residents about chickens and chicken coops; and,

WHEREAS, this Council has studied other municipalities around the State of Indiana to determine how chicken coops in areas zoned R-1 have been implemented and what benefit it is to the said communities; and,

WHEREAS, this Council desires to allow residents living in areas zoned R-1 the ability to have chicken coops provided they follow strict guidelines set forth below.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following:

CHICKENS; CHICKEN COOPS; & CHICKEN RUNS

DEFINITIONS:

Chicken – means Gallus gallus domesticus, a domestic bird typically kept on a farm. This definition does not include other fowl, such as, but not limited to, peacocks, turkeys, or waterfowl.

Chicken Coop – means an enclosed structure for housing chickens that provides shelter from the elements.

Chicken Flock – means one chicken or a group of two or more chickens which:

- a) Contains no more than five hens and no roosters;
- b) Is issued a permit by the Town of Sellersburg Commissioner of Buildings and Code Enforcement;
- c) Is not otherwise permitted by Section 73 of the Town of Sellersburg Municipal Code as the same may be hereafter amended or replaced; and
- d) Resided in an area zoned R-1.

Chicken Run – means an enclosed outside yard for keeping chickens.

OBTAINING A WAIVER AND A PERMIT FOR CHICKEN FLOCKS.

Except as provided in this title it shall be unlawful for any person to harbor chickens in all zone areas. Exceptions areas zoned A. Persons wishing to harbor a chicken flock in an area zoned R-1 shall obtain both a waiver and a permit. Permits shall not be issued in all other zoned areas other than R-1.

a) Waiver. All persons wishing to harbor a chicken flock shall obtain written waivers by all owners of adjacent lots indicating that said owner does not oppose the harboring of chicken flocks at the applicant's address and therefore waives the prohibition of this chapter. An adjacent lot is one whose boundary line touches the boundary line of applicant's lot, or is separated from the applicant's lot only by an intervening alley or other right-of-way, but does not include lots with an intervening right-of-way classified as a neighborhood street or higher on the town's master thoroughfare plan. All waivers shall be in a form provided by the town.

i. Where an applicant receives waivers from all owners of all adjacent lots and complies with all other requirements of this title for chicken flocks, the applicant shall be permitted to replenish the chicken flock upon the death or loss of any chicken;

ii. An applicant who harbored chickens on May 1, 2014 may obtain a permit pursuant to subsection (b)(5) of this section without obtaining waivers hereunder, and the applicant will thereby be permitted to retain a chicken flock but shall not replace any chicken upon its death or loss. Should such applicant subsequently obtain waivers from all owners of all adjacent lots, then this class of harborers shall be allowed to replenish his/her flock pursuant to subsection (a)(1) about; and

iii. The written waiver as provided in subsection (a) of this section is effective when it is filed with the Town of Sellersburg Commissioner of Buildings and Code Enforcement and shall expire five (5) years from its effective date.

b) Permit.

i. Applications for a permit to harbor a chicken flock shall be made by the owner of the property to the Town of Sellersburg Commission of Building and Code Enforcement and shall include:

1. The name, address, and telephone number of the applicant;

2. The description (breed, sex, age and coloration) of each chicken in the chicken flock;
 3. The address where the chicken flock is to be harbored, and the zoning district in which such address is located (which must be a district listed in subsection (d) of the definition of "chicken flock" of this title); and,
 4. A statement indication whether the applicant has ever been convicted of the offense of cruelty to animals.
- ii. The permit to harbor chicken flock shall not be transferable to another person or to another location;
 - iii. No applicant shall harbor more than one chicken flock within the town;
 - iv. If the applicant withholds or falsifies any information on the permit application, no permit shall be issued and any permit previously issued on false or withheld information shall be revoked;
 - v. An application for a permit shall be made prior to the harboring of any chickens or the creation of any chicken flock, except where the applicant harbored chickens on May 1, 2013 in which case the harborer shall submit an application for a permit no later than ninety days after the effective date of the ordinance codified in this chapter. Where the applicant harbored chickens on May 1, 2013, the applicant must reduce his/her flock to no more than five hens and no roosters, and comply with all other requirements of this title pertaining to chicken flocks within ninety days from the effective date of the ordinance codified in this chapter. A person who harbored chickens on May 1, 2013 but fails to apply for a permit within this timeline shall have not entitlement to continue to harbor any chicken unless and until such person meets all requirements of this section for this section for chicken flocks and obtains a permit for same;
 - vi. All permits shall be conditioned upon a passing inspection by the Town of Sellersburg Commission of Buildings and Code Enforcement or their designees and compliance with this chapter; and
 - vii. The Town of Sellersburg Commission of Buildings and Code Enforcement may refuse to grant or renew a permit and may revoke a permit if applicant/harbinger is unable to maintain his/her flock so as to not create a nuisance, as evidenced by

three substantiated violations of this chapter within twelve consecutive months.

