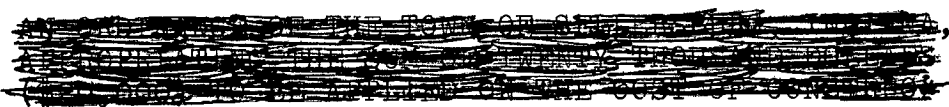


~~ORDINANCE No. 205~~



TOWN OF SELLERSBURG
SELLERSBURG, INDIANA

ORDINANCE NO.:	PRETAINING TO:	PAGE NO.:
22	Discharging fire arms in city limits	3
24	American Tel. and Tel. co.	4
33	Cumberland Tel. and Tel. Co. (Obs.)	6
48	Louisville & Northern R.R. & Lting Co.	9
48 1/2	Permission granted to American Tel. Co.	13
	Prevent roller skating on sidewalks	14
	Climbing on moving interurbans	15
60	Bicycles	16
61	Sanitary features of all public bldgs	17
65	License for exhibits within Town	21
Res. 44	Scheeler Park Subdivision annexed	23
" 54	Improvement of highways by taxation	26
+ 67	Speed limit on street cars	28
Res. 68	Printing a new ordinance book	29
70	Accumulation of snow and ice	30
76	Permission granted to Standard Oil Co.	31
77	Abandonment of public Schools	33
78	Construction of bldg; requirements	36
79	Upkeep of streets and alleys.	38
	Regulating operation of vehicles on certain streets in town	40
(88	License for peddlers, selling or deliver ing such property	41
	AMENDMENT ON PAGE 121	
90	Fire limit zone	47
9	Housing Law of 1917 (Bldgs unfit for Human Habitation	49
91	Posting bills and other notices	52
92	Health Ordinance--Dog Laws	53
89	Acquisition & construction of Sewer Treatment & Disposal Plant	58
93	Amending Ordinance No. 92	58
94	Selling liquor by drink in limits	59
Res.	Southern Indiana Motor Coach lines	60
	Securing Water from Louisville C. Corp	62
101	Owning, operating & maintaining of Water Works System	64
102	Issuance of waterworks revenue bonds	71
105	Sale and delivery of Waterworks Revenue Bonds	95
Res.	Town purchase of property from Water Co.	99
106	Issuance of additional Sewage Works Revenue Bonds	106

107-----	Regulating the Sewage and waste Disposal-	108	
108-----	Regulating traffic and parking-----	117	✓
109-----	Nuisance-----	119	✓
110-----	Water Emergency-----	123	
111-----	Extending Boundaries of Sellersburg-----	129	
112-----	Prohibiting Public Parking-----	133	✓
114-----	Regulating Parking-----	135	✓
115-----	Appropriations-----	137	
117-----	Parking of Mobile Homes-----	139	
118-----	Parking of Vehicles-----On E. Utica--	143	✓
119-----	Sewer & Sewer Taps-----	145	
120-----	Parking Meters-----	147	
121-----	Appropriations-----	151	
122-----	Appropriations-----	157	
123-----	Extending boundaries of Sellersburg-----	159	
200-----	Weight Limits on Certain Streets-----	161	✓
201-----	Tapping on Sewer-----	163	✓
202-----	Slaughtering poultry-----	165	✓
203-----	Appropriations Police Car Maint.-----	167	
204-----	Appropriations Town Hall & Garage-----	169	
206-----	Appropriations Streets & advertising-----	173	
207-----	Burning of Trash, Leaves-----	175	✓
208-----	Regulating 2 hour Parking limit-----	177	✓
209-----	Additional appropriations for the year---	179	
210-----	Application for Federal Grant for Sewage Disposal plant improvement-----	181	
211-----	Ordinance pertaining to Planning&zoning--	183	
212-----	Application for loan for enlarging and extending existing sewage system-----	185	
213-----	Agreement with Public Service Co.-----	187	
214-----	Street lighting contract-----	188	
215-----	Salaries of Board of Trustees & Town Attorney***-----	189	
216-----	Transferring appropriations-----	189	
217-----	Additional Waterworks Revenue Bonds for the purpose of new Waterworks system----	191	
218-----	Establishing rates and charges for the Waterworks System of the Town of Sellersburg	205	
219-----	Zoning Ordinance for the Town of Sellersburg*-----	Insert	
220-----	Subdivision Control Ordinance-----	Insert	
221-----	Codevelopment Ordinance - 4-3-6-20	211	
222***-----	Ordinance to amend Secs. 4 & 6 of Ordinance 217-----	215	
223-----	An Ordinance regulating the use of Air Guns or B.B. Guns in the Town of Sellersburg	221	✓

RESOLUTION AND ORDINANCE RECORD
OF THE
TOWN OF SELLERSBURG

Ordinance No. 22

Section 1. Be it ordained by the Board of Trustees of the Town of Sellersburg that it shall be unlawful for any person to discharge or cause to be discharged any gun, pistol, or other fire arms, squib, bomb, or fire works of any kind, within the corporate limits of the Town of Sellersburg.

Section 2. Any person violating any of the provisions of this ordinance shall upon conviction be fined in any sum not less than one dollar nor more than ten dollars for each offense.

Section 3. This ordinance shall take effect and be in force from and after its due publication..

4.

Ordinance No. 24

Section 1. Be it ordained and enacted by the Board of Trustees of the Town of Sellersburg in Clark County, State of Indiana, that the American Telephone and Telegraph Company of Indiana, its successors and assigns, be and the same is hereby granted the right, privilege and authority to erect, operate and maintain its lines of Telephone and Telegraph including the necessary poles, wires, and fixtures upon, along and over highways, streets, and alleys of said Town upon the terms and conditions hereinafter stated.

Section 2. All poles erected under this ordinance shall be reasonably straight and located under supervision of the Committee on Streets in such a manner as not to interfere with the public use and travel of the said streets and alleys.

Section 3. The said company shall save the said Town free and harmless from all damage caused by the construction or negligence maintenance of its lines and shall locate an office either themselves or in connection with some other company either on New Albany Street, in said Town of Sellersburg.

Section 4. In consideration of the rights and privileges herein granted the said company shall furnish free of cost to said Town space for its fire alarm and police wires upon all poles erected by said company in pursuance of this ordinance.

Section 5. Said company shall be subject to ordinance now in force or which may be hereafter passed by the Board of Trustees relative to the construction of telephone and telegraph lines.

Section 6. Whereas an emergency exists, this ordinance shall take effect and be in force from and after its passage.

Passed April 20th, 1897.

Ordinance No. 33

The Board of Trustees of the Town of Sellersburg, Indiana, to ordain:-

Section 1. That the Cumberland Telephone and Telegraph Company, its successors and assigns, be and the same is hereby granted the right and authority to construct and maintain its telephone poles, wires, and fixtures necessary to operate a telephone exchange, along and over the highways, streets, and alleys of said Town of Sellersburg, Clark County, Indiana.

Section 2. The said poles, wires, and fixtures shall be erected in a safe, substantial manner and shall be so placed as not to interfere with the use of said public highways for purpose of travel thereon, nor to obstruct any passway, gateway or gutter in said Town.

Section 3. The said Cumberland Telephone and Telegraph Company, its successors and assigns, shall indemnify said Town of Sellersburg, Clark County, Indiana, and hold it harmless from any and all damage which may arise by reason of the presence of said poles, wires and fixtures therein.

Section 4. That the said Board of Trustees of the said Town of Sellersburg, Clark County, Indiana, shall

Schroader, et al.

Ten or more taxpayers, other than those who pay poletax only, who feel themselves aggrieved by such determination may appeal to the State Board of Tax Commissioners for further action by filing a petition therefore with the County Auditor on or before the expiration of twenty-nine days from the 15th day of October, 1931. The State Board of Tax Commissioners will then fix a date for a hearing in this County.

Given by order of the Board of Commissioners of Clark County, this 5th day of August, 1931.

Otis B. Fifer,

Auditor Clark County, Ind.
November 12, 19, 1931.

AN ORDINANCE REGULATING THE ERECTION AND REMOVAL OF BUILDINGS AND ESTABLISHING A FIRE LIMIT ZONE IN THE TOWN OF SELLERSBURG, INDIANA, PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND DECLARING AN EMERGENCY.

Be it ordained by the Board of Trustees of the Town of Sellersburg, Indiana.

SECTION 1. That the fire limit zone shall be as follows: Beginning at State Highway No. 31 where Salem Road crosses said Highway and running East to New Albany Street: Thence from New Albany Street along Utica Street East to P. C. C. & St. L. Rail Road Track, also including all of New Albany Street from North Corporation line to South Corporation line.

SECTION 2. That all public or business buildings hereafter erected, built or moved to any lot or part of lot having a frontage on New Albany Street, Utica Street or Salem Road within limits as defined in section one creating fire limit zone, shall be constructed of Brick, Concrete, Stone or Hollow Tile or other equivalent incombustible materials and shall have the roof, top and sides of all roof structures including dormer windows covered with incombustible material.

SECTION 3. (REPAIRING FRAME BUILDING WITHIN THE FIRE LIMIT ZONE.) Any existing frame building within the fire limits which are defined in Section One, which may hereafter be damaged by Fire, Tornado, Windstorm, decay or otherwise to an amount greater than one half of its present value, exclusive of the foundation, shall not be repaired or rebuilt, but shall be removed.

SECTION 4. That every building hereafter erected or built within the Corporate limits of the Town of Sellersburg, Indiana, shall have a fire resistive roof covering and no

have the privilege to attach its Fire Alarm wires to any of said poles free of charge, provided the same are so located as not to interfere with said company's use of said poles.

Section 5. The said Telephone Company is hereby granted the right to trim and cut back all shade trees and branches thereof along and adjacent to its wires running along and upon its streets and alleys of said Town, to a distance of eighteen (18) inches from said Telephone Company's wires. And said company is hereby further granted the right to keep and maintain said shade trees and branches trimmed back from said Telephone Company's wires a like distance, to-wit: eighteen (18) inches therefrom, during the occupancy of said streets and alleys of said Town by said Telephone Company, its successors and assigns under this ordinance, provided that said Telephone Company shall not trim or cut out the top of any shade tree or trees nor trim or cut back any shade tree or trees to the damage or to mar the beauty thereof without the consent of the owner of said tree or trees.

Section 6. All ordinances or parts of ordinances coming in conflict herewith are hereby repealed.

Section 7. It is not intended to grant any exclusive

right or privilege by this ordinance and the said Board of Trustees reserves the power to grant to any individual or corporation similar rights, powers, and privileges herein granted to the Cumberland Telephone and Telegraph Company.

Section 8. This ordinance shall be in effect from and after its passage and the filing with the Chairman of the Board of Trustees of said Town official notice of acceptance of said terms and conditions hereof by said Cumberland Telephone and Telegraph Company.

Approved, August 7, 1900.

Ordinance No. 48.

Be it ordained by the Board of Trustees of the Town of Sellersburg:-

Section 1. That permission and authority are hereby granted unto the Louisville and Northern Railway and Lighting Company, its successors or assigns, to acquire, construct, equip, operate, and maintain an Interurban Railway System (single or double tracks) upon, over, and along the roads, streets, and public grounds of said Town, for the period of fifty years from the taking effect of this ordinance, provided, that said company shall be restricted to a single track on Utica Street, and provided further, that if said Town of Sellersburg shall order and authorize the improvement of any street upon which said Railroad may be located. The said railroad shall be liable for and pay the cost of all that part and portion of such improvement which may embrace in its track so laid and ten (10) inches on each side thereof. And said Railway Company shall not be heard in any manner or form to object to the legality of any such assessment and said railway company shall keep that part of the street occupied by its tracks at all times in good repair whether improved or not.

Section 2. That permission and authority are also hereby granted unto the said Louisville and Northern Railway and Lighting Company to maintain, erect poles and wires upon, over, in, and along the road, streets, and public grounds for said town for a term of twenty-five (25) years from the time this ordinance becomes effective for the purpose of supplying said town and its vicinity with light, heat, and power by whatsoever means it may be authorized to use by reason of its Articles of Association and the laws of the State of Indiana now or hereafter in force. The exercise of the power granted by the second section hereof shall be at the option of the said railway and lighting company and to exercise the rights granted in this section shall not impair in any wise, manner or form the grant to operate and construct an "Interurban Railway System", herein provided for.

Section 3. The said Company in construction of its tracks in the erection of all poles and wires shall not unnecessarily obstruct or endanger the use of any of the streets of said Town, and in laying tracks upon said streets. Said Company shall not unnecessarily impede, obstruct, or endanger the use of such streets by wagons, carriages, and other vehicles passing upon or crossing the same, and where necessary to construct culverts and gutters over which said

company's tracks shall pass said company shall construct and keep in repair such culverts and gutters.

Section 4. The said railway and lighting company, its successors or assigns, under any appropriate agreement which it is hereby authorized to make in its discretion with any other railway company may allow its tracks to be used to transport the cars of such other Railway Company for purpose of carrying passengers and property of either of them. The said Railway and Lighting Company may also operate its cars for the purpose aforesaid or any of them on its own lines or the lines of other companies within and beyond the limits of said Town. Provided that said Railway and Lighting Company shall not use or permit the use of steam locomotive or engines upon said Railroad for the purpose of pulling or propelling cars.

Section 5. This ordinance shall be in force and effect after its passage and acceptance by the said Louisville and Northern Railway and Lighting Company and said Company shall have sixty (60) days in which to accept the same; such acceptance to be in writing and filed in the office of Town Clerk.

Section 6. The line of Railway to be constructed on Utica Street shall extend at least to Albany Street.

Section 7. The Louisville and Northern Railway and Lighting Company shall hold said Town harmless from any damage and expense of litigation that may be incurred by said Town from any source whatever by reason of the granting of this Franchise or the construction of its railway system.

Passed and approved this 28th day of February, 1906.

Ordinance No. 48 $\frac{1}{2}$

Permission is hereby granted to the American Telephone and Telegraph Company of Indiana to maintain its line of poles and wires along the alley between New Albany and Dietrich Avenue between Spring Street and Oak Street, all in the incorporated Town of Sellersburg, Clark County, State of Indiana, and locations of poles is hereby approved as provided in an ordinance granted to the said American Telephone and Telegraph Company of Indiana. .

Dated this 20th day of April, 1906.

An Ordinance to prevent Roller Skating
on Sidewalks in the Town of Sellersburg,
Clark County, Indiana.

Be it ordained by the Board of Trustees of the Town
of Sellersburg, Clark County, Indiana:-

Section 1. That it shall be unlawful for any person
to walk, run or skate with and on roller skates, upon,
along, or across any of the sidewalks of the Town of
Sellersburg, Clark County, Indiana.

Section 2. Any person violating any of the provisions
of this ordinance shall upon conviction forfeit and pay to
the Town of Sellersburg not less than one dollar nor more
than five dollars for each offense.

Section 3. This ordinance shall be in force and effect
from and after written copies thereof have been posted in
five (5) public places in said Town for at least ten (10)
days after its passage, there being no newspaper published
or printed in said Town at this time.

Passed and approved this 12th day of June, 1907.

An Ordinance in regards to stopping persons from climbing on Steam Railway or Interurban cars while in motion.

Section 1. Be it ordained by the Board of Trustees of the Town of Sellersburg, Clark County, Indiana, that it shall be unlawful for any person or persons to climb or step upon any Steam Railway or Interurban car or cars while in motion within the corporate limits of said Town.

Section 2. That any person or persons violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than one dollar nor more than five dollars for each offense.

Section 3. This ordinance shall be in force and effect from and after written copies thereof have been posted in five (5) public places in said Town for at least ten (10) days after its passage, there being no newspaper published or printed in said Town at this time.

Passed and approved this 17th day of July, 1907.

Ordinance No. 60

Be it ordained by the Board of Trustees of the Town of Sellersburg:

Section 1. That it shall be unlawful for any person or persons to ride or propel a bicycle over or along any of the streets or public places of the Town of Sellersburg unless such bicycle is provided with a bell.

Section 2. It shall be unlawful for any person or persons to ride or propel a bicycle upon, over or along any of the streets of the Town of Sellersburg in the night time unless such bicycle is provided with a sufficient light.

Section 3. It shall be unlawful for any person or persons to ride or propel a bicycle along or over any of the sidewalks of the Town of Sellersburg unless in the necessary act of crossing the same.

Section 4. Any person or persons violating any of the provisions of this ordinance shall upon conviction be fined in any amount not exceeding Ten Dollars (\$10.00).

Section 5. All ordinances conflicting herewith are hereby repealed.

Whereas, an emergency exists for immediate taking effect of this ordinance, the same shall be in full force and effect from and after its passage and approval.

Passed and adopted this 6th day of May, 1914.

#60



Ordinance No. 61

Be it ordained by the Board of Trustees of the Town of Sellersburg:-

Section 1. That it shall be the duty of the Secretary of the Town Board of Health to regulate and prescribe the character and location of all plumbing, drainage, water supplies, disposal of sewage, heating, lighting and ventilation thereof and all sanitary features of all public buildings and institutions, and to make and provide such rules and regulations not inconsistent with the rules and regulations of all public buildings within said Town.

Section 2. Such Health Officer, is hereby given full power and authority to enter into and upon any public or private place within the Town of Sellersburg for the purpose of making a sanitary survey of the same and if upon such examination an unhealthy or unsanitary condition is found to exist in any public place by such health officer it shall be his duty to immediately notify the Town Marshal of such conditions, and it shall be the duty of such Town Marshal, upon receiving such notice, to immediately cause such unsanitary or unhealthy condition to be abated or removed, and if upon examination made by such health officer, he shall find an unhealthy or unsanitary condition existing

in, about, or upon the premises of any person within the Town of Sellersburg, it is hereby made the duty of such health officer to immediately notify the person or persons in charge of any such premises in writing, fixing a time limit in such writing, when such unsanitary or when in his judgment there is danger of the outbreak or spread of persons.

Section 3. It shall be the duty of such Town Health Officer, when in his judgment there is danger of the outbreak or spread of Hydrophobia within the Town of Sellersburg to order the muzzling and quarantining of all dogs or other animals for such period of time as he may deem necessary, such order shall be given in writing to the owner, owners or person in charge of any such animal, or animals and it is hereby made the duty of the Town Marshal to kill any dog running at large without a muzzle after the muzzling of dogs is ordered by the Town Health Officer.

Section 4. It shall be the duty of such Town Health Officer, when in his judgment there is danger of outbreak of spread of infectious or contagious diseases within the Town of Sellersburg, to immediately take such steps as he may deem necessary to prevent the spread of infectious or contagious diseases within the Town of Sellersburg. He shall have power and is hereby given the authority to make sanitary inspections and surveys of any and all public or private places within said Town, to determine the proper cause or

source of such disease, and to establish quarantine and to order and execute what is reasonable and necessary for the prevention and suppression of disease, to close schools and churches, and forbid public gatherings of any kind or character when he shall deem it necessary to prevent and stop epidemics, to condemn, and abate conditions causave of disease. And if at any time the work of prevention or spread of infectious or contagious diseases is more than can be reasonably attended to by such Health Officer, he may with the consent of the Town Board employ a sufficient number of persons to act as deputies to establish quarantine, remove patients and conduct disenflections, and it is further made the duty of said Health Officer to properly disenfect all houses or buildings wherein contagious diseases may exist or have existed who shall at the proper time thoroughly disinfect such buildings with formaldehyde, according to the rules of the Board of Health at the expense of said Town.

Section 5. It shall be the duty of such Town Health Officer to enforce the Health Laws and Ordinances of said Town and such orders and rules of his own and of the State Board of Health, to collect the record and report vital statistics of the Town of Sellersburg, and to keep a proper record of all public health work done by him, in a record'

kept for such purpose and to keep the minutes of all meetings of the Board of Health of the Town of Sellersburg.

Section 6. It is hereby made the duty of the Town Marshal at all times to aid the Town Health Officer in the work of enforcing this ordinance or any order made by such Town Health Officer; to enforce the laws and ordinances pertaining to public health upon demand made by such Health Officer.

Section 7. Any person or persons who shall fail or refuse to obey the orders of the Secretary of the Town Board of Health, as herein provided, or who shall in any manner interfere with or molest such Health Officer in the performance of his duties, or who shall violate any of the provisions of this ordinance shall for each offense be fined in any sum not less than five nor more than twenty-five dollars.

Section 8. This ordinance shall be in full force and effect from and after its passage and posting for a period of ten (10) days.

Passed this 6th day of May, 1914.

Ordinance No. 65

Be it ordained by the Board of Trustees of the Town of Sellersburg, Clark County, Indiana:-

Section 1. That it shall be unlawful for any person, firm, or corporation to exhibit within the corporate limits of the Town of Sellersburg, any moving picture show or theatrical performance or show in which patent medicine is vended, or any other public exhibition of any kind where money is demanded or received, without such person, firm or corporation having first procured a license to do so. Provided, however, that lecture or scientific, historic, benevolent or literary subjects, and the apparatus for the elucidation of the same and specimens of the fine arts, shall not be deemed to be within the provisions of this ordinance.

Section 2. That any person, firm, or corporation desiring to operate any moving picture show, or other exhibition as provided for in section one of this ordinance shall make written application to the Town Clerk for a license so to do, and upon the payment by such person, firm, or corporation of the fee as hereinafter provided the Town Clerk shall issue to such applicant a license.

Section 3. That the following fees shall be charged by the Town Clerk for any such license:- For a moving picture show \$1.00 per day, patent medicine shows \$2.00 per day or \$8.00 per week, musical entertainments \$1.00 per day or \$5.00 per week, animal shows \$2.00 per day or \$8.00 per week and for all other public performances \$2.00 per day or \$5.00 per week.

Section 4. Any person, firm, or corporation so exhibiting or showing without first paying the license as required in this ordinance, shall upon conviction be fined in any sum not exceeding Ten Dollars for each offense and each day's performance shall be held to constitute a separate offense.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. This ordinance shall be in force from and after its passage and posting for a period of ten (10) days.

Passed, this 6th day of May, 1914.

Resolution No. 44

Whereas, there has been filed in the Office of the Recorder of Clark County, Indiana, on the 3rd day of November, 1911, a plat of the following Real Estate situated in Clark County, in the State of Indiana, to-wit:- Part of Illinois Grant number One Hundred and ten (110) and One Hundred eleven (111) in Clark County, Indiana, described as follows:- Beginning at an iron spike in the center of Utica Street where the common corner of Robert McCurdy and John Scheller's land intersects the same; thence north fifty (50) degrees east 44.66 poles to the line dividing Grants one hundred ten (110) and one hundred eleven (111) thence south forty (40) degrees east with said line twenty-two and sixty-four hundredths (22.64) poles to a stake; thence along the south line of Chestnut Street seventy-four (74) degrees forty (40) minutes east seven and thirty-seven hundredths (7.37) poles; thence south thirty-nine (39) degrees 45' west forty one and eleven hundredths (41.11) poles to the center of Utica Street; thence with the center of Utica Street thirty and ninety-seven hundredths (30.97) poles to the place of beginning.

And whereas said described Real Estate so platted, and which plat is so recorded as aforesaid, lies adjacent to and

adjoins the corporate limits of the Town of Sellersburg, Clark County, Indiana.

Be it Therefore Resolved, by the Board of Trustees of the Town of Sellersburg, Clark County, Indiana, that the said lot laid off and platted as aforesaid, and the real estate there embraced and described as follows, to-wit:- Part of Illinois Grant number one hundred and ten (110) and one hundred eleven (111) in Clark County, Indiana, described as follows:- Beginning at an iron spike in the center of Utica Street where the common corner of Robert McCurdy and John Scheller's land intersects the same; thence north fifty (50) degrees east 44.66 poles to the line dividing grants one hundred and ten (110) and one hundred and eleven (111); thence south forty (40) degrees east with said line twenty two and sixty four (22.64) poles to a stake; thence along the south line of Chestnut Street seventy-four (74) degrees forty (40) minutes east seven and thirty-seven hundredths (7.37) poles; thence south thirty nine (39) degrees 45' west forty one and eleven hundredths (41.11) poles to the center of Utica Street; thence with the center of Utica Street thirty and ninetyseven hundredths (30.97) poles to the place of beginning. Known and designated and recorded as the Scheller Park Subdivision be and the same is hereby

included in and annexed to the incorporated Town of Sellersburg, Clark County, Indiana, and the boundary of said Town be, and the same is, hereby extended to include said lots and sub-division and the same shall hereafter be, and form a part of said Town of Sellersburg and be within jurisdiction of the same.

Passed and approved this 3rd day of July, 1912.

Resolution No. 54

Whereas, there has been filed before the Board of Commissioners of Clark County, Indiana, a petition for the improvement of a certain established highway in Silver Creek Township, Clark County, Indiana, and

Whereas, on the 6th day of May, 1912, the Board of County Commissioners of Clark County, Indiana, at a regular meeting of said Board appointed Paris Spurgeon, County Surveyor of Clark County, Indiana, as Engineer, and Elmer M. Frank and Andrew Schlosser, viewers to make all needful surveys, plans, profile, and specifications for the improvement of said highway as by law required, and

Whereas, a certain part of a street known as Utica Street in the corporate limits of said Town of Sellersburg is included as a part of said highway to be improved as prayed for in said petition.

BE IT THEREFORE RESOLVED, by the Board of Trustees of the Town of Sellersburg, that said Board of Trustees now consent to the improvement as prayed for in the petition of John G. Scheller, et al of that part of Utica Street within the corporate limits of said Town of Sellersburg as described in said petition which improvement is to be made

by the Board of Commissioners of Clark County, Indiana,
under the laws now in force in the State of Indiana,
providing for the improvement of highways by taxation.

Passed and approved this 5th day of June, 1912.

Ordinance No. 67

Be it ordained by the Board of Trustees of the Town of Sellersburg, Clark County, Indiana:-

Section 1. That it shall be unlawful for any person, firm, or corporation, owning or operating any street car, propelled either by electricity, or other motive power, to suffer or permit any such street car to be run or operated at a rate of speed greater than twelve miles per hour within the corporate limits of the Town of Sellersburg.

Section 2. Any person, firm, or corporation violating the provisions of section one of this ordinance shall upon conviction forfeit and pay to the Town of Sellersburg a sum not exceeding ten dollars for each and every violation thereof.

Section 3. Whereas an emergency exists for the immediate taking effect of this ordinance, the same shall be in full force and effect from and after its passage.

Passed June 2nd, 1915.

Resolution No. 68

A Resolution authorizing and directing the printing of a "New Ordinance Book" containing all Ordinances and Resolutions in force July 7th, 1915, in the Town of Sellersburg, Clark County, Indiana.

Whereas, a large number of Ordinances and Resolutions heretofore passed by the Board of Trustees of the Town of Sellersburg have become void and unenforcible by reason of amendments, repeal, and legislative enactments, and

Whereas, the Board of Trustees of Sellersburg, Clark County, Indiana, deem it necessary to have a "New Ordinance Book" be printed containing all ordinances and resolutions in force in the Town of Sellersburg, Clark County, Indiana, July 7th, 1915.

Passed and approved, July 7th, 1915.

George Ehringer
John G. Miller
Louis Dold
Trustees

Attest:
Benj. Beyl, Clerk

(Seal)

Ordinance No. 70

Be it ordained by the Board of Trustees of the Town of Sellersburg:-

Section 1. That it shall be unlawful for any person, firm, or corporation or the agent thereof, owning, leasing, renting, or having charge of any real estate situated within the corporate limits of said Town and abutting upon any sidewalk or any of the public streets thereof, to allow, permit, or suffer the fall or accumulation of snow or ice to remain upon such sidewalks for a period of not longer than twelve (12) hours after the cessation of such fall or accumulation.

Section 2. Any person, firm, or corporation, or agent of such violating any of the provisions of section 1 of the ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall forfeit and pay to said Town the sum of one dollar, and each twelve hour periods or part thereof that such fall or accumulation of snow or ice is allowed, permitted or suffered to remain upon such sidewalk after the first twelve hour period, the same shall constitute and be deemed a separate offense hereunder.

Section 3. This ordinance shall be in full force and effect from and after its legal passage and publication.

Approved this 6th day of March, 1918.

Ordinance No. 76

Be it ordained by the Town of Sellersburg, in the County of Clark, State of Indiana:-

Section 1. That permission and authority is hereby given and granted to the Standard Oil Company, a corporation organized and doing business under and by virtue of the laws of the State of Indiana, to construct and maintain for a term of fifty (50) years on the following described property, to-wit:

Situated in No. 110 of Illinois Grant, in the Town of Sellersburg, beginning 119 feet from the South line of Fern Street on the west line of Front Street, thence South 40 degrees, 90 feet; thence at right angles about 100 feet to East line of Pennsylvania Railroad track; thence along east line of Cooper Shop occupied by W. E. Hyatt; thence on a line with said Cooper Shop to the place of beginning.

Building complete with pump house and wagon shed and steel tanks and to store therein illuminating oils, coaloils, naphtha, gasoline, benzine, or any other mineral oils or fluids, the products of petroleum, in quantities sufficient to meet requirements of its said business.

Section 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in force and effect on and after its passage and acceptance in writing by said Standard Oil Company.

Dated this 2nd day of April, 1919.

Ordinance No. 77

An ordinance providing for the abandonment, discontinuation of management and control by said Town of Sellersburg, of the public schools within the corporate Town of Sellersburg, Clark County, Indiana

Whereas, the Town of Sellersburg has a school indebtedness in the sum of \$5187.44 and a population less than two thousand inhabitants as shown by last preceding general census, and

Whereas said town desires to abandon and discontinue its management and control of the public schools within such incorporated town and abolish the Board of School Trustees therein, and

Whereas the Trustee of Silver Creek Township, said county and state, in which said township said Town of Sellersburg is situated, has agreed to take over the school property of such town, and

Whereas said school property has been appraised as required by law by Auditor, Assessor and County Superintendent of Clark County, Indiana, at the sum of \$5,187.44, and

Whereas the combined assessed valuation of said Silver Creek Township and the Town of Sellersburg is the sum of

\$89,690.00 and that the total school indebtedness of said Town does not exceed on percent of such assessed valuation of said Township and Town, and

Whereas said trustee of Silver Creek Township, in consideration of the transfer of all school property, said Silver Creek Township agrees to assume all the indebtedness of said school town, therefore,

Be it ordained by the Board of Trustees of the Town of Sellersburg, Indiana:-

Section 1. That the Board of School Trustees of the Town of Sellersburg be, and the same is, hereby abolished; that said Town of Sellersburg shall abandon and discontinue its management and control of the public schools within such incorporated town. The Board of said town shall make out and deliver to said Township Trustee a record of such indebtedness, and the page of record where recorded, the date of the bonds or other evidence of indebtedness to be assumed by said Silver Creek Township, the denominations thereof, the rate of interest they bear, when the same become due and when payable, and when and where the interest thereon is payable and transfer such building, buildings, and equipment to said Township by making and causing to be made a good and sufficient deed conveying all real estate

belonging to such school town of Sellersburg to said Silver Creek Township and to transfer all personal property and fixtures belonging to such school town to said township, all of which shall be accepted and held by such Township Trustee for the use and purpose of the School Township of Silver Creek, Clark County, Indiana.

Section 2. Whereas an emergency exists for the immediate taking effect of the foregoing ordinance, the same shall be in full force and effect from and after its legal passage.

Passed this 25th day of June, 1919.

Ordinance No. 78

Be it ordained by the Board of Trustees of the Town of Sellersburg, Indiana:-

Section 1. That all public or business buildings, hereafter erected, built or moved to any lot or part of lot having a frontage on Utica or New Albany Street, in said town shall be constructed of brick, concrete, iron or new lumber and shall be provided with a slate, tile or shingle roof. That said building or buildings may be of one or more stories in height, but if a one store structure the same shall be not less than fifteen feet from the level of the sidewalk adjoining said building to the eaves thereof.

Section 2. Any person, firm, or corporation desiring to build or move such building upon any lot having a fronting upon Utica or New Albany Street shall first apply in writing to the Clerk of said Town for a permit, in which application the material to be used, the exact location of such proposed structure, the number of stories in height and the probable cost thereof, shall be stated. That if such application does not conflict with any of the provisions of this ordinance, said Clerk shall thereupon issue to such person, firm, or corporation a written permit for such

erection, construction or moving of such building on such lot and shall receive therefor the sum of fifty cents for each permit so issued.

Section 3. Any person, firm, or corporation who shall erect, construct or move or who shall attempt or begin to erect, construct or move any building in violation of the provisions of sections one and two of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than fifty dollars and not more than five hundred dollars.

Section 4. Whereas an emergency exists for the immediate taking effect of this ordinance, the same shall be in full force and effect from and after its legal passage.

Passed this 14th day of July, 1919.

Ordinance No. 79

Be it ordained by the Board of Trustees of the Town of Sellersburg, Indiana:-

Section 1. That all streets and alleys or parts thereof within the corporate limits of the Town of Sellersburg, Indiana, upon which is located the tracks and right-of-ways of any steam or electric railways shall be kept in order and repair and to the height of the level of the grade line of such street or alley, by such steam or electric railway company owning such tracks, as to such part of such street or alley as shall be embraced within such tracks and for the distance of ten inches on each side thereof. Such repairs shall be made and thereafter maintained in such a manner as will permit the free use of those parts of such streets or alleys so occupied, by buggies, wagons and all other vehicles of travel. That the rails of such tracks shall not protrude above the level of the grade line of such streets or alleys.

Section 2. Any person, firm, or corporation violating any of the provisions of section one of this ordinance shall be deemed guilty of misdemeanor and upon conviction

shall forfeit and pay to the Town of Sellersburg any sum not less than ten and not more than twenty-five dollars for each day such streets or alleys shall remain out of order and repair.

Section 3. Whereas an emergency exists for the immediate taking effect of this ordinance, the same shall be in full force and effect from and after its legal passage.

Passed this 14th day of July, 1919.

An ordinance regulating the operation
of vehicles on certain streets in the
Town of Sellersburg, Indiana.

Be it ordained by the Board of Trustees of the Town
of Sellersburg, Indiana:-

Section 1. That the word vehicle as used in this
ordinance shall include automobile, motor vehicle, wagons,
buggies, carriages, carts, and all other conveyances,
whether drawn by horse or propelled by electricity, gaso-
line, or steam, except as hereinafter otherwise provided.

Section 2. All persons operating vehicles on New
Albany Street in said Town of Sellersburg shall before
crossing or passing upon Utica Street therein come to a
full stop.

Section 3. That nothing in this ordinance shall be
construed to mean any conveyance or vehicle operated upon
tracks already laid.

Section 4. Any person violating any of the provisions
of this ordinance shall forfeit and pay to said Town any
amount of money not less than one dollar nor more than twenty-
five dollars.

Section 5. Whereas an emergency exists for the immediate
taking effect of this ordinance, the same shall be in full
force and effect from and after its legal passage.

Passed and adopted this 7th day of November, 1923.

Ordinance No. 88

Be it ordained by the Board of Trustees of the Town of Sellersburg, Indiana:-

Section 1. That it shall be unlawful for any person, firm, or corporation to hawk or peddle meat, fruit, vegetables, melons, produce, dairy products or any other goods, wares or merchandise anywhere within the city limits of the Town of Sellersburg, Indiana, without having first obtained as hereinafter provided, a license so to do.

Section 2. For the purpose of this ordinance, the words "peddle" and "hawk" are defined as meaning to sell or to offer for sale any personal property directly to a user or consumer either by going from house to house for the purpose of selling and delivering such property, or for the purpose of taking orders for the future delivery thereof, or by one selling and delivering such property from a vehicle, pack, or other container in any street, alley, public square or other public place in said city.

Section 3. The provisions of this ordinance shall not apply to fruit growers, farmers, gardeners, bringing or selling products grown or produced by themselves or to a merchant delivering such articles from an established place of business owned and conducted by him, nor to the sale of fuel or ice within the city.

Section 4. The provisions of this ordinance shall not apply to any person now or hereafter exempted by any law of the State of Indiana from payment of license fees for hawking or peddling, but shall apply to all employees, helpers, servants, and agents of persons so exempted.

Section 5. Any person, firm, or corporation desiring to obtain a license to hawk or peddle on applicants own account within the Town of Sellersburg shall make written application therefor to the City Clerk, and on and form to be prescribed by such Clerk, setting forth in such application the applicant's name, age (if any individual), place of residence, the character of the merchandise which applicant proposes to hawk or peddle, and a description of the vehicle with which the applicant proposes to hawk or peddle. If the applicant proposes to use more than one vehicle in such business a separate application for each behicle shall be required. Any person desiring to obtain a license to hawk or peddle within the Town of Sellersburg as a helper, employee, servant, or agent of licensed hawker or peddler, or as a helper, employee, servant, or agent of a person lawfully engaged in such business but exempted by the laws of the State of Indiana from obtaining a license to do so, shall make an application therefor similar to the

one required of the one desiring a license to hawk or peddle on his own account and shall in addition to the information required of such person, state the same of his principal or employer. All applications required hereunder shall be verified and each shall be accompanied by the Treasurer's receipt showing payment to the Treasurer of the license fees hereinafter provided.

Section 6. Upon the filing of such application and receipt the City Clerk shall issue to the applicant a license signed by himself and attested by the City Seal, authorizing the applicant to hawk and peddle within the Town of Sellersburg for a period of one year from the date of such license. The license so issued shall contain the name of the person to whom issued, the date of the beginning and expiration thereof, the kind of and character of the license, the license fee paid therefor, whether the holder thereof is a licensed peddler or hawker, or an employee, helper, servant, or agent of a licensed peddler or hawker, or of a peddler or hawker exempted by law from obtaining a license so to do, and shall authorize the person, firm, or corporation to whom issued to engage in hawking or peddling in the Town of Sellersburg, Indiana, for the term thereof. No person other than the person named therein shall

be entitled to the use or benefit thereof. No license issued hereunder shall be transferable.

Section 7. Each person licensed hereunder shall provide himself with a metal badge with the words "Licensed Peddler" or "Licensed Peddler's Helper", as the case may be, engraved thereon, such badge shall be provided by the City Clerk upon the deposit with the Clerk by the applicant of the sum of One Dollar (\$1.00) as a guarantee for the safe return of the badge at the expiration of the license. Upon the return of the badge the sum deposited shall be refunded to the applicant. If the badge is not returned the amount deposited shall be forfeited to the City. Such badge shall be worn in a conspicuous place upon the person for the applicant, and in case of a corporation, shall be fastened to the vehicle in a conspicuous place.

Section 8. The license fees shall be as follows: For a peddler or hawker fifty dollars (\$50.00) for each vehicle used by the applicant in such business. For an employee, servant, agent, or helper of a licensed peddler, or hawker, or of a peddler or hawker exempted from obtaining a license fifteen dollars (\$15.00). That any person so peddling or vending on foot shall pay for such license or permit as

*Amended
See page
46*

aforsaid, the following fees, to-wit: \$1.00 per day, \$7.50 for three months, \$15.00 for six months, \$25.00 for one year.

Section 9. Every licensed hawker or peddler shall sell by weight or count as required by the laws of the State of Indiana.

Section 10. It shall be unlawful for any person exempted by any law of the State of Indiana from payment of license fees for hawking or peddling, to hawk or peddle anywhere within the Town of Sellersburg, Indiana, without having first obtained from the Auditor of Clark County, Indiana, a license so to do as provided by law.

Section 11. The Marshall of the Town of Sellersburg, Indiana, is hereby appointed license inspector and any license hereunder shall exhibit his license to said Marshall upon request to do so.

Section 12. Any person violating any of the provisions of this ordinance shall forfeit and pay to the Town of Sellersburg the sum of fifty dollars (\$50.00) and in case of a license hereunder shall, in addition thereto forfeit such a license.

Section 13. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 14. This ordinance shall be in full force and effect from and after its passage and legal publication.

Passed by the Board of Trustees of the Town of Sellersburg, Indiana, this sixth day of March, 1929.

Amendment of first paragraph of
Section 8, Ordinance No. 88.

Be it ordained by the Board of Trustees of the Town of Sellersburg, Clark County, Indiana, that the first paragraph of Section eight (8), Ordinance No. 88, known as the peddler's license law of the Town of Sellersburg, Clark County, Indiana, adopted by the Board of Trustees of said town on the sixth day of March, 1929, be and the same is hereby amended to read as follows:-

Section 8. The license fee shall be as follows: For a peddler or hawker, twenty five dollars (\$25.00) for each vehicle used by the applicant in such business. For employee, servant, agent, or helper of a licensed peddler or hawker, or of a peddler or hawker exempt from obtaining a license, fifteen dollars (\$15.00). That any person vending or peddling on foot shall pay for such license or permit as aforesaid the following fees, to-wit: \$1.00 per day, \$7.50 for three months, \$15.00 for six months, \$25.00 for one year.

That all laws in conflict with this section are hereby repealed.