- c) No person previously convicted of cruelty to animals or the equivalent shall be registered or issued a permit without prior review by the animal control commission.

INSPECTION.

It shall be a condition to the issuance of any permit required by this chapter that:

- a) The Town of Sellersburg Commissioner of Buildings and Code Enforcement and/or their designees shall be permitted to inspect the structure and/or premises wherein a kennel is maintained (or believed to be maintained) and all animals located thereon where such animals are harbored.
- b) All reports of such inspections shall be in writing and maintained by the Town of Sellersburg Commission of Buildings and Code Enforcement.
- c) The Town of Sellersburg Commissioner of Buildings and Code Enforcement, and/or their designees are authorized to enter the structure or premises wherein a kennel is maintained (or believed to be maintained) at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures.
- d) If the owner of those in possession of a structure or premises wherein a flock is maintained (or believed to be maintained) refuse inspection of said flock, the Town of Sellersburg Commission of Buildings and Code Enforcement, and/or their designees may obtain an inspection warrant from any court of record in the county in which the flock is located in order to determine if the flock is maintained in accordance with this title.

STANDARDS FOR MAINTAINING CHICKEN FLOCKS.

- a) All harborers of chicken flocks shall:
 - i. Operate in such a manner so as not to constitute a public nuisance or disturb neighboring resident due to noise, order or damage;
 - ii. Operate in such a manner so as to not pose a threat to public health. Harborers shall isolate chickens which are sick or diseased so as to not endanger the health and well-being of other animals or humans. When necessary for the protection of the public health and safety, the director of animal care and control may require the specified animal be kept or confined in a secured enclosure. This provision is subordinate to any, local, state or federal code governing the treatment of chickens in the event of a threat to human health;

- iii. Comply with all of the provisions of Town's code regarding general animal care;
- iv. Not slaughter chickens on harborer's property;
- v. Keep all chickens completely and securely enclosed and under the control of the harborer on the harborer's property at all times;
- vi. Provide both a chicken coop and attached chicken run that afford a combined twelve square feet per chicken;
- vii. Provide a chicken coop that affords shelter from the elements;
- viii. Provide a chicken coop and attached chicken run that, combined, provide adequate ventilation and adequate sun and shade and that are both impermeable to rodents, wild birds and predators, including dogs;
- ix. Provide chickens with access to feed and clean water at all times, such feed and water shall be unavailable to rodents, wild birds and predators; and
- x. Provide adequate safeguards to prevent unauthorized access to the chickens by members of the public; and
- xi. Keep the chicken coop, chicken run, and surrounding area free from trash and accumulated droppings. The harborer shall dispose of chicken waste and uneaten feed in a timely manner.


b) The chicken coop and chicken run shall:

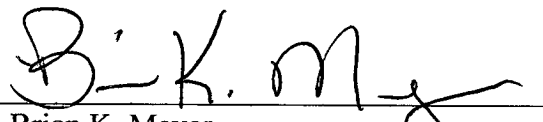
- i. Provide a sight fence or shrub screening of at least four feet in height around both coop and run if visible to occupants of neighboring lots;
- ii. Be located at least twenty (20) feet from any building not owned or occupied by the harborer, that is used or capable of being used for human habitation; and
- iii. Be located at least twelve (12) feet from the property line of any neighboring lot.

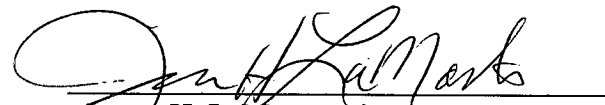
- c) All chicken coops and chicken runs shall comply with the requirements for accessory structures outlined in the Town of Sellersburg Zoning and Building Codes as the same may be hereafter amended or replaced.