Ordinance No. 90

Be it ordained by the Board of Trustees of the Town of Sellersburg, Indiana:-

Section 1. That the fire limit zone shall be as follows: Beginning at State Highway No. 31 where Salem Road crosses said Highway and running East to New Albany Street; thence from New Albany Street along Utica Street East to P.C.C. and St. L. Railroad Track, also including all of New Albany Street from North Corporation line to South Corporation line.

Section 2. That all public or business buildings hereafter erected, built or moved to any lot or part of lot having a frontage on New Albany Street, Utica Street or Salem Road within limits as defined in section one creating fire limit zone, shall be constructed of brick, concrete, stone or hollow tile or other equivalent incombustible materials and shall have the roof, top and sides of all roof structures including dormer windows covered with incombustible material.

Section 3. Any existing frame building within the fire limits which are defined in section one, which may hereafter be damaged by fire, tornado, windstorn, decay or otherwise

to an amount greater than one half of its present value, exclusive of the foundation, shall not be repaired or rebuilt, but shall be removed.

Section 4. That every building hereafter erected or built within the corporate limits of the Town of Sellersburg, Indiana, shall have a fire resistive roof covering and no existing wood shingle roof if damaged more than ten per cent (10%) shall be renewed or repaired with other than fire resistive roof covering.

Section 5. No building shall be erected, repaired or removed, enlarged or altered, until a plan of the proposed work together with a statement of materials to be used, shall have been submitted in duplicate to the Town Clerk who shall, if in accordance with the provisions above set forth issue a permit for the proposed and described building, for which a fee of fifty cents shall be paid by party obtaining such permit.

Section 6. Any person, firm, or corporation who shall erect, construct or move any building in violation of the provisions of section one, two, three, four or five of this ordinance, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than fifty dollars (\$50.00) and not more than five hundred dollars (\$500.00).

Housing Law of 1917
Buildings Unfit for Human Habitation

Section 1. Be it enacted by the General Assembly of the State of Indiana, that whenever it shall be certified to the State Board of Health or to the Board of Health in any city or town or the Health Commissioner of any county in this state, or whenever such Board or Commissioner shall have knowledge that a dwelling or any part thereof is unfit for human habitation, or dangerous or detrimental to life or health by reason of want of repair, or of defects in the drainage, plumbing, lighting, ventilation or the construction of the same, or by reason of being infected with contagious disease, or for any other cause or by reason of the existence of said dwelling, the State Board of Health, the Board of Health of any city or town or the Health Commissioner of any county may, within their respective jurisdiction, issue an order requiring all persons therein to vacate such dwelling or part thereof within not less than five (5) days nor more than fifteen (15) days for one or more of the reasons to be mentioned in said order. Such Board of Health or Health Commissioners shall at any time for good cause shown, extend the time within which to comply with such order, and whenever satisfied that the danger from said dwelling has ceased to exist and that it is fit for habitation may revoke the order.

Section 2. (Duty of Board of Health to Order Improvement)

Whenever any dwelling or any building, structure, excavation, business, pursuit matter or thing is or about a dwelling or the lot upon which it is situated, or the plumbing, sewage drainage, light or ventilation thereof is in the opinion of the State Board of Health, the Board of Health of any city or town, or the Health Commissioner of any county, in a condition or in effect dangerous or detrimental to life or health, such board or commissioner may declare that the same to the extent they may specify is a public nuisance and may order the same to be removed, abated, suspended, altered, improved or purified as the order may specify. In addition to the above powers said Board of Health Commissioners may also order or cause any dwelling or excavation building, structure, sewer, plumbing, pipe passage, premises, ground, matter or thing, in or about a dwelling or upon the lot which it is situated, to be purified, cleansed, disinfected, renewed, altered, repaired or improved. If any order of a Board of Health Commissioner issued under the authority of the provisions of this act is not complied with or so far complied with as such Board of Health Commissioner may regard as reasonable, within such time as they may designate, then such

order may be executed by said Board of Health or Commissioners by themselves or through their officers, agents or employees. Such orders shall be served upon the tenant and owner, or his rental agent for the premises, but may be served on any person who may have by contract with the owner assumed the duty of doing those things which the order may specify.

Ordinance No. 91

An ordinance prohibiting the placing or attaching any poster or any other kind of advertising upon any tree, telegraph, trolley, telephone or electric light pole within the Town of Sellersburg, Clark County, Indiana, and providing a penalty.

Section 1. Be it ordained by the Board of Trustees of the Town of Sellersburg, Clark County, State of Indiana, that hereafter it shall be unlawful for any person or persons to place or attach any poster, card or any other form of advertising upon any tree, telegraph, telephone, trolley or electric light pole, in and along any street or alley within the Town of Sellersburg, Clark County, State of Indiana.

Section 2. Be it further ordained that any person or persons violating the foregoing section shall be arrested and fined in any sum not less than one dollar (\$1.00) or not more than ten dollars (\$10.00) together with all costs.

Section 3. Be it further ordained that an emergency exists for the immediate taking effect of this ordinance, it shall be in full force and effect from and after the date of its passage.

Dated this 5th day of October, 1932.

Health Ordinance No. 92

Be it ordained by the Board of Trustees of the Town of Sellersburg, Clark County, Indiana, which Board of Trustees constitute the Health Board of said Town, the same being invested with the power to establish and enforce such rules and regulations as they may deem necessary to promote, preserve and secure the health of the Town and to prevent the introduction and spread of contagious, infections or pestilential diseases hereby adopt the following rules and regulations:

✓ Section 1. That it shall be unlawful for any person or persons, company or corporation, to erect, construct, cause, permit, keep or maintain within the corporate limits of said Town anything whatsoever which is injurious to the health or indecent or offensive to the sense of any inhabitant of said Town or any obstruction to the free use of the property by any such inhabitant and any person or persons maintaining any nuisance referred to is hereby declared to be the author and maintainer of said nuisance.

Section 2. It shall be unlawful for any person or persons, company or corporation to throw or deposit or suffer to throw or deposit, or suffer or permit any child,

sevant, member of the family, or any other person under his, her or their control, to throw or deposit any manure, human excrement, urin, rubbish, slop, putrid or unsound animal or vegetable matter or any filth, noisome or unwholesome liquid or slop or any liquid or slops or substance that are liable to become unwholesome in or into or upon any street, lane, alley, sidewalk, gutter, crossing, lot, cellar, premises or common, and it shall be unlawful to anyone to allow rank weeds to grow or make a business of slaughtering poultry or animals within the ~~corporate~~ limits of said Town.

✓Section 3.. All kitchens shall be provided with garbage receptacles, which shall be tightly covered and emptied frequently enough to prevent fermentation and bad odors. Any garbage receptacles and vaults shall be cleaned, emptied, and disinfected, and weeds shall be cut and hauled away at any time upon written order of the health officer; said officer shall fix a reasonable time in his order when said garbage receptacles or vaults shall be emptied, cleaned and disinfected and when weeds shall be cut and hauled away, and if any person, being duly ordered as herein provided shall fail or refuse to obey said order, it shall be the duty of the Town Marshall,

upon notice from the health officer, to cause the garbage receptacles and vaults to be cleaned, emptied and disinfected, or weeds to be cut and hauled away, and said Marshall shall keep an accurate account of the expenses thereof, which shall be paid for from the Town Treasury upon sworn vouchers of the Town Marshall, and the same shall be charged against the property on which said work was done and collected as other taxes are collected against said property.

✓ Section 4. The Secretary of the Town Board of Health who is also Town Health Officer, and all deputy health officers, and the Town Marshall and deputies shall have power and authority to enter upon any street, lot, alley or grounds for the purpose of making a sanitary survey of the same and if a nuisance of any conditions are found, it shall be the duty of the Town Health Officer, when informed of the existence of the same, to immediately notify the person so offending, in writing, fixing the time to abate the nuisance within the time specified. If such person shall fail or refuse to abate, the nuisance within the time specified, it shall be the duty of the Town Marshall, upon notice of the Health Officer, to cause the same to be abated, keeping an accurate account of the expense thereof which

shall be paid by the Town Treasurer and charged against the property owner and collected as other taxes are collected from the property so charged.

Section 5. If at any time the work of the prevention of the spread of infectious or contagious disease is more than can be reasonably expected of the Health Officer, he may, with the consent of the Chairman of the Town Board, employ one or more intelligent men to act as deputies to establish quarantine, remove patients to special hospitals and conduct disinfection. All houses wherein infectious and contagious diseases may exist, shall at the proper time, be thoroughly disinfected according to the rules of the State Board of Health, by the Health Officer or his deputies at the expense of said town as work is obviously for the benefit of the people. A complete record of all disinfections, all vaccination, births, deaths, burial permits, and all other health work shall be kept by the health officer in the minute book of the Town Board of Health.

Section 6. It shall be the duty of the Town Marshall at all times to aid the Town Health Officer in his work of enforcing this ordinance upon demand of the Health Officer.

Section 7. Be it ordained by the Board of Trustees of the Town of Sellersburg, Indiana, that the owners of all animals of the dog kind shall be required to keep them securely upon their own premises, and should any owner of the animals of the dog kind allow them to wander upon the public streets, alleys, and public places within the corporate limits of said town, said dogs shall be declared a public nuisance and the owner of said dog shall be fined not less than three dollars (\$3.00) and not more than twenty-five dollars (\$25.00). It shall be declared a separate offense for each dog so found wandering upon the streets, alleys, and public places within the corporate limits of said Town aforesaid.

Dated this 6th day of April, 1933.

Ordinance No. 89

An ordinance authorizing the acquisition and construction of a Sewage Treatment and Disposal Plant, Intersecting Sewers, Out-Fall Sewers, Pumping Station, Ejector Station, and all other appurtenances necessary or useful and convenient for the treatment and disposal in a sanitary manner, of liquid and solid waste, sewage, night-soil and industrial waste.

Be it ordained by the Board of Trustees of the Town of Sellersburg, Indiana.

Section 1. That the Town of Sellersburg, Indiana, shall acquire and construct a Sewage Treatment, and disposal Plant, with intercepting sewers, out-fall sewars, Pumping Station, Ejector Station, and all other appurtenances necessary or useful and convenient for the treatment and disposal in a sanitary manner of liquid, and solid waste, sewage, night soil, and industrial waste, of the Town of Sellersburg, Indiana, and to equip, operate and maintain the same.

- (A) Said Sewer Treatment and Disposal Plant, shall be constructed so as to treat, purify and dispose in a sanitary manner of the liquid and solid waste, sewage, night soil and industrial waste of the Town, and with all appurtenances to said Sewage Disposal Plant necessary or useful and convenient for such treatment and disposal thereof together with whatever intercepting sewers,

inlets and outlets, out-fall sewers, Pumping Station and Ejector Station as are needed. Said Sewage Disposal Plant is to be constructed in strict conformity to the Plans and Specifications now on file in the office of the Clerk-Treasurer, and which have been prepared and filed by the Engineer hertofore chosen by the Board of Trustees.

- (B) The cost thereof as estimated by the Engineer heretofore chosen as aforesaid, is \$90,420.00, to be paid for in part by the United States of America.
- (C) The Board of Trustees now orders the acquisition and construction of such Sewage Treatment and Disposal Plant.
- (D) An estimate of the rates for the several classes of users or property to be sewed is as follows:

First 3,000 gallons or less	.36¢	Per Month
Next 20,000 gallons	.27¢	Per Month
Next 80,000 gallons	23.04¢	Per Month
All over 103,000 gallons	.18¢	Per Month
Minimun Monthly charge	..90¢	
Charge to the Town of Sellersburg for Street inlets \$2.50 Per Month.		
Special Rate to Township School .12¢ Per Capita.		
Penalty of 10% to be added to all bills not paid within ten days after due.		

- (E) It is hereby ordered and directed that Sewer Revenue Bonds of the Town of Sellersburg, Indiana, shall be issued pursuant to Chapter 61, Laws of Indiana, Special Session 1932, as amended by Chapter 187, Laws of Indiana, 1933 and by Chapter 198, page 976, of the Acts of 1935, Section 48-4301, Burns 1938, Supplement, in the amount and sum of \$30,000.00 to finance that part of said cost

therefore provided for by the United State of America.

- (F) The Board may reduce the above rates whenever they see proper so to do but, in no event shall such reduction rates be fixed at a figure and rate which will not be sufficient to produce to take care of and pay the principal and intrest on said bonds as they become due.

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and adopted at a Regular Meeting of the Board of Trustees of the Town of Sellersburg, Indiana, held on the 25th of November, 1938.

Presented by me to the President of the Board of Trustees of the Town of Sellersburg, Indiana, on the 25th of November, 1938.

Walter R. Smith
Clerk-Treasurer of the Town of Sellersburg, Indiana.

Approved and signed by me and by all members of the Board of Trustees of Sellersburg, Indiana, this 25th, November, 1938.

Posey W. Cooper
President, Board of Trustees, Town of Sellersburg, Indiana.
Dr. Harold P. Vogel
Trustee
Claude Wells, Trustee.

Ordinance No. 93

An ordinance amending Ordinance No. 92 entitled " An Ordinance concerning the issuance and sale of revenue bonds to provide the cost of construction of sewage treatment works of the Town of Sellersburg, and matters connected therewith."

Whereas, Ordinance No. 92 was adopted by the Board of Trustees of the Town of Sellersburg on December 30th, 1938, and it has been discovered that through inadvertence and mistake said ordinance fails to describe properly the project on account of which the sewage works revenue bonds referred to in said Ordinance are being issued, and the Board has been advised that said Ordinance should be amended in certain respect prior to the issuance of bonds thereunder, in order to avoid questions as to the validity of said bonds; now therefore

Be it Ordained by the Board of Trustees of The Town of Sellersburg:

Section 1. That the preamble of said Ordinance No. 92, adopted on December 30th, 1938, entitled an " Ordinance concerning the issuance and sale of revenue Bonds to provide the cost of construction of sewage treatment works of the Town of Sellersburg and matters connected herewith", be amended to read as follows: " Whereas, the Board of Trustees of the Town of Sellersburg has, by the adoption of various Ordinances and resolutions, heretofore provided for the establishment, construction, equipment, operation and maintenance of sewage works, consisting of a sanitary sewer

58-D

system and sewage treatment plant under the provisions of Chapter 61 of the acts of the General Assembly of the State of Indiana for the year 1932(Special Session), and all laws amendatory thereof and supplemental thereto, which ordinance and Resolutions covered all of the requirments of Section 5 of said Chapter 61 of the acts of 1932 except the terms and conditions governing the issuance of the proposed revenue bonds and provisions for safe garding the interests of the bondholders; and

Whereas; an election was held on the 23rd day of November, 1938, on the question of the establishment of said sewage works and the issuance of revenue bonds in an amount not exceeding the sum of Thirty Thousand Dollars(\$30,000.00) to finance the cost therof, and at said election ninety,(90) votes were cast in favor of said project and eighteen(18) votes were cast against said project; and

Whereas; it appears at the present time that sufficient funds can be raised by the sale of revenue bonds in the amount of Twenty Five Thousand Dollars,(\$25,000.00) to meet that portion of the cost of said project to be borne by the Town, over and above the Works Progress Administration grant available for application on said project, and that the proceeds derived from the adle of said amount of bonds will be suppicient to provide for the constructions of said works, interest on the bonds during the period of construction and the incedental expenses necessary to be incurred in connection with said project, including the issuance of Bonds, but

the Board finds that it would be expedient to authorize the issuance of bonds in the amount of Thirty Thousand Dollars (\$30,000.00) so that if additional funds are required the additional bonds may be issued to raise such funds,"

Section 2. That section 2 of said Ordinance No. 92 be amended to read as follows

Section 2. The form and tenor of said bonds, the interest coupons to be attached thereto and the form of registry endorsement thereon shall be substantially as follows; to-wit:

United States of America, State of Indiana, County of Clark
No. 1 to 60 \$500.00

Town of Sellersburg
Sewage Works Revenue Bond

The Town of Sellersburg, in Clark County, Indiana, for value received, hereby promise to pay to the bearer, on the first day of January, 19 out of the special revenue fund hereinafter referred to, the principal amount of

Five Hundred Dollars

and to pay interest thereon from the date thereof until the principal is paid, at the rate of four and one half (4½%) per annum, payable semi-annually on the first day of January and July in each year, beginning January 7, 1940, upon presentation and surrender of the annexed coupons as they severally become due.

Both principal and interest of this bond are payable in lawful money of the United States of America at the Sellersburg State Bank, in the Town of Sellersburg, Indiana.

This bond is one of an authorized issue of Sixty(60) bonds of the Town of Sellersburg of a like date, denomination, tenor and effect except as to date of maturity, in the aggregate principal amount of Thirty Thousand Dollars (\$30,000.00) numbered from 1 to 60 inclusive, issued in strict compliance with the provisions of Chapter 61 of the Acts of the Indiana General Assembly for the year 1932,(Special Session), and all acts amendatory thereof and supplement thereto, and pursuant to Ordinance No. 92 adopted by the Board of Trustees of the Town of Sellersburg on the 30th day of December, 1938, as amended by Ordinance No. 93 adopted by said Board on the 27th day of January, 1939, for the purpose of procuring funds to be applied on the cost of construction of sewage works consisting of a sanitary sewer system and sewage treatment plant.

Pursuant to the provisions of said act and said ordinances, the Principal and interest of this bond and all other bonds of said issue are payable solely from the Sewage Works Sinking Fund,(created by Ordinance No. 90), to be provided from the net revenues (herein defined as gross revenues after deductions only for the payment of the reasonable expenses of operation, repair, and maintenance) of the sewage works of the Town of Sellersburg, Indiana, including the works constructed with the provisions of this bond and the issue of which it is a part, and all additions and improvements thereto and replacements thereof subsequently constructed or acquired.

This bond shall not constitute an indebtedness of the Town of Sellersburg within the meaning of the provisions and limitations of the constitution of the States of Indiana, and said Town shall not be obligated to pay said bonds or the interest thereon except from said special fund provided from said net revenues.

To the prompt payment of the principals and interest of this bond and all other Bonds of said issue the Town of Sellersburg irrevocably pledges the entire net revenues of said works and covenants that it will cause to be fixed, maintained and collected such rates and charge for service rendered by said works as shall be sufficient in each year for the payment of the proper and reasonable expenses of operation, repair, replacements and maintenance of said works and for the payment of the sums required to be paid into said sinking fund.

In the event the Town of Sellersburg, or the proper officers thereof, shall fail or refuse to so fix, maintain and collect such charges, or if there be a default in the payments of the principals or interest of this bond, the holder of this bond shall have all the rights and remedies provided for in said Chapter 61 of the Acts of 1932(Special Session) and all acts amendatory thereof and supplement thereto, including the right to have a receiver appointed to administer the works and to charge and collect rates sufficient to provide for the payments of this bond and the interest thereon.

58-H

The Town of Sellersburg further covenants that it will set aside and pay into it's " Sewage Works Sinking Fund" a sufficient amount of the net revenues of said works to meet(a) the interest on this Bond and the other bonds of this issue herein referred to, (b) the necessary fiscal agency charges for paying bonds and interest (c) the principal of said bonds as they fall due, and (d) an additional amount as a margin of Safty, which margin, together with any unused surplus of such margin carried forward from the preceding year, shall equal ten per cent(10%) of all other amounts so required to be paid into said sinking fund.

Such required payments shall constitute a first charge upon all the net revenue of the works.

This bond and all other bonds of said issue shall have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the state of Indiana,. This bond may be registered as to principal at the office of the Clerk-Treasurer, in the Town of Sellersburg, Indiana, in the name of the owner hereof, andisuch registration noted hereon by said Clerk-Treasurer. Thereafter no transfer hereof shall be valid unless made at said office by the registered owner hereof in person, or by his duly authorized attorney, and similarly noted hereon, but this bond may be discharged from registration by being like transferred to bearer and may again from time to time be registered or transferred to bearer as before.

Such registration, however, shall not restian of effect the negotiability of the interest coupons hereto attached by delivery only, but such interest coupons shall always be payable to bearer.

It is hereby certified and recited that allacts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law.

In Witness Whereof the Town of Sellersburg, in Clark, County, Indiana, has caused this bond to be signed in its corporate name by the President of its Board of Trustees, its corporate seal to be hereunto affixed, and attested by its Clerk-Treasurer, and the interest or coupons attached hereto to be authenticated by placing thereon the facsimile signature of said Clerk-Treasurer, as of the first day of January, 1939.

Town of Sellersburg

Seal

By Posey W. Cooper, President, Board of Trustees

See Book IV, page 219 for amendments to Ordinances No. 92 and 93.