This ordinance will be in full force and effect upon its promulgation and adoption as supported by the signatures below.

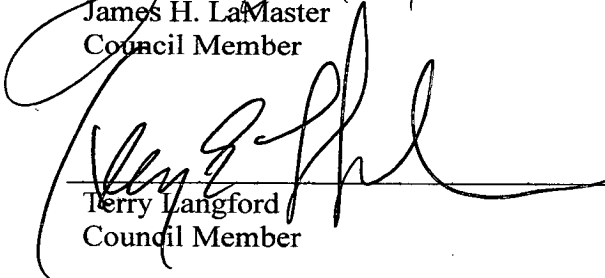
So Ordained this 12th day of May, 2014

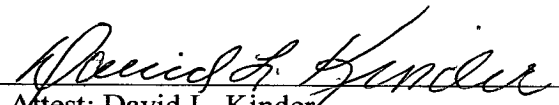

Paul J. Rhodes
Council President


Brian K. Meyer
Council Vice President


James H. LaMaster
Council Member


Michael N. Lockhart
Council Member


Terry Langford
Council Member


Attest: David L. Kinder
Clerk-Treasurer

**Ordinance No. 2014-011
ADDITIONAL APPROPRIATION ORDINANCE**

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

Be it ordained by the Town Council of the Town of Sellersburg, Clark County, that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to laws governing the same:

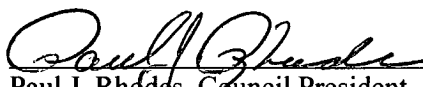
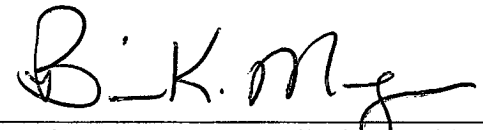
Fund Name: <u>GENERAL</u>	Amount Requested	Amount Approved by Fiscal Body
Major Budget Classification:		
40000 Capital Outlays	\$346,939	\$ 346,939
TOTAL for <u>GENERAL</u> Fund:	\$346,939	\$ 346,939



Fund Name: <u>LOCAL ROAD & STREET</u>	Amount Requested	Amount Approved by Fiscal Body
Major Budget Classification:		
40000 Capital Outlays	\$113,667	\$ 113,667
TOTAL for <u>LOCAL ROAD & STREET</u> Fund:	\$113,667	\$ 113,667

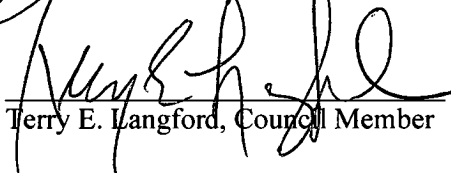

Fund Name: <u>MOTOR VEHICLE HIGHWAY</u>	Amount Requested	Amount Approved by Fiscal Body
Major Budget Classification:		
40000 Capital Outlays	\$41,150	\$ 41,150
TOTAL for <u>MOTOR VEHICLE HIGHWAY</u> Fund:	\$41,150	\$ 41,150

Fund Name: <u>RAINY DAY</u>	Amount Requested	Amount Approved by Fiscal Body
Major Budget Classification:		
20000 Supplies	\$215,052	\$215,052
TOTAL for <u>RAINY DAY</u> Fund:	\$215,052	\$215,052

SO ORDAINED THIS 12th DAY OF May, 2014.

 Paul J. Rhodes, Council President	 Brian K. Meyer, Council Vice President
--	--

 James H. LaMaster, 2 nd Vice President	 Michael N. Lockhart, Council Member
--	---

 Terry E. Langford, Council Member	 ATTEST: David L. Kinder, Clerk-Treasurer
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STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2014 – 012

AN ORDINANCE CREATING A FOUR-WAY STOP WITHIN THE TOWN OF SELLERSBURG, INDIANA LOCATED AT THE INTERSECTION OF GEORGIAN AVENUE AND PENNSYLVANIA AVENUE

WHEREAS, this Town Council of Sellersburg, Indiana (“Council”) is the town legislative body and the president of the town council is the town executive pursuant to Ind. Code § 35-5-2 *et seq.*; and,

WHEREAS, the Town of Sellersburg (hereinafter “Town”) retains an inventory of all roads in which the Town maintains; and,

WHEREAS, from time to time, the Town must make modifications to the current traffic plan implemented within the Town for the safety of the people; and,

WHEREAS, pursuant to Ind. Code § 9-21-1-3(a)(7) a local authority, with respect to private roads and highways under the authority’s jurisdiction may designate an intersection as a stop intersection and require all vehicles to stop at one (1) or more entrances to the intersection; and,

WHEREAS, this Council, after hearing from the public and their concerns, now desires to create a four-way stop at the intersection of Georgian Avenue and Pennsylvania Avenue in Sellersburg, Indiana.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following:

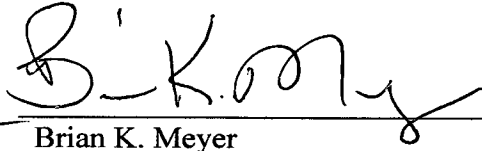
1. A four-way stop is hereby created at the intersection of Georgian Ave. and Pennsylvania Ave. in Sellersburg, Indiana.
2. The Street Department is hereby instructed to purchase and install the stop signs at each entrance into said intersection consistent with rules and regulations of Indiana. The Street Department shall also stripe the pavement accordingly.
3. This ordinance shall be in full force and effect upon its promulgation and adoption as supported by the signatures below.

So Ordained this ^{14th}23rd day of ^{July}June, 2014

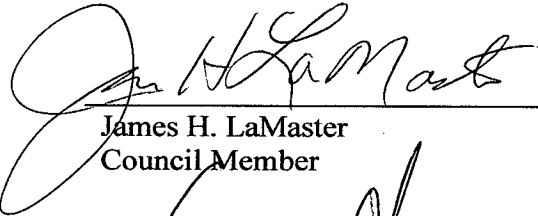
[signature page to follow]



Paul J. Rhodes
Council President



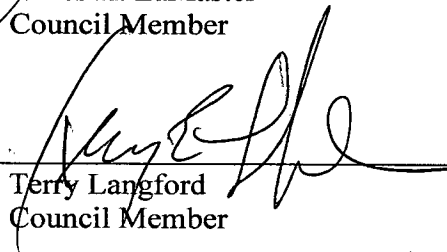
Brian K. Meyer
Council Vice President



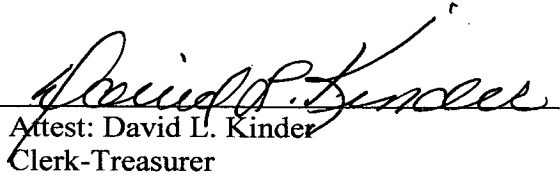
James H. LaMaster
Council Member



Michael N. Lockhart
Council Member



Terry Langford
Council Member



Attest: David L. Kinder
Clerk-Treasurer

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2014-013

AN ORDINANCE FURTHER DEFINING § 53.114(F) OF THE TOWN OF SELLERSBURG'S CODE OF ORDINANCES

WHEREAS, this Town Council of Sellersburg, Indiana ("Council") is the town legislative body and the president of the town council is the town executive pursuant to Ind. Code § 35-5-2, *et seq.*; and,

WHEREAS, the Town of Sellersburg (hereinafter "Town") maintains a code of ordinances of all previously passed ordinances; and,

WHEREAS, from time to time, the Town must review certain ordinances to insure that the original intent of the ordinance is being enforced; and,

WHEREAS, on or about March 4, 2004, the Town hired H.J. Umbaugh & Associates to conduct a System Development Charge Financing Study (the "Study") prior to implementing and passing any charges to new users; and,

WHEREAS, the "Study anticipated that any charge adopted by the Town would be implemented on a per Equivalent Dwelling Unit basis" (*See Exhibit "A"*); and,


WHEREAS, in May of 2004, the Town passed specific ordinance[s] establishing Section 53.114(F).

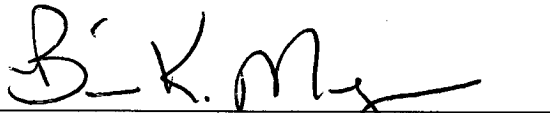
NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following:


1. Section 53.114(F) shall be interpreted to implement the fee of \$1,100 on a per Equivalent Dwelling Unit basis.
2. Section 53.114(F) shall be amended to include the following clarifying phrase:
"The Town Council has determined an expansion related charge of \$1,100 shall be assessed, **on a per Equivalent Dwelling Unit basis**, to insure"
3. All remaining language of Section 53.114(F) shall remain the same and enforceable.