Ordinance No. 94

The Board of Trustees of the Town of Sellersburg, Clark County, Indiana, met in special session and adopted the following ordinance:-

Section 1. Be it ordained by the Board of Trustees, Town of Sellersburg, Clark County, Indiana, that it shall be lawful to sell liquor by the drink within the corporate limits of the Town of Sellersburg, Clark County, Indiana.

Section 2. This ordinance shall be in force and effect on and after its legal passage two years and sixty days from the date of the passage of the State Liquor Law.

Passed and adopted this 29th day of May, 1935.

Resolution

WHEREAS, the Town Board of the Town of Sellersburg, Indiana, has learned of the application filed with the Public Service Commission of Indiana by Southern Indiana Motor Coach Lines, Inc., for a Certificate of Conveyance and Necessity to operate a passenger bus service between the City of New Albany, Indiana, over State Road 31-W, to the Town of Sellersburg, Indiana, and from the Town of Sellersburg, Indiana, over State Roads 31, 403, and 3 to the Town of Charlestown, Indiana; and,

WHEREAS, in the opinion of this body, the installation and operation of such bus service would be of distinct advantage to the citizens of the Town of Sellersburg and would be a public convenience and necessity.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Sellersburg, Indiana, that it approves the application of said Southern Indiana Motor Coach Lines, Inc. for a certificate of Public Convenience and Necessity and petitions the Public Service Commission of Indiana to grant said company such a certificate.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Public Service Commission

of Indiana, and that a certified copy of this resolution
be forwarded to the Southern Indiana Motor Coach Lines,
Inc.

Passed this 8 day of July, 1940.

Claude Wells, President
Andrew Thomas, Member

Attest:

Hazel Meyer, Clerk

RESOLUTION

WHEREAS as a result of the continued dry weather for many months last past, the source of water supply of the Town of Sellersburg has been practically exhausted and the citizens of the Town of Sellersburg do not at this time have an adequate supply of pure water, and

WHEREAS an emergency exists, which necessitates securing water from some other source, and

WHEREAS it is the opinion of the Board of Trustees of the Town of Sellersburg that the critical condition now existing, as a result of the present drought, can be met by securing water from the Louisville Cement Corporation.

THEREFORE BE IT RESOLVED by the Board of Trustees of the Town of Sellersburg that a request be made by the proper officers of the Town Board, permitting the Town of Sellersburg to connect its water mains with a water main now being used by Burns Construction Company, a contractor. Said main is connected with the water mains of the Louisville Cement Corporation, serving the Town of Speeds.

Be it further resolved that if the Louisville Cement Corporation acquiesce in such request that the proper

officers of the Board of Trustees enter into an agreement with the Louisville Cement Corporation, fixing the terms and conditions under which it will furnish water to the Town of Sellersburg.

This resolution shall be in full force and effect from and after its passage.

Passed by the Board of Trustees of the Town of Sellersburg this 19th day of September, 1941.

Claude Wells
President of the Board of Trustees

Attest:

H. Meyer
Clerk

ORDINANCE NO. 101

An ordinance of the Town of Sellersburg concerning the acquisition, owning, operating and maintaining of the water works system serving the Town of Sellersburg, and matters connected therewith.

WHEREAS, there has been filed with the Board of Trustees of the Town of Sellersburg a petition requesting the Board to take the proper proceedings to acquire for and on behalf of the Town the water works serving said Town and its inhabitants, and that the Town own, operate and maintain said water works, which petition the Board finds is in due form of law, is signed by more than five per cent of the voters of said Town as shown by the total vote cast for all candidates for the office of Clerk-Treasurer at the last preceding municipal election; that the signatures thereon are duly verified, and that said petition conforms in all respects to the requirements of Section 18 of Chapter 190 of the Acts of 1933; and

WHEREAS, the Board of Trustees finds that the water works serving the Town of Sellersburg is owned by the Sellersburg Water Company, Inc., a private corporation; that the Town is the owner of all of the common stock of said corporation and now operates the water works property of said corporation under a lease

contract; that said water works property as now constituted is not adequate to meet the needs of the Town and its inhabitants, and that improvements, additions and extensions are urgently needed; that such improvements, additions, and extensions can best be made and financed by the Town acquiring said water works property under the provisions of Chapter 76 of the Acts of 1913, and the Acts amendatory thereof and supplemental thereto, particularly Chapter 190 of the Acts of 1933; that said water works property may be acquired by the Town at a price which will be sufficient to redeem and retire the outstanding preferred stock of the Corporation owning said property, plus an amount sufficient to enable said corporation to meet its miscellaneous obligations and dissolve the total amount required for that purpose being estimated at Thirteen Thousand Five Hundred Sixty Two (\$13,562.00) Dollars.

WHEREAS, the Board of Trustees finds that the cost of acquiring and improving said water works can be financed by the issuance of revenue bonds payable out of revenues of said water works and not constituting obligations of the Town payable out of taxes; and

WHEREAS, the Board finds that a special election should be held under the provisions of Section 19 of Chapter 190 of the Acts of 1933 for the purpose of determining the will of the citizens in regard to the proposed acquisition of said water works properties; now therefore

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, INDIANA:

Section 1. That public convenience and necessity requires that the Town of Sellersburg acquire, own, operate and maintain the water works serving said Town and its inhabitants, under and in accordance with the provisions of Chapter 76 of the Acts of the Indiana General Assembly for the year 1913, and all acts amendatory thereof and supplemental thereto, particularly Chapter 190 of the Acts of 1933, the same being all of the water works property now owned and operated by the Sellersburg Water Company, Inc.

Section 2. That the cost of acquiring said water works shall be financed by the issuance and sale of revenue bonds which shall not constitute an indebtedness of the Town of Sellersburg but shall be payable solely from the revenue of said water works when required.

Section 3. The question of whether the Town shall enter upon the policy of acquiring, owning, operating and maintaining said water works shall be submitted to the voters of the Town at a special election which shall be held on the 9th day of December, 1941. There shall be one voting precinct for said special election, which said voting precinct shall consist of all of the territory within the corporate limits of the Town of Sellersburg as heretofore duly established, and the polling place for said precinct shall be: At the Sellersburg Grade School located on Charlestown Avenue in the Town of Sellersburg, Indiana. Said polling place shall be open between the hours of six A.M. and six P.M. on the day of said special election.

The Clerk-Treasurer is hereby directed to give notice of said special election to the voters of the Town, which notice shall be published once each week for two weeks in the Clark County Mirror, a newspaper of general circulation published in the Town of Sellersburg, and the Clark County Journal, a newspaper of general circulation published in Clark County, Indiana, said newspapers representing the two political parties casting the highest number of votes at the last preceding general election; the Clark County Mirror

being the only newspaper published in the Town of Sellersburg, and the Clark County Journal being a newspaper published in the City of Jeffersonville, the County Seat of Clark County, Indiana, and nearest to the Town of Sellersburg.

The first publication of said notice shall be made at least fifteen (15) days prior to the date on which said special election is to be held. The Clerk-Treasurer shall also direct the Town Marshal to post copies of said notice in at least three public places in the voting precinct, one of which postings in said precinct shall be at or near the polling place.

Section 4. The ballots shall be prepared for use at said special election so that the voters may vote in respect to the proposed acquisition of said water works system.

The ballot relating to the proposed acquisition of said water works shall be as follows:

OFFICIAL BALLOT

Shall the Town of Sellersburg, Indiana, enter upon the policy of acquiring, owning, operating, and maintaining the public water works now serving the said Town and its inhabitants, in accordance with the provisions of Chapter 76 of the Acts of the Indiana General Assembly for the year 1913, and all acts amendatory thereof and supplemental thereto, particularly Chapter 190 of the Acts of 1933, as provided for in Ordinance No. 101, adopted by the Board of Trustees on the 12th day of November, 1941, and finance the cost of acquiring said property by the issuance of

revenue bonds which shall not constitute a corporate indebtedness of the Town?

(To vote in favor, mark an "X" in the square opposite the words "For Waterworks Acquisition". To vote against, mark an "X" in the square opposite the words "Against Waterworks Acquisition.")

For Waterworks Acquisition

:	:
:	:
:	:
:	:

Against Waterworks Acquisition

:	:
:	:
:	:
:	:

Section 5. The Clerk-Treasurer is hereby directed to present a certified copy of this Ordinance to the Board of Election Commissioners of the Town of Sellersburg, and to request said Board to appoint proper election officials to procure the necessary ballots, and to provide the supplies required for the special election, the cost of which shall be paid by the Town.

Section 6. This Ordinance shall be in full force and effect from and after its adoption and signing by the President of the Board.

Passed and adopted by the Board of Trustees of the
Town of Sellersburg on the 12 day of November, 1941.

Claude Wells
President, Board of Trustees

ATTEST:

Hazel Meyer
Clerk-Treasurer

ORDINANCE NO. 102

An Ordinance authorizing the issuance of waterworks revenue bonds by the Town of Sellersburg, Indiana, for the purpose of providing funds to pay the purchase price of the existing waterworks system now furnishing the public water supply to the Town and its inhabitants, and the cost of extending and improving said system, providing for the collection, segregation and distribution of the revenues of said waterworks system and for safeguarding the interests of the holders of said bonds, and other matters connected therewith.

WHEREAS, there has heretofore been filed with the Board of Trustees of the Town of Sellersburg a petition signed by five per cent (5%) or more of the voters of said Town, requesting the Board of Trustees to acquire the waterworks system furnishing the public water supply to the Town of Sellersburg and its inhabitants, and to hold, operate, improve and extend said waterworks system, and a special election has heretofore been held at which a majority of the voters of the Town voted in favor of said proposition, all of which proceedings have been had in accordance with the provisions of Chapter 76 of the Acts of 1913, as amended by Chapter 190 of the Acts of 1933 and all other acts amendatory thereof or supplemental thereto, hereinafter sometimes referred to as the "Act", or as "said act as amended"; and

WHEREAS, the Town of Sellersburg has, by proper action of its Board of Trustees, duly entered into a contract with the Sellersburg Water Company, providing for the purchase by the Town of the existing waterworks system furnishing the public water supply to said Town and its inhabitants, for a price of Thirteen Thousand Five Hundred Sixty Two Dollars (\$13,562.00) subject to certain conditions more particularly set out in said contract; and

WHEREAS, the Board of Trustees has employed a consulting engineer to prepare plans, specifications and estimates for the improvements and extensions proposed to be made by the Town immediately upon its acquisition of said waterworks system, a copy of which plans, specifications, and estimates are now in file in the office of the Clerk-Treasurer; and

WHEREAS, the Board of Trustees, after due investigation, has determined that it will be necessary for the Town to furnish furnish funds in an amount not exceeding Sixty Thousand Dollars (\$60,000.00) to cover the purchase price of said existing waterworks system, together with the cost of construction of the proposed improvements and extensions thereto, including all incidental expenses necessary to be

incurred in connection with such purchase and construction, legal and engineering services, and the cost of the issuance of bonds, and that it is necessary and proper for the Board to authorize the issuance of revenue bonds for the purchase of providing funds to pay such cost; and

WHEREAS, an agreement has been entered into by the Town, acting through its Board of Trustees, with Municipal Securities Company, of Indianapolis, Indiana, pursuant to the terms of which said Municipal Securities Company has agreed to purchase an issue of waterworks revenue bonds of the Town of Sellersburg, bearing interest at the rate of 3 3/4 per cent ($3\frac{3}{4}\%$) per annum, maturing as hereinafter provided, and to be payable solely out of the revenues of the waterworks system to be acquired, improved and extended by the Town; now therefore,

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, INDIANA:

Section 1. That the Town of Sellersburg now proceed with the acquisition, operation, improvement and extension of the existing waterworks system serving the Town of Sellersburg, Indiana, and its inhabitants with a public water supply, in accordance with the purchase contract and the plans, specifications and estimates hereinbefore referred to, and pursuant to the provisions of Chapter 76 of the Acts of 1913, as amended

by Chapter 190 of the Acts of 1933 and all other acts amendatory thereof or supplemental thereto. For the purpose of procuring funds with which to pay the cost of said acquisition, improvement and extension, the Town of Sellersburg shall issue and sell its revenue bonds, payable solely out of the net earnings (herein defined as gross revenues after deductions only for the reasonable expense of operation and maintenance) of said waterworks system, including all extensions thereof and additions and improvements thereto subsequently constructed or acquired; or, in the event of default as hereinafter provided, from the proceeds derived from the sale of said water works system, including all extensions thereof and additions and improvements thereto subsequently constructed or acquired.

Sec. 2. Said bonds shall be in an amount not exceeding Sixty Thousand (\$60,000.00) Dollars in the denomination of One Thousand (\$1,000.00) Dollars numbered consecutively from 1 up, dated January 1, 1942, and bearing interest at the rate of three and three-fourths per cent (3-3/4%) per annum, payable on the first day of July, 1942, and semi-annually thereafter on January 1 and July 1 in each year, which interest shall be evidenced by coupons attached to

said bonds, both principal and interest of said bonds shall be payable at Sellersburg State Bank, in the Town of Sellersburg, Indiana, in lawful money of the United States of America. Said bonds shall mature on the dates and in the amounts as follows:

\$1,000 Jan. 1, 1946	\$2,000 Jan. 1, 1955	\$2,000 Jan. 1, 1964
1,000 Jan. 1, 1947	2,000 Jan. 1, 1956	3,000 Jan. 1, 1965
1,000 Jan. 1, 1948	2,000 Jan. 1, 1957	3,000 Jan. 1, 1966
1,000 Jan. 1, 1949	2,000 Jan. 1, 1958	3,000 Jan. 1, 1967
1,000 Jan. 1, 1950	2,000 Jan. 1, 1959	3,000 Jan. 1, 1968
1,000 Jan. 1, 1951	2,000 Jan. 1, 1960	3,000 Jan. 1, 1969
1,000 Jan. 1, 1952	2,000 Jan. 1, 1961	3,000 Jan. 1, 1970
2,000 Jan. 1, 1953	2,000 Jan. 1, 1962	3,000 Jan. 1, 1971
2,000 Jan. 1, 1954	2,000 Jan. 1, 1963	4,000 Jan. 1, 1972
		4,000 Jan. 1, 1973

The bonds maturing on January 1, 1958, and thereafter, may, at the option of the Town, be redeemed prior to maturity on January 1, 1957, or any interest payment date thereafter in their inverse numerical order, at a price of one hundred eight (108%) per cent of the principal amount thereof; provided that the Town shall in each case pay the interest accrued on the bonds to be so redeemed to the date fixed for the redemption thereof. In the event the Town shall desire to exercise such option, it shall publish notice of such redemption at least thirty (30) days prior to the date fixed for such redemption, one time in a daily newspaper or financial journal of general circulation published in the City of Indianapolis, Indiana. If any of the bonds so to be redeemed

are registered, such notice shall also be mailed to the address of the registered holders as shown on the registration records of the Town. The notice shall specify the date, place of redemption and numbers of the bonds called for redemption. The place of redemption shall be at the place of payment named in the bonds.. Interest on the bonds so called for redemption shall cease on the redemption date fixed in said notice, if sufficient funds are available at the place of redemption to redeem the bonds so called on the date named, or thereafter when said bonds shall be presented for payment. Upon payment of the redemption price the bonds so called for redemption shall be surrendered for cancellation, together with the unmatured interest coupons appurtenant thereto.

Sec. 3. Said bonds shall be signed in the name of the Town of Sellersburg by the President of the Board of Trustees of said Town, and shall be attested by the Clerk-Treasurer, who shall affix the seal of said Town to each of said bonds. The interest coupons attached to said bonds shall be executed with the facsimile signatures of said officers, and said officers by the execution of said bonds shall adopt as and for their own proper signatures their facsimile signatures appearing on said coupons. In case

any of the officers whose signatures appear on said bonds or coupons shall cease to be such officers before the delivery of such bonds, such signatures shall nevertheless be valid and sufficient for all purposes the same as if they had remained in office until the delivery of the bonds.

Said bonds shall be negotiable by delivery unless registered. Upon presentation of the bonds at the office of the Clerk-Treasurer in the Town of Sellersburg, said Clerk-Treasurer shall register said bonds without charge or expense to the holder, as to the principal thereof. Such registry shall be noted on the bond, after which no transfer thereof will be valid unless made by the registered owner in person or by his attorney duly authorized and similarly noted on the bond, but said bond may be discharged from registry by being in like manner transferred to bearer, after which it shall be transferable by delivery but may be again registered as before. The registration of any bond shall not affect the negotiability of the interest coupons attached thereto, but such coupons shall continue to pass by delivery only and shall remain payable to bearer.

Sec. 4. The form and tenor of said bonds and the interest coupons to be attached thereto, and the form of registry endorsement thereon shall be substantially as follows, to-wit:

UNITED STATES OF AMERICA
State of Indiana County of Clark

No. _____

\$ _____

TOWN OF SELLERSBURG
WATERWORKS REVENUE BOND

The Town of Sellersburg, in Clark County, State of Indiana, for value received, hereby promises to pay to bearer, or if this bond be registered then to the registered holder thereof, solely out of the special revenue fund hereinafter referred to, the principal sum of

ONE THOUSAND DOLLARS

on the first day of January, 19 , (unless this bond be subject to and be called for redemption prior to maturity as hereinafter provided), and to pay interest thereon from the date hereof until the principal is paid, at the rate of three and three-fourths (3-3/4%) per cent per annum, payable on the first day of July, 1942, and semi-annually thereafter on July 1 and January 1 of each year.

Both principal and interest of this bond are payable in lawful money of the United States of America at the Sellersburg State Bank in the Town of Sellersburg, Indiana.

This bond is one of an authorized issue of sixty bonds (60) of the Town of Sellersburg, Indiana, of like date, denomination and tenor, except as to the dates of maturity, in the total amount of Sixty Thousand (\$60,000.00) Dollars, numbered consecutively from 1 to 60 both inclusive, issued for the purpose of providing funds to pay the purchase price of the existing water utility in said Town and the cost of construction of improvements and extensions thereto, pursuant to an ordinance passed by the Board of Trustees of said Town of the 30th day of December, 1941, entitled "An Ordinance authorizing the issuance of waterworks revenue bonds by the Town of Sellersburg, Indiana, for the purpose of providing funds to pay the purchase price of the existing waterworks system now furnishing the public water supply to the Town and its inhabitants and the cost of extending and improving said system, providing for the collection, segregation and distribution of the revenues of said water-

works system and for safeguarding the interests of the holders of said bonds, and other matters connected therewith", and in strict compliance with the provisions of Chapter 76 of the Acts of the Indiana General Assembly for the year 1913, as amended by Chapter 190 of the Acts of 1933 and all other acts amendatory thereof or supplemental thereto.

The principal and interest of this bond and all other bonds of said issue are secured by and constitute (a) a first charge upon the net revenues (herein defined as the gross revenues after deduction only for the reasonable expenses of operation and maintenance) of said waterworks system, including all extensions thereof and additions and improvements thereto subsequently constructed or acquired out of which net revenues there is to be deposited in a special "Bond and Interest Retirement Fund", created by said ordinance, a sum sufficient to pay the principal of and interest on all of said bonds; and (b) a first charge and lien upon the property of said waterworks system, including all extensions thereof and additions and improvements thereto subsequently constructed or acquired. This bond is payable only from said "Bond and Interest Retirement Fund" created by said ordinance, and does not constitute an indebtedness of the Town of Sellersburg within the provisions and limitations of the constitution of the State of Indiana.

The Town of Sellersburg covenants that it will fix, maintain and collect an aggregate of rates and charges for the services rendered by said waterworks system which will be sufficient to pay all costs of operation and maintenance of said system, to provide adequate funds for depreciation, and to create and maintain said Bond and Interest Retirement Fund required for the payment of this issue of bonds, and will in all other respects faithfully comply with all of the provisions of the statutes pursuant to which this bond is issued. In the event the Town shall make any default in the payment of the principal of or interest on this bond, the holder thereof shall have all of the rights and remedies provided for in the governing statutes hereinabove referred to, including the right to compel the collection of sufficient charges to provide for the payment of this bond and the interest thereon, and in addition thereto the right to have a receiver appointed to operate said waterworks system or to sell the same and apply the proceeds derived from such sale to the payment of the principal of and interest on this bond.

The bonds of this issue numbered 18 to 60, inclusive, are redeemable at the option of the Town on January 1, 1957, or any interest payment date thereafter, in their inverse numerical order, at face value plus a premium of eight (8%) per cent, together with interest accrued to the redemption date. Notice of such redemption shall be given at least thirty (30) days prior to the date fixed for the redemption, by one publication in a newspaper or financial journal of general circulation published in the City of Indianapolis, Indiana, and a like notice shall be sent by mail to the holders of such bonds as are then registered. Interest on the bonds so called for redemption shall cease on the redemption date fixed in said notice, if sufficient funds are available at the place of redemption to pay the principal, premium and interest of the bonds so called for redemption on the date so named, or thereafter when presented for payment. Upon payment of the redemption price, the bonds redeemed shall be surrendered for cancellation, together with the unmatured interest coupons appurtenant thereto.