4. This ordinance shall be in full force and effect upon its promulgation and adoption as supported by the signatures below.

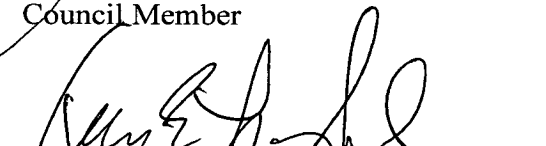
So Ordained this 14th day of July, 2014

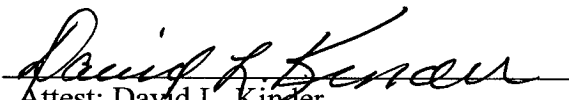

Paul J. Rhodes
Council President


Brian K. Meyer
Council Vice President


James H. LaMaster
Council Member


Michael N. Lockhart
Council Member


Terry Langford
Council Member


Attest: David L. Kinder
Clerk-Treasurer



H. J. Umbaugh & Associates
Certified Public Accountants, LLP
8365 Keystone Crossing
Suite 300
Indianapolis, IN 46240-2667
Phone: 317-465-1500
Fax: 317-465-1550
www.umbaugh.com

It's all about experience.

November 14, 2013

Mr. Kenneth Alexander, Utilities Director
Town of Sellersburg
Town Hall
316 East Utica Street
P.O. Box 85
Sellersburg, IN 47172-1403

Dear Ken:

The purpose of this correspondence is to clarify the intent behind the System Development Charge Financing Study (the "Study") prepared by Umbaugh dated March 4, 2004. As is common with system development charges, the Study anticipated that any charge adopted by the Town would be implemented on a per Equivalent Dwelling Unit basis.

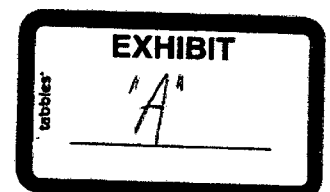
If you have any questions or comments, please do not hesitate to contact John Seever or me.

Very truly yours,

UMBAUGH

Deen C. Rogers
Deen C. Rogers

DCR



ORDINANCE 2014-014

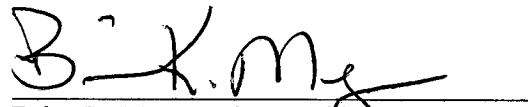
TOWN OF SELLERSBURG
REDUCTION OF APPROPRIATION ORDINANCE


Whereas, it has been shown that certain existing appropriations now have unobligated balances that will not be needed for the purposes for which appropriated, it is further ordained that the following existing appropriations be reduced in the following amounts:


	AMOUNT OF REDUCTION REQUESTED	AMOUNT OF REDUCTION APPROVED BY FISCAL BODY
Fund Name: <u>General</u>		
Major Budget Classification: <u>Paving</u>	<u>\$75,000</u>	<u>\$75,000</u>
Major Budget Classification: <u>Dispatchers Salaries</u>	<u>\$75,000</u>	<u>\$75,000</u>
Major Budget Classification: <u>CT Salaries</u>	<u>\$50,000</u>	<u>\$50,000</u>
Major Budget Classification: <u>Health Insurance</u>	<u>\$75,000</u>	<u>\$75,000</u>
Major Budget Classification: <u>Health Reimbursement</u>	<u>\$25,000</u>	<u>\$25,000</u>
TOTAL for <u>General</u> Fund:	<u>\$300,000</u>	<u>\$300,000</u>

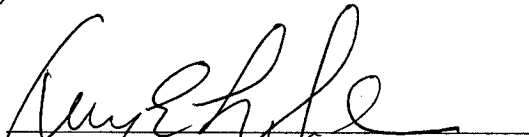
Adopted this *8th* day of SEPTMEBER, 2014.


Paul J. Rhodes, President

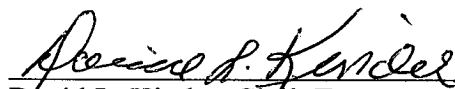

Brian K. Meyer, Vice President


James H. LaMaster, 2nd Vice President


Michael N. Lockhart, Member


Terry E. Langford, Member

ATTEST:


David L. Kinder, Clerk Treasurer

ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATE

Ordinance Number: 2014-015

Be it ordained/resolved by the **TOWN OF SELLERSBURG** that for the expenses of **SELLERSBURG CIVIL TOWN** for the year ending December 31, **2015** the sums herein specified 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 purposes of raising revenue to meet the necessary expenses of **SELLERSBURG CIVIL TOWN**, the property tax levies and property tax rates as herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance.

This ordinance/resolution shall be in full force and effect from and after its passage and approval by the **TOWN OF SELLERSBURG**.

Name of Adopting Entity / Fiscal Body	Type of Adopting Entity / Fiscal Body	Date of Adoption
TOWN OF SELLERSBURG	Town Council	10/27/2014

Fund Code	Fund Name	Adopted Budget	Adopted Tax Levy	Adopted Tax Rate
0101	GENERAL	\$2,790,600	\$5,000,000	2.0224
0342	POLICE PENSION	\$115,000	\$0	0.0000
0706	LOCAL ROAD & STREET	\$77,896	\$0	0.0000
0708	MOTOR VEHICLE HIGHWAY	\$220,000	\$0	0.0000
1303	PARK	\$115,000	\$100,000	0.0404
2390	CUMULATIVE CAPITAL IMP (RATE)	\$27,500	\$0	0.0000
2411	ECONOMIC DEV INCOME TAX CEDIT	\$300,000	\$0	0.0000
		\$3,645,996	\$5,100,000	2.0628

Fund Code	Fund Name	Adopted Budget
9500	PUBLIC SAFETY FUND	\$160,741
9501	LAW ENFORCEMENT CONTINUING EDUCATION	\$30,000
9502	POLICE GRANTS	\$100,000
9506	CHRISTMAS FOR KIDS	\$20,000
		\$310,741

Name		Signature
Paul J. Rhodes	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	Absent
Terry E. Langford	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Terry E. Langford</i>
James H. LaMaster	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Jim H. LaMaster</i>
Michael N. Lockhart	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Michael N. Lockhart</i>
Brad J. Amos	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Brad J. Amos</i>

Name	Title	Signature
David L. Kinder	Clerk Treasurer	<i>David L. Kinder</i>

Name		Signature	Date
	Approve <input type="checkbox"/> Veto <input type="checkbox"/>		

****AMENDED BY ORDINANCE 2015-003****

ORDINANCE NO. 2014-016

**AN ORDINANCE SETTING
HOURLY, WEEKLY AND MONTHLY PAY FOR EMPLOYEES AND ELECTED
OFFICIALS OF THE TOWN OF SELLERSBURG, INDIANA FOR CALENDAR YEAR 2015**

and Monthly pay for the Town of Sellersburg, Indiana for calendar year 2015 payable from the General Fund, Public Safety, Parks Fund, Water Utility and Waste Water Utility of the Town of Sellersburg, Indiana shall be as follows:

Town Council 1/3 Water, WasteWater, General	Qty.	Hourly	Weekly	Monthly
Town Council President	1			\$926.12
Town Council Members	4			\$826.12

Police Officers-General Fund	Qty.	Hourly	Weekly	Monthly
Chief	1		\$1,105.52	
Asst. Chief	1		\$1,018.60	
Detective	2		\$864.60	
Sergeant	4		\$846.60	
First Class Patrolman	7		\$803.80	
School Resource Officer	1		\$803.80	
Probationary Patrolman			\$776.60	

Police Department-General Fund-Civil Employees		Hourly	Weekly	Monthly
Secretary	1		\$762.20	
Records Clerk	1		\$644.74	
Part-Time Records Clerk	1	\$15.12		

Clerk Treasurer's Office-1/3 Water, WasteWater, General		Hourly	Weekly	Monthly
Clerk Treasurer	1		\$903.85	
Chief Deputy Clerk Treasurer	1		\$892.22	
Deputy Clerk Treasurer	1		\$829.42	

Pool/Seasonal Part-Time-Parks Fund		Hourly		
Pool Manager	1	\$13.47		
Assistant Manager	1	\$12.47		
Pool Maintenance Worker	1	\$11.47		
Head Lifeguard	1	\$11.47		
Senior Lifeguard		\$10.97		
Junior Lifeguard		\$10.22		
Concession Workers		\$9.22		