This bond and all other bonds of said issue shall, in the hands of bona fide holders, have all the qualities of negotiable instruments under the negotiable instruments laws of the State of Indiana. This bond may be registered in the name of the owner in the manner and with the effect provided in said ordinance, but unless registered shall pass by delivery. The interest coupons annexed hereto shall at all times pass by delivery.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the preparation and complete execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law.

IN WITNESS WHEREOF the Town of Sellersburg, in Clark County, in the State of Indiana, has caused this bond to be signed in its corporate name by the President of its Board of Trustees, its corporate seal to be hereunto affixed, and attested by the Clerk-Treasurer of said Town, and the interest coupons hereto attached to be executed by placing thereon the facsimile signatures of said President and

Clerk-Treasurer, as of the first day of January, 1942.

TOWN OF SELLERSBURG

By Claude Wells
President, Board of Trustees.

ATTEST:

Hazel Meyer
Clerk-Treasurer

(Interest Coupon)

Coupon No. _____ \$ _____

On the first day of _____, 19__6, the Town of Sellersburg, Indiana, will pay to the bearer at the _____, in the Town of _____, out of the Bond and Interest Retirement Fund, _____ Dollars in lawful money of the United States of America, being six months interest on its Waterworks Revenue Bond, dated _____, 19____, No. _____.

TOWN OF SELLERSBURG;

By Claude Wells (Facsimile)
President, Board of Trustees

Attest:

Hazel Meyer (Facsimile)
Clerk-Treasurer

(Registration Endorsement)

This bond can be registered only at the office of the Clerk-Treasurer of Sellersburg, Indiana. No writing hereon except by the Clerk-Treasurer.

Date of Registry	In Whose Name Registered	Clerk-Treasurer
_____	_____	_____
_____	_____	_____
_____	_____	_____

Sec. 5. The Clerk-Treasurer is hereby authorized and directed to have said bonds and coupons prepared, and the President of the Board of Trustees and the Clerk-Treasurer are hereby authorized and directed to execute said bonds, and the interest coupons to be attached thereto, in the form and manner hereinbefore provided. The Clerk-Treasurer is hereby authorized and directed to deliver said bonds to Municipal Securities Company, of Indianapolis, Indiana, upon payment of the purchase price in accordance with the terms and conditions of the proposal of said Municipal Securities Company heretofore approved and accepted by the Board of Trustees, or in accordance with said proposal as the same may be hereafter modified, but in no event shall said bonds be delivered until the full purchase price of par, including accrued interest from the date of the bonds to the date of delivery, has been paid. In the event the Board shall determine that all of the bonds herein authorized shall not be presently delivered, the bonds reserved shall be out of the longest maturity or maturities, and such bonds shall not be executed or delivered except as authorized by resolution adopted by the Board of Trustees.

Sec. 8. The Town shall, by ordinance, establish just and equitable rates and charges for the services rendered by said waterworks system, to be paid by every consumer of the service to be rendered by said waterworks system. Such rates or charges shall be sufficient in each year to pay all expenses incident to the operation of the system, including maintenance cost, operating charges, up-keep, repairs, interest charges on the bonds, and to provide for depreciation; also, to provide a sinking fund for the liquidation of the bonds and adequate funds to be used as working capital, as well as funds for making extensions, additions and replacements, and for the payment of any taxes that may be assessed against such system or the revenues thereof. Such rate or charges shall, if necessary, be changed or re-adjusted from time to time so that the revenues therefrom shall always be sufficient to maintain and operate said system in a proper manner and to provide for the servicing of the bonds. The rates or charges so established shall apply to all consumers of the service provided by said waterworks system, including service rendered by such system to the Town, and the consumer shall pay for services rendered as the charges accrue. All revenues collected pursuant to this section shall be deemed to be the revenues of said waterworks system.

Section 9. All revenues derived from the operation of said waterworks system shall be segregated and kept separate and apart from all other funds of the Town. Such revenues shall be deposited in a bank or banks which are members of the Federal Reserve System or Federal Deposit Insurance Corporation, in a special account or accounts to be designated as "Waterworks Utility Fund", which fund and the various accounts thereof, shall be deposited, held and secured in accordance with the provisions of the laws of the State of Indiana relating to the depositing, holding, and securing of public funds. So long as any of the bonds herein authorized are outstanding, no part of such revenues shall be used for any purpose except as herein specifically provided. The moneys in said Waterworks Utility Fund shall be disbursed through three accounts as follows:

- (a) Operation and Maintenance Account. There shall be credited to and reserved for the Operation and Maintenance Account a sufficient amount of the revenues of the waterworks system as shall be necessary to pay the reasonable and proper cost of operation and maintenance of the system as the same accrues, including all taxes payable on the property of the waterworks system or on account of the revenues received therefrom.

Sec. 6. All accrued interest received at the time of the delivery of the bonds shall be credited to and reserved for the Bond and Interest Retirement Fund Account hereinafter created. The remaining proceeds from the sale of the bonds, and any other funds received for use on the project, shall be deposited in a bank or banks duly designated as the depository or depositories for funds of the Town in accordance with the provisions of Chapter 3 of the Acts of 1937 and all acts amendatory thereof or supplemental thereto, in a special account or accounts to be designated as "Town of Sellersburg Waterworks Acquisition and Construction Account", and each of such special accounts shall be continuously secured in the manner provided by the depository laws of the State of Indiana. The funds in said special account or accounts shall be expended only for the purpose of paying the purchase price of said waterworks system and the cost of construction of extensions thereof and additions and improvements thereto hereinbefore referred to, and for the payment of interest accruing on the bonds during construction. Any balance or balances remaining unexpended in such special account or accounts after the acquisition and improvement of said system, which are not required to meet unpaid obligations in connection therewith,

shall be deposited in the Waterworks Utility Fund and credited to the Bond and Interest Retirement Fund Account, and, together with the accrued interest received at the time of the delivery of the bonds, shall be used solely for the payment of the interest on and principal of the bonds.

Sec. 7. The Town shall keep proper books of record and account, separate from all of its other records and accounts, in which complete and correct entries shall be made of all transactions relating to the waterworks system, showing all revenues collected from the operation thereof and all disbursements made therefrom. There shall be prepared and furnished to the original purchase of the bonds, so long as any of the bonds are held by such purchaser, and, upon written request, to any holder of any of the bonds not more than thirty days after the close of each annual fiscal period complete operating and income statements of the system, in reasonable detail, covering such annual period, which statements shall be certified by the Clerk-Treasurer and approved by the Board of Trustees. Copies of all of such statements and reports shall be kept on file in the office of the Clerk-Treasurer. The holders of any of the bonds shall have the right at all reasonable times to inspect the system and all records, accounts and data of the Town relating thereto.

- (b) Bond and Interest Retirement Fund Account. There shall be credited to and reserved for the Bond and Interest Retirement Fund Account, as available, such amount of the net earnings of said waterworks system as shall be necessary to meet the interest and principal requirements of the bonds herein authorized in accordance with the terms thereof. The funds required for that purpose shall be set aside in a special account designated as the "Bond and Interest Retirement Fund" at least fifteen (15) days prior to the dates on which interest or principal payments on the bonds are to be made. The Clerk-Treasurer is hereby authorized and directed to make such deposit and apply the moneys in the Bond and Interest Retirement Fund to the payment of the bonds and interest coupons as the same mature without further order or direction. Funds credited to the Bond and Interest Retirement Fund Account shall not be transferred or used for any other purpose whatsoever.
- (c) Special Utility Account. There shall be credited to the Special Utility Account, as available, all of the net earnings of the waterworks remaining after proper provision has been made for the Operation and Maintenance

Account and the Bond and Interest Retirement Fund Account. The funds credited to the Special Utility Account may be expended in making good depreciation in the waterworks, or in new construction, betterments or additions to said system, but the funds credited to said account shall not be depleted below the sum of Three Thousand Dollars (\$3,000.00) on account of the construction of additions and extensions to the system, it being intended that a reserve shall be maintained to meet unforeseen contingencies. Funds credited to said Special Utility Account may be transferred to the Operation and Maintenance Account or the Bond and Interest Retirement Fund Account whenever the funds credited to said accounts are insufficient for the purpose thereof. In the event that the funds credited to the Special Utility Account shall exceed the sum of Seven Thousand Five Hundred Dollars (\$7,500.00) then any funds in excess of that amount credited to said account may be transferred to the general fund of the Town or used in calling bonds for redemption prior to maturity as may be directed by the Board of Trustees from time to time.

So long as any of the bonds herein authorized are outstanding, the Waterworks Utility Fund shall remain in the custody of and be disbursed by the Clerk-Treasurer. The official bond of the Clerk-Treasurer shall be increased by such an amount as the Board of Trustees shall consider necessary to protect the funds of said waterworks system coming into the hands of the Clerk-Treasurer. The cost of such additional bond may be paid as a part of the operating cost of the waterworks system, unless such payment be forbidden by law.

Sec. 10. For the purpose of further safeguarding the interests of the holders of said bonds, it is specifically provided as follows:

- (a) On all contracts let for the construction of the extensions and improvements to said waterworks system, or for the furnishing of any equipment in connection therewith, the contractors shall be required to furnish surety bonds in an amount equal to one hundred per cent (100%) of the amount of their contracts, to insure the completion of said contracts in accordance with their terms. Such contractors shall also be required to carry employers' liability and public liability insurance, and

such contracts shall be governed in all respects by the laws of Indiana relating to contracts for public works.

- (b) The work shall be contracted for and constructed under the supervision of and subject to the approval of competent engineers employed by the Town. All estimates for work done and material furnished shall be checked by the consulting engineer and approved by the Board of Trustees of the Town, and no work shall be accepted as completed without the approval of the consulting engineer.
- (c) The Town shall at all times maintain said system in good condition and operate the same in an efficient manner and at a reasonable cost.
- (d) So long as the bonds herein authorized are outstanding, the Town shall maintain insurance for the benefit of bondholders on the insurable parts of the system, of a kind and in an amount such as would normally be carried by a private company engaged in a similar type of business. All insurance shall be placed with reputable insurance companies qualified to do business under the laws of the State of Indiana, and insurance proceeds shall be used in replacing or repairing the property destroyed or damaged, or shall be deposited in the Waterworks Utility Fund.

TOWN OF SELLERSBURG

RESOLUTION NO. _____

WHEREAS, there exists within the Town of Sellersburg insanitary or unsafe inhabited dwellings accomodations, and

WHEREAS, there exists a shortage of safe or sanitary dwelling accomodations within Sellersburg, available to persons of low-income at rentals they can afford, and

WHEREAS, there is determined to be a need for a Housing Authority within the Town of Sellersburg.

THEREFORE BE IT RESOLVED: that a Housing Authority is hereby established to meet the need for such an authority to function in Sellersburg.

Adopted this 9th day of January, 1979.

Attest:

Catherine L. Salmon John H. Weir
John D. Stanton
Mark C. Fralery



water works supplies inc.

202 EAST ST. - P.O. BOX 615 - NEW ALBANY, INDIANA. 47150

PHONE 812/944-7784 DAY OR NIGHT

Page - 78 - 1967 ✓
✓ - 83 - 1968 ✓
✓ - 113 - 1970 ✓
✓ - 119 - 1971 ✓
✓ 120 - 1972 ✓
✓ 125 - 1972 ✓
✓ 126 - 1972 ✓
✓ 127 - 1972 ✓
✓ 138 - 1973 ✓
✓ 142 - 1974 ✓

~~I do not have copy of
Greyer Estates
Jan 8 - 1974
recorded May 9 - 1974~~

PIPE - FITTINGS - VALVES - HYDRANTS - PIPE REPAIR CLAMPS
COUPLINGS - SERVICE MATERIAL - WATER METERS - TOOLS

- (e) So long as any of the bonds are outstanding, the Town shall not mortgage, pledge or otherwise encumber said waterworks system, or any part thereof, except as herein provided, and shall not sell, lease or dispose of any part thereof, nor shall the Town transfer or use any portion of the revenues derived from the operation of said waterworks to any fund or for any purpose not herein specifically authorized.
- (f) So long as any of the bonds herein authorized are outstanding, no additional bonds or other obligations pledging any portion of the revenues of said waterworks system shall be issued by the Town unless the same be made junior and subordinate in all respects to the bonds herein authorized.
- (g) The Town of Sellersburg covenants that it will cause to be installed and maintained not less than forty (40) fire hydrants and that the annual hydrant rental to be paid by the Town to its waterworks department shall not be less than Fifty Dollars (\$50.00) per hydrant, which rental the Board of Trustees now finds to be just and reasonable. Said hydrant rental shall be paid semi-annually as the same accrues. The revenues from said fire hydrant rental shall be deemed to be revenue derived

from the operation of the waterworks system and shall be used and accounted for in the same manner as other revenues derived from said system.

- (h) Any holder of the revenue bonds shall have all of the rights, remedies and privileges either expressly set forth in or implied by any of the governing acts hereinbefore referred to, including the right to compel the collection of sufficient rates and charges to provide for the operation and maintenance of the waterworks system and for the payment of the bonds and the interest thereon; also the right to have a receiver appointed to maintain and operate said waterworks system. In the event the Town shall fail or refuse to fix and collect sufficient rates and charges for said purposes, or shall fail or refuse to operate and maintain said system and to apply properly the revenues derived from the operation thereof, or if there be a default in the payment of the interest on or principal of the bonds for a period of six months after such payment shall be due. The court appointing such receiver may declare the whole amount of said bonds due and payable, and may order and direct the sale of the waterworks system. Under any sale so ordered the purchase shall be deemed to succeed to the rights

of the Town to maintain and operate said waterworks and to furnish the public water supply to the Town and its citizens; provided always that in the event any part of said waterworks system shall be located on real estate owned by the Town, not acquired from the proceeds of the sale of the bond herein authorized, or from the revenues of the waterworks system, then such sale shall not include such real estate but only the property of the waterworks system located thereon.

- (i) The provisions of this ordinance shall constitute a contract between the Town of Sellersburg and the holders of the bonds herein authorized to be issued, and after the issuance of such bonds this ordinance shall not be repealed or amended in any respect which will adversely affect the rights and interests of the holders of said bonds, nor shall the Board of Trustees of the Town of Sellersburg adopt any law, ordinance or resolution in any way adversely affecting the rights of said holders so long as said bonds or the interest therein remain unpaid.
- (j) The provisions of this ordinance shall be construed to create a trust in the proceeds derived from the sale of the bonds herein authorized, for the uses and purposes

set forth herein, and so long as any of the bonds are outstanding the provisions of this ordinance shall also be construed to create a trust in the portion of the net revenues of the system herein directed to be set apart into the Bond and Interest Retirement Fund Account for the uses and purposes of said account as in this ordinance set forth.

(k) None of the foregoing provisions shall be construed as requiring the expenditure of any funds for the acquisition, extension, improvement and operation of said waterworks system which are derived from sources other than the operation of said system.

Sec. 11. This ordinance shall be in full force and effect from and after its passage.

Adopted by the Board of Trustees in the Town of Sellersburg on the 30th day of December, 1941.

Claude Wells
Andrew Thomas
Louis W. Guenther
Board of Trustees

Attest:

Hazel Meyer
Clerk-Treasurer

ORDINANCE NO. 105

An Ordinance concerning the execution,
sale and delivery of Waterworks Revenue
Bonds authorized by Ordinance No. 102.

WHEREAS, by the adoption of Ordinance No. 102 on
December 30, 1941, the Board of Trustees of the Town of
Sellersburg determined to issue revenue bonds in the
amount of Sixty Thousand Dollars (\$60,000.00) for the
purpose of purchasing, enlarging and improving the water-
works furnishing the public water supply to the Town of
Sellersburg and the territory adjacent thereto; and

WHEREAS, the sale of said bonds was duly awarded,
but due to unavoidable delays it has been impossible to
deliver said bonds up to this time, and it is now im-
possible to procure all of the equipment and materials
necessary to carry out all of the contemplated extensions,
additions, and improvements of said waterworks; and

WHEREAS, the Board of Trustees now finds that it would
be for the best interests of the Town and its citizens to
proceed with the acquisition of said waterworks and the
improvement thereof to the extent possible at this time;
that the amount required to pay the purchase price, to make
such necessary improvements as can be made at the present

time, and to pay the incidental expenses necessary to be incurred in connection with such acquisition and improvement, including the cost of issuance of the revenue bonds, will be in the approximate amount of Twenty-five Thousand Dollars (\$25,000.00); and

WHEREAS, the Board further finds that it is now impossible for the Town to complete the sale of and deliver the last maturing twenty-five bonds authorized by Ordinance No. 102 under the terms set out in the bid heretofore accepted; that in making such partial delivery it would be to the best interests of the Town to reserve for future delivery the first thirty-five bonds as authorized by Ordinance No. 102, as said bonds are more salable than the last maturing bonds of said issue; that by completing such partial delivery at this time the Town will make it possible for the owner of the waterworks property to call and redeem its outstanding preferred shares as of July 15, 1942; now therefore,

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG:

Section 1. That the President of the Board of Trustees and the Clerk-Treasurer be and they are hereby authorized and directed to execute bonds numbered 36 to 60, both

inclusive, of the issue of Waterworks Revenue Bonds authorized by Ordinance No. 102, adopted on December 30, 1941, in the form and manner set out in said ordinance, which bonds mature as follows:

- 2 bonds on January 1, 1966;
- 3 bonds on January 1 in the years 1967 and 1971, inclusive;
- 4 bonds on January 1 in the years 1972 and 1973.

Sec. 2. That the Clerk-Treasurer be and he is hereby authorized and directed to deliver said bonds so executed to the purchaser, and in accordance with the terms of the bid approved by the Board of Trustees upon payment of the full purchase price, viz. Twenty-five Thousand Dollars (\$25,000.00), plus accrued interest computed at the rate of three and three -fourths per cent (3-3/4%) per annum from January 1, 1942, to the date of delivery.

Sec. 3. That the bonds numbered from 1 to 35, inclusive, authorized by Ordinance No. 102, be reserved for future delivery whenever it is possible for the Town to obtain the necessary equipment and materials to complete the necessary additions, extensions and improvements to said waterworks, and that the bond forms heretofore prepared to evidence said bonds numbered from 1 to 35 be

deposited for safekeeping with the Sellersburg State Bank in the Town of Sellersburg, together with a certified copy of this ordinance, and that none of said bonds so deposited shall be released by said bank unless and until there shall be filed with said bank a duly certified copy of a resolution or ordinance adopted by the Board of Trustees of the Town of Sellersburg authorizing such delivery.

Sec. 4. Except as herein otherwise provided, all of the provisions of Ordinance No. 102 shall remain in full force and effect.

Adopted this 15th day of June, 1942.

Claude Wells
Andrew Thomas
Louis W. Guenther

Attest:

Hazel Meyer
Clerk-Treasurer

RESOLUTION

WHEREAS, the Town of Sellersburg, Indiana, has purchased from the Sellersburg Water Company, Inc. certain properties more particularly in the deed and bill of sale set out for the sum of \$13,127.50; and

WHEREAS, it is part of the agreement by and between the Town of Sellersburg and the Sellersburg Water Company, Inc. that all of the outstanding preferred stock of the Sellersburg Water Company, Inc. be redeemed on or before July 15th, 1942; and

WHEREAS, the Sellersburg Water Company, Inc. has by proper resolution determined to redeem same and has caused notice of same to be sent to all of the preferred stockholders;

NOW, THEREFORE, BE IT RESOLVED: That the sum of \$13,127.50 of the money realized by the Town of Sellersburg from the sale of revenue bonds known as Waterworks Revenue bonds be placed with the City & State National Bank & Trust Co. of Logansport, Indiana, for the redemption of all outstanding preferred stock of the Sellersburg Water Company, Inc., together with all interest and premium thereon.

Dated this 23rd day of June, 1942.

TOWN OF SELLERSBURG

By Claude Wells
President

ATTEST:

Hazel Meyer
Clerk-Treasurer

(Seal)

STATE OF INDIANA: SS:
COUNTY OF CLARK :

I, Hazel Meyer, the duly elected, qualified and acting Clerk-Treasurer of the Town of Sellersburg, Indiana, hereby certify that the foregoing transcripts to which this certificate is attached contains a full, true and correct copy of the proceedings had by the Board of Trustees of said Town relating to the issuance of additional sewage works revenue bonds, and that said proceedings have been duly entered of record in the permanent books of the Town of Sellersburg, and have been duly signed by the proper officers of said Town.