Public Works-General Fund		Hourly	Weekly	Monthly
CDL Truck Driver	2	\$18.37		
Garbage Tipper	1	\$18.13		

Public Works-Water Fund		Hourly	Weekly	Monthly
Water Superintendent	1		\$960.16	
Water Team Member #1	1	\$18.87		

Public Works-WasteWater Fund		Hourly	Weekly	Monthly
Asst. Public Works Director	1		\$1,135.00	
WasteWater Superintendent	1		\$918.14	
Safety Coordinator	1	\$18.37		
WasteWater Team Member #2	1	\$17.87		

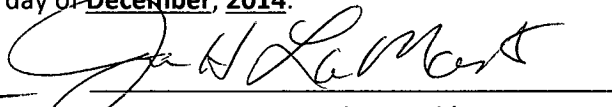
Public Works-Split Funds		Hourly	Weekly	Monthly
15% Civil/40% Water/45% Waste Water				
Public Works Director w/CDL	1		\$1,228.60	
Building/Utilities Inspector w/CDL	1		\$876.92	
Billing Manager	1		\$892.22	
Billing Clerk	2	\$16.87		
Public Works Supervisor w/CDL	1		\$960.16	
Team Member #2 w/CDL	2	\$18.13		
Team Member #3	1	\$17.87		
Team Member #4 w/CDL	1	\$16.79		
Team Member #5	1	\$16.29		
Team Member-Seasonal/Part-Time	2	\$11.00		
Team Member's Hired in 2015		\$14.00		
On Call Pay 15.00 per day				
Hourly Increase for obtaining a CDL		\$0.50		

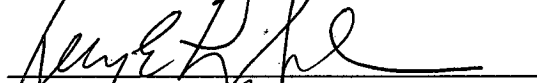
Overtime pay is one and a half times the hourly rate.

Any changes to salaries are to be approved by the Town Council and the Salary Ordinance is to be amended to reflect the change.

So Ordained this 15th day of December, 2014.

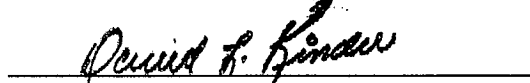

Paul J. Rhodes, Council President


James H. LaMaster, Vice President


Terry E. Langford, Council Member


Brad J. Amos, Council Member


Michael N. Lockhart, Council Member


Attest: David L. Kinder, Clerk Treasurer

Ordinance No. 2014-017

AN ORDINANCE FOR THE TRANSFER OF APPROPRIATIONS REGARDING THE TOWN OF SELLERSBURG GENERAL, LOCAL ROAD AND STREET AND PARKS AND RECREATION FUNDS

WHEREAS, the Town of Sellersburg Clerk-Treasurer has determined there exists a need to transfer appropriations to continue efficient and effective maintenance of the Town of Sellersburg General, Local Road and Street and Parks and Recreation Funds; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that the requested transfer of appropriations is necessary for continued efficient and effective maintenance of the Town's General, Local Road and Street and Parks and Recreation Funds; and

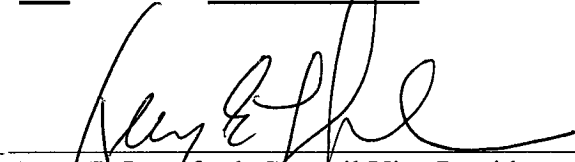
WHEREAS, this matter was considered in an open public meeting at which the public were invited to attend and participate.


BE IT NOW THEREFORE ORDAINED AS FOLLOWS:


<u>Transfer from:</u>	<u>Transfer to:</u>	<u>Amount:</u>
TC HEALTH REIMB ACCT	TC GROUP HEALTH	\$20,000.00
TC HEALTH REIMB ACCT	TC MISC SERVICES/CHARGES	\$ 100.00
PD POLICE INPRS	PD TELEPHONES/INTERNET	\$ 8,000.00
PD POLICE INPRS	PD ELECTRIC	\$11,500.00
PD POLICE INPRS	PD HEAT/GAS	\$ 3,000.00
S&S SALARIES	S&S FUEL FOR PACKER	\$ 8,000.00
S&S SALARIES	S&S TIRES/TUBES	\$ 7,000.00
S&S SALARIES	S&S MISC. SUPPLIES	\$ 6,000.00
S&S SALARIES	S&S EDUCATION/TRAINING	\$ 1,000.00
S&S SALARIES	S&S MAINT. PACKER	\$15,000.00
S&S SALARIES	S&S STREET MAINT.	\$ 6,000.00
S&S SALARIES	S&S GARBAGE	\$ 5,000.00
S&S EQUIPMENT/PACKER	S&S STREET EQUIPMENT	\$ 9,000.00
S&S EQUIPMENT/PACKER	S&S GARBAGE CONTAINERS	\$ 7,000.00
BC GASOLINE	BC MISC.	\$ 3,000.00
LRS SIDEWALKS	LRS PAVING	\$20,000.00
PR POOL SALARIES	PR MIS SUPPLIES	\$ 400.00
PR POOL SALARIES	PR INS OTHER THAN GROUP	\$ 1,000.00
PR POOL SALARIES	PR ELECTRIC/POOL	\$ 3,000.00
PR POOL SALARIES	PR WATER/POOL	\$ 4,000.00
PR POOL SALARIES	PR POOL EQUIPMENT	\$ 4,000.00

SO ORDAINED THIS 15th DAY OF December 2014.

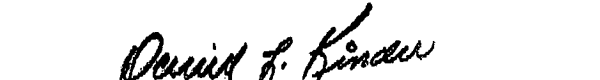

Paul J. Rhodes, Council President


Terry E. Langford, Council Vice President


James H. LaMaster, 2nd Vice President


Michael N. Lockhart, Council Member


Brad J. Amos, Council Member


ATTEST: David L. Kinder, Clerk-Treasurer

Ordinance No. 2014-018

CREATING A HEALTH REIMBURSEMENT ARRANGEMENT (HRA) FOR EMPLOYEES OF THE TOWN OF SELLERSBURG AND RESCINDING ORDINANCE 2008-041

WHEREAS, the Town of Sellersburg Town Council has determined there exists a need to create a Health Reimbursement Arrangement (HRA) and to rescind Ordinance 2008-041; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that it is necessary to create a Health Reimbursement Arrangement (HRA) and rescind Ordinance 2008-041 for continued efficient and effective administration of the Town; and

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


BE IT NOW THEREFORE ORDAINED AS FOLLOWS:

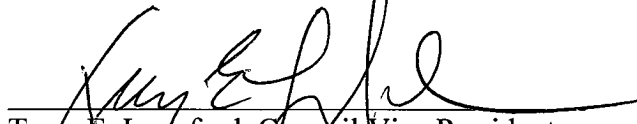
1. **HRA Eligibility:** Employees and dependents enrolled in the Town's Health Insurance plan are eligible to participate in the Health Reimbursement Arrangement.
2. **HRA Benefit:**

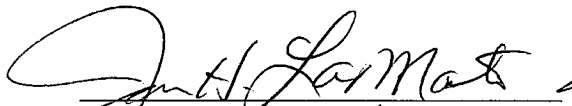
Humana	Employee Pays	Employer HRA Pays
In Network Deductible- \$2,000 Single \$4,000 Family	First- \$250 Single \$500 Family	Remaining- \$1,750 Single \$3,500 Family
Out of Pocket Maximum (includes Deductible) \$6,350 Single \$12,700 Family Per covered member.	Of the employee's deductible responsibility Next- \$3,000 Single \$6,000 Family Toward the employee's Out of Pocket responsibility.	Of the deductible after the employee has met their responsibility of the deductible. Remaining- \$1,350 Single \$2,700 Family Of the Out of Pocket max after the employee has met their responsibility of the Out of Pocket max.

3. **HRA Claim Procedure:** Employees are to complete a Health Reimbursement Arrangement Claim form provided by the Health Reimbursement Arrangement Management Company selected by the Town, along with required documentation.

SO ORDAINED THIS 15th DAY OF December, 2014.

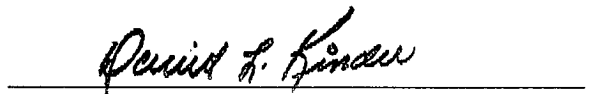

Paul J. Rhodes, Council President


Terry E. Langford, Council Vice President


James H. LaMaster, 2nd Vice President


Michael N. Lockhart, Council Member


Brad J. Amos, Council Member


ATTEST: David L. Kinder, Clerk-Treasurer