I further certify that the copy of the ordinance set out in said transcript has been compared with the original of said ordinance and is a full, true and correct copy of said ordinance as passed by the Board of Trustees of the Town of Sellersburg, and approved and signed by the President of said Board of Trustees, and recorded in the proper records of said Town.

I further certify that all bonds and coupons of the issuance of Sewage Works Revenue Bonds now outstanding, due January 1, 1943, Town of Sellersburg, Sewage Works Revenue Bond No. 1, \$500.00, together with all interest coupons which have become payable to the date of this certificate and have been presented for payment, have been paid and that sufficient funds are on hand to pay the interest coupons which became payable on July 1, 1943, and have not yet been presented for payment.

I further certify that there is no litigation pending or threatening in any way relating to the outstanding sewage works revenue bonds or the additional bonds proposed to be issued and questioning the right of the Town to operate its sewage treatment works and collect the charges therefor.

In witness whereof, I have hereunto set my hand and official seal of the Town of Sellersburg, on this 8th day of July, 1943.


CLERK-TREASURER

ORDINANCE NO. 106.

An Ordinance of the Town of Sellersburg authorizing the issuance of additional Sewage Works Revenue Bonds pursuant to the provisions of Ordinance No. 92, and matters connected therewith.

WHEREAS, under the provisions of Ordinance No. 92, adopted by the Board of Trustees of the Town of Sellersburg on December 30, 1938, the issuance of Sewage Works Revenue Bonds in the amount of Thirty Thousand Dollars (\$30,000.00) was authorized, but the amount to be sold and delivered at that time was limited to the bonds numbered from 1 to 50 inclusive, aggregating Twenty-five Thousand Dollars (\$25,000.00), which ordinance further provided that the remaining bonds should not be prepared or issued unless and until this Board should so direct; and

WHEREAS, the Board now finds that the proceeds of said Sewage Works Revenue Bonds heretofore sold and delivered are not sufficient to complete the entire project, particularly that part of the project consisting of sewers for the handling of surface water from the streets, alleys and other public places in the Town in order to prevent the overloading of the sewage treatment plant; that it is now possible for the Town to complete said uncompleted portion of the project as originally contemplated at a cost, including all incidental expenses necessary to be incurred in connection with said project and the issuance of bonds on account thereof, of not exceeding Three Thousand Five Hundred Dollars (\$3,500.00); that a necessity now exists for the issuance of additional bonds authorized under the provisions of Ordinance No. 92, in the amount of Three Thousand Five Hundred Dollars (\$3,500.00); and

WHEREAS, the City Securities Corporation of Indianapolis, Indiana, the purchaser of the now outstanding Sewage Works Revenue Bonds, has agreed to purchase the additional bonds proposed to be issued on the same basis as the original bonds were purchased, viz. par for bonds bearing interest at the rate of four and one-half per cent (4-1/2%) per annum, which price the Board finds to be fair and equitable; now therefore,

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG:

Section 1. That the Clerk-Treasurer be and she is hereby authorized and directed to have prepared seven additional Sewage Works Revenue Bonds in accordance with the provisions of Ordinance No. 92, as amended by Ordinance No. 93, said bonds to be numbered from 51 to 57 inclusive, and that the President of the Board of Trustees and Clerk-Treasurer are hereby authorized and directed to execute said bonds and the interest coupons to be attached thereto in the form and manner provided in said ordinance. Said Bonds shall be sold by the Clerk-Treasurer to the City Securities Corporation of Indianapolis, Indiana, at the par value thereof. The first interest coupon to be attached to each of said bonds shall evidence the interest payable thereon from July 1, 1943, to January 1, 1944, and the accrued interest from that date to the date of payment shall be added to the face value of the bonds in determining the price to be paid. The proceeds of said bonds shall be deposited, held and used as provided in Section 4 of Ordinance No. 92.

- Section 2. This ordinance shall be in full force and effect from and after its passage and signing by the Board of Trustees of the Town of Sellersburg.

Passed and adopted by the Board of Trustees of the Town of Sellersburg, Indiana, on the 8th day of July, 1943.

CLAUDE WELLS

ANDREW THOMAS

LOUIS W. GUENTHER

BOARD OF TRUSTEES.

ATTEST: (Seal)

HAZEL MEYER

Clerk-Treasurer

ORDINANCE NO. 107

An ordinance regulating the method of sewage and waste disposal: The construction of "Building Sewers", and the connections to, and the use of, the sewerage system in the Town of Sellersburg, County of Clark, Indiana, and imposing a penalty for violation of the provisions of this ordinance.

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

SECTION I: (Sewerage System Classified and Defined)

The sewerage system shall be classified as, sanitary sewers, storm sewers, and combined sewers, defined as follows:

(A) A sanitary sewer is a sewer intended to receive domestic sewage and treated or weak industrial waste without the admixture of surface or storm water.

(B) A storm sewer is a sewer intended to receive storm and surface water, street wash, or drainage, but exclude domestic sewage or industrial wastes.

(C) A combined sewer is a sewer intended to receive domestic sewage, treated or weak industrial wastes, surface and storm water. For the purpose of this ordinance combined sewers shall include intercepting sewers.

SECTION II: (Regulations Relative to Discharge of Wastes in Sewers)

It shall be unlawful for any owner, operator or lessee of any residence, factory, shop, garage, filling station,

institution, business, buildings, or industries:

(A) To discharge into any sewer or drain connected to the sewerage system, any oils, greases, fats, acids, chemicals, iron or mineral wastes, ashed or cinders, garbage, dead animals, rags, hair, or any wastes, which may cause clogging, or which may be injurious to said sewers, sewage pumping equipment, treatment or disposal works, or interfere with the proper treatment of domestic sewage, or the operation and maintenance of the sewage disposal works.

(B) To connect any floor drain, pit drain, or any other drain subject to receiving oil, grease or gasoline, to any municipal sewer or drain connected thereto, unless equipped with a suitable approved trap that will keep oils and greases from entering the municipal sewer.

(C) To discharge into the municipal sewerage system or into any drain connected thereto, any hot, suffocating, corrosive, inflammable, or explosive liquids, gases, acids, vaporous substances, oils or anything that may be detrimental to the successful operation of the sewage works.

(D) To connect any rain leader, cistern overflow, or any other storm water drain to the sanitary sewerage system or to any drain connected thereto. All such leaders or conductors now installed shall be removed, and the connection to the sanitary

seweraclosed in a permanent and satisfactory manner.

(E) To discharge water used only for cooling or refrigeration purposes into the sanitary or combined sewerage system which is connected to a sewage treatment plant.

SECTION III: (Building Sewers Defined: Regulations relative to Construction thereof: Permits)

For the purpose of this ordinance a building sewer is defined as that part of the horizontal piping of a building drainage system extending from the outside of the building from the end of the inside plumbing system to, and including, the connection with the municipal sewerage system.

No building sewer shall be laid , altered, or repaired except by or under the supervision of a person or persons licensed by the Town of Sellersburg, Indiana, to do such work.

A permit shall be secured from the Town of S ellersburg, Indiana, by the owner of the property or by his authorized agent before connecting to or tapping a municipal sewer; altering or laying a building sewer to or from any sewer which is a part of the municipal sewerage system. Application for a permit shall be made on a blank form furnished for that purpose. Each application shall give the precise location of the property, the name of the owner, and the name of the person employed to do the work. No permit shall be deemed to authorize anything that is not stated

in the application. When the permit has been granted, the Town of Sellersburg, Indiana, shall designate the position or location of the "Y" branch in the street. After the work has been done, the person or persons securing the permit shall file in the office of the Town Clerk, on blank forms furnished for the purpose, a correct statement of the work done under the permit, and where required, a sketch showing the location of the building sewer.

Material for the building sewer shall be of standard salt glazed vitrified sewer pipe not less than 6" in diameter and shall conform to the requirements of the specifications for clay sewer pipe of the American Society for Testing Materials. Suitable and approved pipe made from other materials may be accepted.

The connection between the building sewer and the municipal sewer shall be made at the "Y" branch, provided there is one. If no "Y" branch was left in the municipal sewer for the building sewer and the municipal sewer is not over 12" in diameter, a "Y" branch shall be installed in the municipal sewer at the desired location by the owner of the building sewer. Where the municipal sewer is over 12" in diameter and where no "Y" branch was left for the building sewer, a hole may be cut in the municipal sewer large enough to receive the end of the building sewer and the connection made so that the building sewer enters the municipal sewer at an angle of about 45 degrees. A 45 degree ell could be used

to make this connection with the spigot end cut to fit so as not to extend past the inside surface of the municipal sewer. A smooth joint shall be made and the connection made secure and water tight by encasing with concrete. The person or persons securing the permit shall notify Town Clerk of Sellersburg, Indiana, when the work will be completed and ready for an inspection. No backfill shall be placed over any connection made with the municipal sewer until it has been inspected and approved by the above named officer or his authorized representative. Said officer shall make the inspection within 30 hours after receiving notice that the connection is made and ready for inspection.

The grade of the building sewer shall not be less than $\frac{1}{4}$ inch per foot for 6 inch pipe and not less than $\frac{1}{8}$ inch per foot for pipe 8 inches or over in diameter. All pipe shall be laid on a uniform grade and, where possible, on a straight line. Where the building sewer cannot be laid on a straight line, curved pipe shall be used for every deflection from a straight line of more than 3 inches per foot. All joints between two sections of pipe shall be made tight by the use of suitable jointing material. Proper barricades and lights must be maintained on the banks of the trenches to guard the public against accidents during the progress of the work. In back-filling the material shall be carefully placed and packed around the pipe to provide

uniform bearing and to keep the pipe in proper position. No stones, brick or the like shall be used in the backfill until there has been a depth of at least 18 inches of fine earth or gravel placed over the pipe. If blasting of rock is required in excavating, the utmost precaution shall be used to cover the blast with suitable cover such as mats, brush, etc., so that life and property in the vicinity will not be jeopardized.

SECTION IV: (Pre-treatment of Industrial Wastes)

Whenever the waste from any factory, mercantile, manufacturing or industrial enterprise is found to interfere with the successful operation of the municipal sewerage system, or of the sewage treatment plant, written notice shall be given ordering the offender to construct a waste treatment plant to give the waste pre-treatment before it is discharged into the municipal sewerage system. The pre-treatment shall be sufficient to reduce the strength or characteristics of the wastes to such a degree that it will not interfere with the successful operation of the municipal sewerage system or the sewage treatment plant. Said notice shall be served upon the owner or lessee of said factory, mercantile, manufacturing or industrial enterprise by Town Marshal of Officer Town of Sellersburg, Indiana.
City

The notice shall set a date, or time limit for compliance with the order.

It shall be prima facie evidence that a waste interferes with the successful operation of the sewage treatment plant if:

1. The waste contains free acidity.

2. The average 5-day biochemical oxygen demand or the suspended solids of the waste during any 6 hour period exceeds 400 parts per million. By 5-day bio-chemical oxygen demand expressed in parts per million, is meant the pounds of oxygen required for bio-chemical oxidation of the organic matter in one million pounds of sewage or waste in 5 days incubation at 20 degrees centigrade. By suspended solids, expressed in parts per million, is meant the pounds of solids physically suspended in one million pounds of sewage wastes. The samples for the test shall be collected at hourly intervals and composited. The analysis shall be made according to the method described in the latest edition of Standard Methods of Water Analysis as published by American Public Health Association.

Plans, specifications, and design data for the waste treatment plant shall be submitted to and approved by the Board of Works and Safety of said City, or the Board of Trustees of said Town and by the Indiana State Board of Health before any construction work on the waste treatment plant is begun.

SECTION V: (Privy, Privy Vaults, Cesspools or Septic Tanks)

It shall be unlawful for any owner or lessee of any lot or parcel of land within the Town of Sellersburg, Indiana to place, deposit, or permit to be deposited, any human excrement, garbage, or any other organic waste upon the premises in such a way or place that the same is exposed to flies, rodents, small domestic animals or will endanger a water supply.

(1. It shall be unlawful to construct and maintain any privy, privy vault, cesspool or septic tank intended for, or subject to, receiving human excrement wherever a public sanitary or combined sewer is located in any street or alley adjacent to, or within 100 feet of said lot or parcel of land. Where a sanitary or combined sewer is located in any street or alley adjacent to, or within 100 feet of any lot or parcel of land on which is located any privy, privy vault, cesspool or septic tank intended for, or subject to receiving human excrement, said privy shall be removed and the privy vault, cesspool or septic tank shall be filled with earth. Provided, however, that where municipal sewage treatment is not available a septic tank may be constructed, maintained and connected to said sanitary or combined sewer.)

Where a sanitary or combined sewer is not located in any street or alley adjacent to, or within 100 feet of any lot or parcel of land on which is located an inhabited dwelling, business house, boarding house, lodging house, eating place, tenement, shop, factory, public hall, place of amusement, of any other building in the Town of Sellersburg, Indiana, a water-flush toilet, or a sanitary privy of the type of construction approved by the Indiana State Board of Health shall be provided by the owner or agent of the premises. Where a water-flush system of excreta disposal is installed or is in use, which is not connected to the public sewer system, there shall be installed a private sewage disposal plant consisting of a septic tank effluent. The sanitary privy, water-flush toilet, and private disposal plant shall be constructed and maintained in an approved

manner as described and illustrated in Bulletin Nos. 8 and 11 of the Bureau of Sanitary Engineering of the Indiana State Board of Health, copies of which are herewith incorporated as a part of this section.

(SECTION VI : (Enforcement and Penalty)

Whenever it is found that any person, firm, or corporation is violating any of the provisions or requirements set out in this ordinance, a written notice, stating the offense and setting a time limit for the correction thereof, shall be served upon the offender by ^{Marshal}~~Officer~~ of the Town of Sellersburg, Indiana. The offender shall within the time limit stated in the notice served upon him, forever cease all violations.

Any person, firm, or corporation who shall continue to violate any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction there, be fined in any sum not exceeding fifteen dollars(\$15.00). Each day in which any such violation may continue shall be deemed a separate offense.)

This ordinance shall be in full force and effect on and after its passage and approval by the President of the Board of Trustees, and publication according to law.

SECTION VII: If any part or portion of this ordinance shall be deemed invalid said invalidity shall not in any manner affect the remaining portion of this ordinance.

Ordinance No. 108

AN ORDINANCE REGULATING TRAFFIC AND PARKING ON STREETS AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED: by the Board of Trustees of the Town of Sellersburg of the State of Indiana.

SECTION ONE.

VEHICLE-DEFINED:- The word "Vehicle" as used in this ordinance includes Automobiles, Motorcycles, Wagons, Carts, Drays, Coaches, Carriages, Buggies, and vehicles of every kind and description, except Railroad Trains.

SECTION TWO.

VEHICLE-SPEED:- It shall be unlawful for any individual to operate a motor vehicle or other conveyances over any streets of the Town of Sellersburg, Indiana at a rate of speed in excess of Twenty miles per hour.

SECTION THREE.

PARKING:- The parking of motor vehicles or other conveyances in the Town of Sellersburg, Indiana shall be parallel to the Side-Walk Curb.

SECTION FOUR.

It shall hereafter be unlawful for any person to park any motor vehicle or other conveyance, by whatever name it may be designated, within a distance of 10 feet of any fire-plug, or within

any zone designated as no parking.

PENALTY:- Any person violating any of the provisions of this Ordinance, shall upon conviction be fined in any sum not to exceed ten dollars (\$10.00) for each offense.

SECTION FIVE.

This ordinance shall be in full force and effect from and after its passage, approval and legal publication.

Passed by the Board of Trustees of the Town of Sellersburg, Clark County, Indiana this 31 day of December 1946.

Louis J. Savelle
President of Town Board

Geo W Haas

Ed Sample

Trustees

ATTEST: James Battolli
Clerk-Treasurer.

Approved and signed by me this 31 day of December 1946.

Louis J. Savelle
President of Town Board.

ORDINANCE NO. 109.

An ordinance declaring certain practices to be a Nuisance and providing a penalty for the violation thereof.

Be it ordained by the Board of Trustees of the Town of Sellersburg, Indiana.

Section 1. That any person who excavates or digs a basement for the construction of a house or building of any nature and leaves said construction uncovered without erecting a house or building on said structure for a period of more than eight months from the time said excavation or the digging of said basement was started or commenced, shall be deemed to have created a nuisance.

Section 2. Any person who has a sanitary toilet and permits sewage or disposal from said toilet or a sewer to empty into any yard, street, or alley, shall likewise be deemed to have created a nuisance.

Section 3. It shall be unlawful for any person to create such a nuisance as described in Sections 1 and 2 of this ordinance within the Town limits of the Town of Sellersburg, Indiana.

Section 4. Any person violating the provisions of this ordinance shall be fined in any sum not to exceed \$10 for each violation.

Section 5. Each day or part of a day that any section of this ordinance is violated shall constitute a separate and distinct offence.

(Continued)

Section 6. This ordinance shall be in full force and effect from and after its passage and legal publication.

Passed by the Board of Trustees in the Town of Sellersburg, Indiana in special session this ____ day of May, 1948

Attest _____
Clerk-Treasurer.

William Binger
Lowes Dole Sr
Clifford Montgomery
Trustees.

AMENDMENT OF ORDINANCE NO. 88

An ordinance to amend Sections 1 and 2 of Ordinance No. 88, passed by the Board of Trustees of the Town of Sellersburg, Indiana on the 6th day of March 1929.

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

Section 1. That Section 1 of said ordinance be, and is hereby amended to read: That it shall be unlawful for any person, firm, or corporation to hawk or peddle meat, fruit, v vegetables, melons, produce, dairy products, or any other goods wares, or merchandise, or for any firm not maintaining an office in the Town of Sellersburg, Indiana for the transaction of business to furnish services from any truck operating in said town, or within the town limits of the Town of Sellersburg, Indiana without having first obtained as hereinafter provided, a license so to do.

Section 2. For the purpose of this ordinance, the owrds "peddle" and "hawk" are defined, to sell or offer to sell any personal property directly to a user or consumer, or to furnish any service such as dry cleaning or laundry to any consumer or customer by going from house to house for the purpose of selling and delivering such personal property, or collecting and delivering articles to be serviced, or for the purpose of taking orders for the future delivery of merchandise, or

(Continued)

by reselling and delivering merchandise from a vehicle, pack,
or other container in any street, alley, public square, or
other public place in said city.

Attest _____
Clerk-Treasurer.

William Binger

Louis Bold Sr

Clifford Montgomery
Trustees.

ORDINANCE NO. 110

An ordinance providing for the conservation of water in the interest of the public health, declaring an emergency, and providing a penalty for the violation thereof.

Section 1. Whereas, there has been an unusual draught and the water supply of the Town of Sellersburg is running dangerously low and,

Whereas, the new municipal water plant of the Town of Sellersburg, Indiana will not be completed and in operation for approximately 90 days and,

Whereas, if the water supply of the Town of Sellersburg Indiana became exhausted and ran out, the public health of the community and its inhabitants would be dangerously affected.

Therefore, be it ordained by the Board of Trustees of the Town of Sellersburg, Indiana, in special session assembled;

That hereafter it shall be unlawful for any person, firm, corporation, or individual to use any water obtained from the municipal water plant of the Town of Sellersburg, Indiana for any outside use or purpose such as, but not limited to, the sprinkling of lawns or yards, the washing of porches, houses, or automobiles, the sprinkling or watering of gardens or flower beds, or any similar related use.

Sec. 2. The uses described in Section 1, of this ordinance shall be deemed to be unlawful only until such time as the new municipal water plant of the Town of Sellersburg, Indiana is placed in operation.

(continued)

Section 3. Any person violating Section 1, of this ordinance shall be fined in any sum not exceeding \$10.00 (ten dollars) and court costs for each violation of the provisions of this ordinance.

Section 4. That the Board finds that an emergency exists, necessitating the provisions of this ordinance begin immediately, and this ordinance shall be in full force and effect immediately from and after its passage.

Passed by the Board of Trustees of the Town of Sellersburg Indiana, this 24 day of June 1948.

Trustees.

Attest:

Clerk-Treasurer.



RESOLUTION NO. 111A RESOLUTION TO EXTEND THE BOUNDARIES OF THE
TOWN OF SELLERSBURG, INDIANA.

Be it resolved by the Board of Trustees of the Town of Sellersburg, Indiana:

Section 1. That the boundaries of the Town of Sellersburg are hereby extended so as to include all of the lots laid off and platted in Ehringer's Subdivision, which lots adjoin the Town of Sellersburg, Indiana, a plat of which subdivision including said lots was duly recorded in Plat Book No. 6 at pages 24 and 25 on the 6th day of September, 1946, in the Office of the Recorder of Clark County, Indiana.

Section 2. The territory annexed by the provisions of this resolution, extending the boundaries of the Town of Sellersburg, Indiana, is the territory known and described as Ehringer's Subdivision, as the same appears of record in Plat Book No. 6 at pages 24 and 25 in the Office of the Recorder of Clark County, Indiana, and is described by metes and bounds as follows:

Beginning at an iron stake in the Salem Road, said stake being in the north corner of the tract herein described: thence south 34 (thirty-four) degrees 30 (thirty) minutes east 55 (fifty-five) feet to a stake; thence south 53 (fifty three) degrees west 150 (one hundred fifty) feet to a stake; thence south 39 (thirty-nine) degrees 50 (fifty) minutes east to a stake; thence south 53 (fifty-three) degrees west 1015 (one thousand fifteen feet to a stake; thence north 40 (forty)

degrees west 377 (three hundred seventy-seven) feet to a stake; thence north 53 (fifty-three) degrees east 1154 (one thousand one hundred fifty-four) feet to the place of beginning, containing approximately 9.75 acres.

Also the following real estate: being a part of Survey No. 110 (one hundred ten) of the Illinois Grant and being part of tract No. 3 (three) as shown by a plat of Schellers second addition to the Town of Sellersburg Indiana bounded as follows: Beginning at a stake in the Salem Road, some being the north corner of Tract No. 2 (two) and east corner of Tract No. 3 (three); thence north 40 (forty) degrees 30 (thirty) minutes west 105 (one hundred five) feet along the road to a stake; thence north 34 (thirty-four) degrees 30 (thirty) minutes west 272 (two hundred seventy-two) feet to the true place of beginning; thence south 53 (fifty-three) degrees west 1158.5 (one thousand one hundred fifty-eight and five-tenths) feet to a stake; thence north 40 (forty) degrees west 377.5 (three hundred seventy-seven and five-tenths) feet to a stake in the line of Tract No. 4 (four); thence north 53 (fifty-three) degrees east 1154 (one thousand one hundred fifty-four) feet to an iron pin at the Salem Road; thence south 34 (thirty-four) degrees 30 (thirty) minutes east 378 (three hundred seventy-eight) feet to a stake at the true place of beginning. Excepting therefrom the following real estate: Beginning at a stake in the west side of the Salem Road, the same being the north corner of Tract No. 2 (two) and southwest corner of Tract No. 3 (three) of Schellers second addition to the Town of Sellersburg; thence north 40 (forty) degrees 30 (thirty) minutes west 105 (one hundred five) feet along the west line of said Salem Road to a stake; thence north 33 (thirty-three) degrees 30 (thirty) minutes west 272 (two hundred seventy-two) feet along the west line of said road to the true place of beginning; thence south 53 (fifty-three) degrees west 160 (one hundred sixty) feet; thence north 40 (forty) degrees west 85 (eighty-five) feet to a point; thence south along the west line of said road 85 (eighty-five) feet to the true place of beginning. Situated in Grant No. 110 (one hundred ten) of the Illinois Survey and containing .31 acres.

Section 3. The annexation hereunder shall take effect immediately on the passage of this resolution, and the record of the same in the Office of the Recorder of Clark County, Indiana, in the manner provided by law.

STATE OF INDIANA)
)
COUNTY OF CLARK)

I, James Bottorff, the duly elected, qualified, and acting Clerk-Treasurer of the Town of Sellersburg, Indiana, do hereby certify that the foregoing is true, accurate, and complete copy of a resolution duly passed by the Board of Trustees of the Town of Sellersburg, Indiana, on the 8th day of February 1949, with the quorum present at said meeting, and that said resolution has been duly placed on record in the Minute Book of said Town.

Witness my hand and the seal of said Town of Sellersburg, Indiana, this _____ day of February, 1949.

Clerk-Treasurer
Sellersburg, Indiana.

ORDINANCE NO. 112

AN ORDINANCE PROHIBITING PUBLIC PARKING IN THE TOWN OF SELLERSBURG, INDIANA, AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF

Be it ordained by the Board of Trustees of the Town of Sellersburg, Clark County, Indiana, in special session assembled:

Section 1. It shall hereafter be unlawful for any person, firm, or corporation to park, or cause to be parked, any motor vehicle or other conveyance or for the driver of any motor vehicle or other conveyance to park or allow his motor vehicle or conveyance to be parked in the Town of Sellersburg, Indiana, on the south side of a highway commonly known and described as United States Highway 31-E, Between a point located 400' feet west of the intersection of said United States Highway 31-E, and a road commonly known and described as the Salem Road, and running from said point west for a distance of 155' feet.

Section 2. Any person found guilty of the violation of the provisions of this ordinance shall be fined in any sum not exceeding \$10.00 (ten dollars).

Passed by the Board of Trustees of the Town of Sellersburg, Indiana, in special session assembled, on the 11th day of February, 1949.

William Binger

Louis Dold, Sr.

Clifford Montgomery



ORDINANCE NO. 114

AN ORDINANCE REGULATING PARKING IN THE TOWN OF SELLERSBURG, INDIANA, PROVIDING A PENALTY FOR THE VIOLATION THEREOF, AND REPEALING ALL ORDINANCES CONFLICTING THEREWITH.

Be it ordained by the Board of Trustees of the Town of Sellersburg, Indiana, in regular session assembled:

Section 1. That it shall be unlawful for any person to park or stop at any time any motor vehicle or other conveyance of any nature whatsoever on the south side of Utica Street in the Town of Sellersburg, Indiana, from New Albany Street to Chestnut Street.

Section 2. That any person found guilty of the violation of this ordinance shall be subject to a fine in any sum not to exceed \$10.00 (ten dollars).

Section 3. That all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith are hereby repealed.

Section 4. That this ordinance shall be in full force and effect from and after its passage and legal publication in the manner provided by law.

William Binger

Louis Dold, Sr.

Clifford Montgomery

ATTEST:

James Bottroff
Clerk-Treasurer

ORDINANCE NO. 115

WHEREAS, Heretofore on the 12th day of February, 1953, at a regular meeting of the Board of Trustees of the Civil Town of Sellersburg, held in the Pope Plumbing and Heating Shop in said Town, the Board of Trustees passed a resolution fixing the 12th day of March, 1953, at 7:30 o'clock P.M. at the Marion Pope Plumbing & Heating Shop in said Town of Sellersburg for the purpose of considering and determining whether an emergency exists for the passage of an ordinance making the following in addition to the annual budget adopted for the fiscal year 1953, and,

WHEREAS, the Clerk-Treasurer of said Town has given notice of the time, place, and purpose of said meeting in the manner prescribed by law; and

Whereas, it having been determined by the Board of Trustees of the Civil Town of Sellersburg, that an emergency exists for the following appropriation:

To the payment of Old Age and Survivors' Insurance Fund \$235.00;

SECTION ONE

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Civil Town of Sellersburg, that an emergency exists and that there shall be and hereby is appropriated from the funds of the Town of Sellersburg, Indiana, not otherwise appropriated, the following sum;

To payment of Old Age and Survivors' Insurance Fund..\$235.00

SECTION TWO

This ordinance shall be in force and effect from and after its passage and approval by the State Board of Tax Commissioners.

Raymond E. Nieman

Lester M. Townsend

H. J. O'Brien

ATTEST:

Marion L. Pope
Clerk-Treasurer

ORDINANCE NO. 117

AN ORDINANCE LICENSING AND CONTROLLING THE PRIVILEGE OF PARKING MOBILE HOMES (House Trailers) IN THE TOWN OF SELLERSBURG AND PROVIDING PENALTIES FOR THE BREACH THEREOF.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE CIVIL TOWN OF SELLERSBURG, INDIANA:

Section 1. It is the purpose of this ordinance to impose a license fee upon the privilege of permitting the parking of mobile homes upon property within the limits of the Town of Sellersburg, Indiana, and to regulate sanitary facilities in connection therewith.

Section 2. A "Mobile Home" is hereby defined and declared to be any vehicle, including the equipment sold as a part of the vehicle, which is so constructed as to permit its being used as a conveyance upon public streets or highways by either self propelled or non-self propelled means, which is designed, constructed or reconstructed or added to by means of an enclosed addition or room in such a manner as will permit the occupancy thereof as a dwelling or sleeping place for one or more persons, and which is both used and occupied as a dwelling or sleeping place having no foundation other than wheels, jacks, skirting, or other temporary support.

Section 3. Every person who permits the placing upon land or lot which he owns or of which he has either possession or control thereof, a mobile home as herein defined, and in such a manner as will permit occupancy thereof as a dwelling or sleeping place for one or more persons, shall report such fact within ten (10) days to the Clerk-Treasurer of the Town of Sellersburg. Said ten (10) day period shall commence the following day after the placing of said mobile home upon the land or lot in such a manner as set out herein.

Section 4. It shall be the duty of every person who permits the placing upon land or lot he owns or of which he has either possession

or control thereof within the limits of the Town of Sellersburg, a mobile home as herein defined, the duration of the time said mobile home has been placed upon his land, the number of units thereon, the name and number of occupants of each mobile home on his land, together with a full description of said mobile home so reported, within the period of time hereinbefore set out.

Section 5. A license fee is hereby imposed upon the privilege of permitting mobile homes to be placed upon lands and lots within the limits of the Town of Sellersburg, Indiana, and said license fee shall be in the sum of five dollars (\$5.00) per annum for each mobile home so placed within said Town. Said license fee shall be for a period of one calendar year, and shall be valid only for that year in which it is issued, and said fee shall not be pre-rated upon a daily or monthly basis. Such license fee shall be payable to the Clerk-Treasurer of the Town of Sellersburg, Indiana, within thirty (30) days from the time such mobile home is placed upon any lot or piece of land in said Town.

Section 6. Every mobile home placed or parked upon any lot or parcel of land in the Town of Sellersburg shall be considered a separate dwelling unit, and shall be governed by the ordinances now in force in said Town with respect to the disposal of sewerage and garbage, and every owner or occupant of a mobile home that is connected with the public sewer system in said town shall be liable for the connection charge to said sewer system and for the monthly sewer rental charged for comparable units.

Section 7. Any person violating any of the foregoing provisions of this ordinance shall be fined not less than Ten Dollars (\$10.00) nor more than Twenty-five Dollars (\$25.00). Each day that any offender shall violate any section of this ordinance shall be considered a separate offense.

Section 8. Any ordinance or sections or section of any ordinance or ordinances in conflict herewith is hereby repealed.

Section 9. This ordinance shall be in full force and effect from and after its passage and the publication thereof.

Passed by the unanimous approval of the members of the Board of Trustees of the Civil Town of Sellersburg, Indiana, this 27th day of June, 1953.

Raymond E. Nieman

President

H. J. O'Brien

Member

Lester M. Townsend

Member

ATTEST:

Marion L. Pope
Clerk-Treasurer

Ordinance No. 118

WHEREAS, the parking of motor vehicles on either side of Utica Street, in the Town of Sellersburg, along with the greatly increased flow of vehicles traffic, has become a menace to the safty and welfare of the inhabitants of said Town, and,

Whereas, certain portions of said Utica Street are deemed to be of the greatest danger to the life, limb, and property of the citizens of said Town.

BE IT THEREFORE ORDAINED by the Board of Trustees of Civil Town of Sellersburg, that:

Section 1.- It shall be unlawful for any person to park a motor vehicle at or near the curbing on the South Side of Utica Street, between South New Albany Street in the Town of Sellersburg.

Section 2.- A loading zone, not exceeding Thirty (30) feet in length shall be set aside at intervals on the South Side of Utica Street, between Maple Street and South New Albany Street, for the purpose of permitting passengers to board and be discharged from public conveyances.

Section 3.- Any person violating any of the foregoing provisions shall, on conviction, be fined in any sum of not less than One Dollar (1.00) nor not more than Ten Dollars (\$10.00).

Section 4.- This ordinance shall be in full force and effect from and after its passage and the publication thereof.

Passed by the unanimous approval of the Board of Truatees of the Civil Town of Sellersburg, Indiana, this 8th day of October, 1953.

Raymond E. Nieman President
Lester M. Townsend Member
H. J. O'Brien Member
ATTEST:
Marion L. Pope, Clerk & Treasurer.

ORDINANCE NO.119

Be It Ordained by the Board of Trustees of the Civil Town of Sellersburg, Indiana:

Section 1 Permit- A permit shall be secured from the Town of Sellersburg by the owner of the property or by his duly authorized agent before connecting to or tapping a municipal sewer, altering or laying a building sewer to or from any sewer which is a part of the municipal sewerage system of the Town of Sellersburg, Indiana.

Section 2.- That before the Clerk-Treasurer shall issue any permit as provided for in Section One of this Ordinance, there shall be paid by such applicant, the sum of Fifty Sollars (\$50.00) for each permit applied for.

Section 3.- All ordinances or parts therof which are in conflict with the terms hereof are hereby repealed.

Section 4.- Any person, firm, corpopation violating any of the provisions of this ordinance shall, upon conviction thereof, be fined in any sum not less than One Dollar,(\$1.00) or more than Ten Dollars (\$10.00).

Section 5.- This ordinance shall be in full effect from and after its passage and legal posting and publication. Passed by the unanimous approval of the Board of Trustees of the Civil Town of Sellersburg at its regular meeting held on the 24th day of June, 1954.

Raymond E. Nieman President
H. J. O'Brien, Member
Lester M. Townsend, Member Attest:
Florence F. Nieman Clerk-Treasurer.

ORDINANCE NO.120

AN ORDINANCE CONCERNING PARKING METERS AND REGULATING THE USE OF PUBLIC STREETS AND ALLEYS OF THE TOWN OF SELLERSBURG, INDIANA, PROVIDING FOR THE PURCHASING, LEASING, ACQUIRING, INSTALLATION, REGULATION, OPERATION, USE, SERVICING, REPAIRING, MAINTENANCE, AND REPLACEMENT OF PARKING METERS AND PARKING METER ZONES: PROVIDING FOR THE ENFORCEMENT THEREOF.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE CIVIL TOWN OF SELLERSBURG, INDIANA:

SECTION 1.

The word "Vehicle" as used herein shall mean any device not borne, or by which any person or property is or may be transported upon a public highway, except those operated on rails or tracks.

SECTION 2

The following described parts of public streets in the Town of Sellersburg are hereby established as parking meter zones: Utica Street between Indiana Avenue and Helbig Streets; and New Albany Street between Church Street and St. Paul Street.

SECTION 3.

The President of the Board of Trustees of the Town of Sellersburg, or such officers or employees of said Town as may be designated by him are hereby authorized to install or place parking meter zones hereby created or to be hereafter created by ordinance of the Town of Sellersburg, and such parking meters shall be placed upon the curb alongside or next to individual parking space or spaces to be designated as hereinafter provided. Each parking meter shall be so set or placed as to show or display a signal that the parking space alongside or next to the individual parking space to be designated as hereinafter provided. Each parking space to be designated as to show or display a signal that the parking space alongside of it is not or is in use.

SECTION 4.

The Board of Trustees of this Town shall provide for the rental, purchase, acquisition, installation, regulating, operation, maintenance, repair, servicing, and replacement of parking meters when necessary to carry out the purpose of this ordinance and shall cause said meters to be maintained in good workable condition. Each parking meter shall be so set as to display a signal showing lawful parking upon the deposit of a 5 cent coin or a 1 cent coin of the United States of America therein for a period of time conforming to the parking limit now established or hereafter provided by the ordinance or the Town of Sellersburg, for that part of the street upon which said meter is placed and each meter shall begin and continue in operation from the time of the deposit of such coin until the expiration of the fixed by said ordinance as the parking

limit for the part of the street upon which said meter is replaced. Each meter shall also be arranged that upon the expiration of said parking time that the lawful parking period as fixed by the ordinances of the Town of Sellersburg has expired.

In purchasing parking meters, the Town Clerk-Treasurer shall advertise for bids as now provided by statute for other purchases by the Town and the purchase shall be made from the lowest and best bidder.]

SECTION 5.

The Town of Sellersburg is hereby empowered and vested with authority by and through its Board of Trustees to enter into a contract for the rental, purchase, acquisition, installation, regulation, operation, use, maintenance, repair, servicing, and supplying of parts and replacements of said meters as the same may be necessary and to provide payment therefor exclusively from the funds received and revenues obtained by the Town of Sellersburg from the operation and use of said parking meters without in anywise obligating the Town of Sellersburg to pay for the same from funds derived from any other source, and the Town of Sellersburg is further authorized and empowered to enter into a contract or contracts for carrying into effect the purpose and intent of this ordinance.

SECTION 6.

When any vehicle shall be parked in any space alongside of or next to which there is located under this ordinance a parking meter, the owner, operator, manager or driver of such vehicle shall, upon entering the said parking space, immediately deposit a 5 cent coin or a 1 cent coin of the United States of America in the parking meter alongside the parking meter and set said meter in operation and the said parking space may be used by such vehicle during the parking limit provided by the ordinance of the Town of Sellersburg for the part of the street in which said parking space is located. If said vehicle shall remain parked in any such parking space beyond the parking limit fixed by the ordinance of the Town of Sellersburg for such parking space, the parking meter shall display a sign showing unlawful parking and in that event, such vehicle shall be deemed to be parked over-time and beyond the time fixed by the ordinance of the Town of Sellersburg, and the parking of a vehicle over-time or beyond the period of time fixed now or hereafter by ordinance of the Town of Sellersburg in any such part of a street where such meter is located shall be a violation of this ordinance and shall be punishable as hereinafter provided and it shall be unlawful for any person to cause, allow, permit or suffer any such vehicle registered in his name to be parked over-time or beyond the lawful period of time as above set forth.]

SECTION 7.

It shall be unlawful for any person to permit a vehicle to remain or be placed in any parking space along side of or next to which any parking meter is placed while said meter is displaying a signal showing that such vehicle shall have already parked beyond the period of time fixed by the ordinance of the Town of Sellersburg, for such parking.]

SECTION 8.

It shall be the duty of each Marshall or Deputy Marshall and any and all other officers that are so instructed by the Board of Trustees or Town Marshall to take the number of any meter at which any vehicle is over-parked as provided in this ordinance and the said officer shall take the number of such vehicle and report the same to the office of the Clerk-Treasurer of the Town of Sellersburg.

SECTION 9.

Any vehicle parking in any parking space, in any parking space meter zone shall be parked with the right side of such vehicle next to the parking meter in parallel parking spaces and with the radiator directed at the said parking meter in diagonal spaces, and in either event shall be parked within the lines marked on the street for such parking space as provided hereinafter.

SECTION 10

The President of the Board of Trustees or such officers or employees of the Town of Sellersburg as he may designate, shall place lines or marks on the curb or on the street about or along side of each parking meter to designate the parking space for which said meter is to be used and each vehicle parking along side of or next to any parking meter shall work within the lines or markings so established and it shall be unlawful to park any vehicle across any such lines or mark or to park said vehicle in such a way that the same shall not be within the area so designated by such lines or markings.

SECTION 11.

It shall be unlawful to deposit or cause to be deposited in any parking meter a slug, devise or metallic substitute for a coin of the United States of America.

SECTION 12.

It shall be unlawful for any person to deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the terms of this ordinance.

SECTION 13.

The 5 cent coin or 1 cent coin required to be deposited as provided herein are levied for the payment of the purchase price, rental fees, and cost of installation of such parking meters or parking mechanical device for the payment of the cost of maintenance, operation of said mechanical parking devices and meters, included in said incidental expenses and such costs shall be the cost of all clerical work and bookkeeping expenses in the handling and keeping of records of all fees so collected and expended: and for the payment of the cost of traffic signal devices used in the Town of Sellersburg and also in the repair and maintenance of any of the public streets and highways connected therewith in said Town, and for the painting and marking of all public streets where said mechanical parking devices are in use and all streets connected therewith in said Town.

SECTION 14.

Any person, firm or corporation desiring to use any parking space herein provided shall deposit in the meter along side of or next to said parking space, a 1 cent coin of the United States of America for a period

of twelve (12) minutes, and shall deposit in said meter a 5 cent coin of the United States of America for the use of said parking space for a period of one (1) hour. and immediately after the depositing of each and every coin the person so depositing said coin shall set the parking meter into operation.

SECTION 15.

The Town Clerk-Treasurer shall be charged with the duty of collecting the money derived from the operation of such parking meters and shall be charged with the maintenance and servicing of such meters. The Town Clerk-Treasurer may deputize some person to perform these duties and such is appointed, he shall take an oath to faithfully perform his duties as such deputy and shall give bond payable to the Town of Sellersburg in the penal sum of One Thousand Dollars (\$1,000.00) to guarantee the faithful performance of his duties and a full accounting of all monies he shall receive from the use of the parking meters. This bond shall be approved by the Board of Trustees and filed in the office of the Clerk-Treasurer. The premium thereon shall be paid out of the Parking Meter Fund.

SECTION 16

Any person, firm or corporation, who shall violate or cause to be violated any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not more than Ten Dollars(\$10).

SECTION 17

If any section, part or provision of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgement shall not affect the validity of the ordinance as a whole or any other section or provision thereof not adjudged invalid.

SECTION 18

This ordinance shall be in full force from after its passage and the due publication thereof according to law.

Passed by the Board of Trustees of the Civil Town of Sellersburg, Indiana, this 12th day of August, 1954.

Raymond E. Nieman
President

H.J. O'Brien

Member

Lester M. Townsend

Member

Attest: Florence E. Nieman
*-----
Clerk-Treasurer

ORDINANCE NO. 121 PART 1

WHEREAS, heretofore on the 9th of December, 1954 at a regular meeting of the Board of Trustees of the Civil Town of Sellersburg, held in the office of Clerk-Treasurer in the James Bottorff Building on Utica Street in said Town of Sellersburg, the Board of Trustees passed a resolution fixing the 28th day of December, 1954, at 7:30 o'clock P. M. at said office of the Clerk-Treasurer of the Town of Sellersburg for the purpose of considering and determining whether an emergency exists for the passage of an ordinance making the following appropriations, in addition to the annual budget adopted for the fiscal year 1954, and.

WHEREAS, the Clerk-Treasurer of said Town has given notice of the time, place, and purpose of said meeting in the manner prescribed by law; and,

WHEREAS, it having been determined by the Board of Trustees of the Civil Town of Sellersburg that an emergency exists for the following appropriations:

To the payment of marshal's salary.....	\$419.84
To the payment of telephone rental.....	169.83
For additional office supplies.....	19.77
For street and alley repairs.....	94.68
For Insurance premiums and official bonds.....	159.87

SECTION ONE

NOW, THEREFORE BE IT ORDAINED by the Board of Trustees of the Civil Town of Sellersburg that an emergency exists and that there shall be and hereby is appropriated from the funds of the Town of Sellersburg, Indiana, not otherwise appropriated, the following sums:

To the payment of marshal's salary.....	\$419.84
To the payment of telephone rental	169.83
For additional office supplies.....	19.77
For insurance premiums and official bonds.....	159.87
For street and alley repairs.....	94.68

SECTION TWO

This ordinance shall be in force and effect from and after its passage and approval by the State Board of Tax Commissioners.

Raymond E. Nieman

President

H.J. O'Brien

Lester M. Townsend

Board of Trustees

Florence F. Nieman

Attest: Clerk-Treasurer

ORDINANCE NO. 121

PART 2

AN ORDINANCE REDISTRICTING THE TOWN OF
 SELLERSBURG, INDIANA, AND DEFINING
 THE WARD BOUNDARIES

WHEREAS, by virtue of the laws of the State of Indiana, the Boards of Trustees of the various Civil Towns within the State are entitled to redistrict their respective Towns when appropriate, and ,

WHEREAS, the Board of Trustees of the Civil Town of Sellersburg, Indiana, deems it necessary at this time to redistrict the various wards in the Town to effect a more equitable apportionment of the population of said Town, Now:

THEREFORE, BE IT ORDAINED by the Board of Trustees of the Civil Town of Sellersburg, Indiana, that the three (3) Wards or Districts in said Town, be and they are hereby, bounded as follows:

Section 1. That the first ward (or district) in said Town be comprised of all of that territory lying within the following boundary lines, to-wit:

Beginning at the point where the center line of New Albany Street intersects the southwestern boundary line of the said Town of Sellersburg; thence clockwise and with the Western Town limits, to the point where the center line of said New Albany Street intersects the Northern Boundary line of said Town; thence South and Southwestwardly with the center line of New Albany Street to the place of beginning.

Section 2. That the second ward (or district) in said Town shall be comprised of all of that territory lying within the following boundary lines, to-wit:

Beginning at the intersection of the center line of New Albany Street and the Northern Boundary line of said Town; thence eastwardly and following the northern boundary line of said Town to a point where the center line of Fern Street intersects said boundary line; thence Southwestwardly with Highway No. 31-E; thence Northwestwardly and with the center line of U.S. Highway No. 31-E to its intersection with the Northwardly with the center line of New Albany Street, to the place of beginning.

Section 3. That the third ward (or district) in said Town shall be comprised of all that territory lying within the following boundary lines, to-wit:

Beginning at the point where the center line of Fern Street intersects the Northern Boundary line of said Town: thence clockwise and with the Eastern boundary line of said Town in a general Southerly and Westerly direction so as to embrace Creston Addition to said Town of Sellersburg to a point in the center line of New Albany Street Extended; thence Northeastwardly with the center line of New Albany Street to the center line of U.S. Highway 31-E; thence Southeastwardly and with the center line of U.S. Highway No. 31-E to a point where the center line of Fern Street intersects the same; thence Northeastwardly and with the center line of Fern Street to the place of Beginning.

This ordinance shall be in full force and effect after publication and posting thereof as required by law.

Passed and adopted at a regular meeting of the Board of Trustees of the Civil Town of Sellersburg, Indiana, at the Town Office in the Town of Sellersburg, Indiana, this 10th day of May, 1955.

CIVIL TOWN OF SELLERSBURG

BY: Raymond E. Nieman
President

H.J. O'Brien

Lester M. Townsend

Board of Trustees

ATTEST:

Florence F. Nieman
Clerk-Treasurer

ORDINANCE No. 122

WHEREAS, heretofore on the 11th day of October, 1955, at a regular meeting of the Board of Trustees of the Civil Town of Sellersburg, held in the office of the Clerk-Treasurer in the James Bottorff Building on Utica Street in said Town of Sellersburg, the Board of Trustees passed a resolution fixing the 8th day of November, 1955, at 7:30 o'clock P.M., at said office of the Clerk-Treasurer of the Town of Sellersburg, for the purpose of considering and determining whether an emergency exists for the passage of an ordinance making the following appropriations, in addition to the annual budget adopted for the fiscal year 1955, and,

Whereas, the Clerk-Treasurer of said Town has given notice of the time, place, and purpose of said meeting in the manner prescribed by law; and,

WHEREAS, it having been determined by the Board of Trustees of the Civil Town of Sellersburg that an emergency exists for the following appropriations:

GENERAL FUND		
To the purchase of uniforms for volunteer firemen - - - -	\$310.00	
To Social Security Payments and Compensation Insurance -	420.00	
To Legal Advertising... - - - - - - - - - - - - - - -	340.00	
To Insurance and Official Bond Premium- - - - - - - - -	50.00	
STREET FUND,		
Repair of Equipment- - - - - - - - - - - - - - - - -	100.00	
TOTAL * -		\$1,200.00

SECTION ONE

NOW, THEREFORE, BE IT ORDAINED BY THE Board of Trustees of the Civil Town of Sellersburg that an emergency exists and that there shall be and hereby is appropriated from the funds of the Town of Sellersburg, Indiana, not otherwise appropriated, the following sums:

GENERAL FUND	(To the purchase of uniforms for volunteer firemen- - -	\$310.00
	(To Social Security Payments and Compensation Insurance	420.00
	(To Legal Advertising- - - - - - - - - - - - - - - - -	340.00
	(To Insurance and Official Bond Premium - - - - - - - -	50.00
STREET FUND	(To repair of equipment..- - - - - - - - - - - - - - -	100.00

SECTION TWO

This ordinance shall be in full force and effect from and after its passage and approval by the State Board of Tax Commissioners.

Raymond E. Nieman
President

H.J. O'Brien
Member

Lester M. Townsend
Member

ATTEST

Florence F. Nieman
Clerk-Treasurer

ORDINANCE NO. 121

PART 3

WHEREAS, heretofore on the 23rd day of March, 1955, at a regular meeting of the Board of Trustees of the Civil Town of Sellersburg, held in the office of the Clerk-Treasurer in the James Bottorff Building on Utica Street in said Town of Sellersburg, the Board of Trustees passed a resolution fixing the 12th day of April, 1955, at 7:30 o'clock P.M. at said office of the Clerk-Treasurer of the Town of Sellersburg for the purpose of considering and determining whether an emergency exists for the passage of an ordinance making the following appropriations, in addition to the annual budget adopted for the fiscal year 1955, and,

WHEREAS, the Clerk-Treasurer of said town has given notice of the time, place, and purpose of said meeting in the manner prescribed by law; and,

WHEREAS, it having been determined by the Board of Trustees of the Civil Town of Sellersburg that an emergency exists for the following appropriations:

- General Fund - For purchase price of police car\$1,800.00
- General Fund - For purchase of gas, oil, grease
and maintenance of police car..... 350.00
- Street Fund - For purchase of material and supplies
for street maintenance and construction 7,000.00

SECTION ONE

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Civil Town of Sellersburg that an emergency exists and that there shall be and hereby is appropriated from the funds of the Town of Sellersburg, Indiana, not otherwise appropriated, the following sums:

- General Fund - For purchase price of police car.....\$1,800.00
- General fund - For purchase of gas, oil, grease
and maintenance of police car..... 350.00
- Street Fund - For purchase of material and supplies
for street maintenance and construction 7,000.00

SECTION TWO

This ordinance shall be in force and effect from and after its passage and approval by the state Board of Tax Commissioners.

Passed by the Board of Trustees of the Civil Town of Sellersburg this 12th day of April, 1955.

Raymond W. Nieman
President

H. J. O'Brien
Member

Lester M. Townsend
Board of Trustees Member

ATTEST:

Florence F. Nieman
Clerk-Treasurer

ORDINANCE No. 123

BE IT ORDAINED BY THE BOARD OF TRUSTEES of the Civil Town of Sellersburg that the following described contiguous territory be, and the same hereby is, annexed to and declared to be a part of the Civil Town of Sellersburg, Indiana, to-wit:

Being a Subdivision known as #Cooperdale" an addition to the Town of Sellersburg, and being a part of Survey No. 110 of the Illinois Grant, Clark County, State of Indiana, described as follows, to-wit:

Beginning at an iron pin in the center line of a public road where the original line dividing Surveys Numbers 110 and 129 crosses said road, said pin being South $52^{\circ} 50'$ West 734.80 feet from a stone at the North corner of Survey Number 110; thence South $53^{\circ} 50'$ West with the original line dividing Surveys Numbers 110 and 129, 1048.20 feet to a stake in said original line; thence South $36^{\circ} 10'$ East 478.90 feet to a stake in Conroy's line; thence North $52^{\circ} 33'$ East with Conroy's line 1032.60 feet to the center line of aforesaid public road thence North $34^{\circ} 09'$ West with the center line of said road 456.30 feet to the place of beginning, containing 11.16 acres, more or less.

Also the following described tract:

Beginning at the intersection of said Corporate Limits of the Town of Sellersburg in the center line of U. S. #31-W; thence South $20^{\circ} 59'$ West 760.8 feet; thence South $36^{\circ} 42'$ West 318.4 feet; thence South $54^{\circ} 35'$ West 571.6 feet; thence South $55^{\circ} 36'$ West 875.9 feet; thence South $34^{\circ} 42'$ West 363.0 feet; thence South $17^{\circ} 10'$ West 298.5 feet; thence South $14^{\circ} 14'$ West 1455.4 feet; thence South $21^{\circ} 28'$ West 713.9 feet; thence South $12^{\circ} 41'$ West 438.8 feet; thence South $83^{\circ} 08'$ West 137.6 feet; thence South $06^{\circ} 52'$ East 140.0 feet; thence North $83^{\circ} 08'$ East 120.0 feet; thence North $06^{\circ} 52'$ West 139.0 feet; thence North $83^{\circ} 08'$ East 18.6 feet; thence North $12^{\circ} 41'$ East 438.8 feet; thence North $21^{\circ} 28'$ East 713.9 feet; thence North $14^{\circ} 14'$ East 1455.4 feet; thence North $17^{\circ} 10'$ East 298.5 feet; thence $34^{\circ} 42'$ East 363.0 feet; thence North $55^{\circ} 36'$ East 875.9 feet; thence North $54^{\circ} 35'$ East 571.6 feet; thence North $36^{\circ} 42'$ East 318.4 feet; thence North $20^{\circ} 59'$ East 760.8 feet; thence in a westerly direction 1.0 feet to the place of beginning.

Said ordinance shall be in full force and effect on and after its passage on this 16th day of November, 1955.

Raymond E. Nieman

President

H.J. O'Brien

ATTEST: Clerk-Treas.

Florence F. Nieman

Lester M. Townsend

Board of Trustees



ORDINANCE No. 200

AN ORDINANCE RESTRICTING THE USE OF CERTAIN STREETS IN THE TOWN OF SELLERSBURG, INDIANA, BY VEHICLES EXCEEDING CERTAIN WEIGHT LIMITS; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH:

Be It Ordained by the Board of Trustees of the town of Sellersburg, Clark County, Indiana;

SECTION 1. That it shall be unlawful for any person, firm or corporation to cause or knowingly permit to be operated, to stand or be moved upon all the public streets and alleys of the Town of Sellersburg, any vehicle or combination of vehicles of a weight exceeding six (6) tons gross weight.

SECTION 2. That the provisions of Section 1, above, do not apply to the following named public streets in said Town and they are to be used by any vehicle or combination of vehicles of a weight exceeding six (6) tons gross weight.

- New Albany Street ✓
Utica Street ✓
State Highway No. 31 ✓

SECTION 3. That the provisions of this ordinance do not apply to any vehicle or combination of vehicles while actually engaged in going or returning from making a delivery to any lot, place of business or residence in said Town.

REFER TO PROOF OF PUBLICATION FOR SECTIONS 4, 5, 6, and 7

SECTION 8. Any person, firm or corporation violating the provisions of this ordinance shall, upon conviction, be fined in any sum not exceeding Ten Dollars (\$10.00)

SECTION 9. This ordinance shall be in full force and effect from and after its passage, publication and posting as required by laws.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Passed and Adopted this 8th day of March, 1956, at a regular meeting of the Board of Trustees of the Town of Sellersburg, Indiana.

John Werle
John Werle
President
Thomas M. Hostettler
Member
Jesse M. Beyl
Member

ATTEST: John W. Kahl
John W. Kahl
Clerk-Treasurer

Load Limits of
Trucks

A. E. BOYCE COMPANY

FORMS PRESCRIBED BY STATE BOARD OF ACCOUNTS FOR
COUNTIES, CITIES, TOWNS, SCHOOLS, LIBRARIES,

HOSPITALS AND UTILITIES

PHONE ATLAS 8-4427 321 E. MAIN STREET

MUNCIE, INDIANA

ORDINANCE No. 201

BE IT ORDAINED by the Board of Trustees of the Civil Town of Sellersburg, Indiana:

SECTION 1. PERMIT A permit shall be secured from the Town of Sellersburg by the owner of the property or by his duly authorized agent before connecting to or tapping a municipal sewer, altering or laying a building sewer to or from any sewer which is a part of the municipal sewerage system of the Town of Sellersburg, Indiana.

SECTION 2. That before the Clerk-Treasurer shall issue any permit as provided for in Section One of this ordinance, there shall be paid by such applicant, the sum of Sixty (\$60.00) Dollars for each permit applied for.

SECTION 3. All ordinances or parts thereof which are in conflict with the terms hereof are hereby repealed.

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be fined in any sum not less than One (\$1.00) Dollar or more than Ten (\$10.00) Dollars.

SECTION 5. This ordinance shall be in full force and effect from and after its passage and legal posting and publication.

Passed by the unanimous approval of the Board of Trustees of the Civil Town of Sellersburg at its regular meeting held on the 12th day of April, 1956.

John Werle

 John Werle President

Chas M. Hostettler

 Chas M. Hostettler Member

Jesse M. Beyl

 Jesse M. Beyl Member

ATTEST: *John W. Kahl*

 John W. Kahl
 Clerk- Treasurer

ORDINANCE No. 202

Be it Ordained by the Board of Trustees of the Town of Sellersburg, Indiana:

1. That it shall be unlawful for any person, firm, or corporation to engage in the business of slaughtering poultry or animals within the corporate limits of said Town without meeting the following requirements:

- (a) Approval of the Indiana State Board of Health and the County Health Department;
- (b) Using completely enclosed holding pens;
- (c) No Inedible offal rendering;
- (d) No inedible offal stored in outside areas or in uncovered containers;
- (e) No holding of animals overnight;
- (f) No accumulation of namure on the premises.

2. This ordinance shall repeal all ordinances which are in conflict with the terms hereof.

3. Any person, firm or corporation violating any of the provisions of this ordinance, shall, upon conviction thereof, be fined in any sum not more that Ten Dollars (\$10.00).

4. This ordinance shall be in full force and effect from and after its passage and legal posting and publication.

Passed unanimously by the Board of Trustees of the Civil Town of Sellersburg at its regular meeting held on the 12th day of April, 1956.

John Werle
 John Werle
 President
Chas. M. Hostettler
 Chas. M. Hostettler
 Member
Jesse M. Beyl
 Jesse M. Beyl
 Member

ATTEST: *John W. Kahl*
 John W. Kahl
 Clerk-Treasurer

O R D I N A N C E No. 203

An ORDINANCE DECLARING AN EMERGENCY, APPROPRIATING \$350.00 TO POLICE CAR MAINTENANCE, GAS AND OIL: \$50.00 FOR POLICE SUPPLIES: \$300.00 FOR COMMUNICATION AND TRANSPORTATION: \$175.00 FOR INSURANCE AND OFFICIAL BOND, FOR THE TOWN OF SELLERSBURG, FOR THE REMAINDER OF THE YEAR 1958 TO MEET SAID EMERGENCY, AND ORDERING THAT AMOUNT TRANSFERRED FROM THE DOG POUND FUND AND THE GENERAL FUND.

Be it ordained by the Board of Trustees of the Town of Sellersburg, Clark County, State of Indiana, in regular session assembled.

SECTION 1. That said Board of Trustees finds that an extraordinary emergency exists for the Police Car Maintenance, Police Supplies, Communication and Transportation, and for Insurance and Official Bond.

SECTION 2. That said Board further finds that a ten day notice by publication of said contemplated additional appropriation has been given to the taxpayers and other interested parties, stating that a hearing would be held on said contemplated additional appropriation on the 14th day of August, 1958, at 7:30 P.M. at the regular meeting place of said Board, and that taxpayers should have a right to be heard.

SECTION 3. Upon the conclusion of said hearing referred to in Section 2 of this ordinance, the said Board now confirms its determination to appropriate and expend such an additional amount.

SECTION 4. That said Board does hereby appropriate and add an additional sum of \$350 for the Police Car Maintenance, Gas and Oil, \$50 Police Supplies: \$300 for communication and transportation: \$175 for Insurance and Occicial Bond.

SECTION 5. The Board of Trustees does hereby find that there is sufficient money in the dog Pound Fund and the General Fund for said appropriation and the Clerk-Treas. of said town is authorized to transfer said amojnt from said fund in accordance herewith stated.

SECTION 6. The action taken herein shall be subject to the approval of the Indiana Tax Board, as provided by law.

SECTION 7. All ordinance of or parts of ordinances in conflict herewith are hereby repealed.

Passed by the Board of Trustees of the Town of Sellersburg, Indiana, in regular session this 21st day of August, 1958.

ATTEST:

John W. Kahl
John W. Kahl

Clerk-Treasurer

John H. Werle
John H. Werle

President

O R D I N A N C E No. 204

AN ORDINANCE OF THE TOWN OF SELLERSBURG, INDIANA, APPROPRIATING THE SUM OF TWENTY THOUSAND DOLLARS (\$20,000) TO BE APPLIED ON THE COST OF CONSTRUCTION OF A TOWN HALL AND GARAGE IN AND FOR SAID TOWN, AND EXPENSES INCIDENTAL THERETO AND THE ISSUANCE OF BONDS ON ACCOUNT THEREOF.

WHEREAS, The Board of Trustees of the Town of Sellersburg, Indiana, finds that the Town is in need of a Town Hall and Garage, and that there has heretofore been filed with the Board a petition signed by owners of taxable real estate located in the Town requesting that bonds of the Town be issued in the amount of Twenty Thousand Dollars (\$20,000) for the purpose of providing funds to be applied on the cost of construction of a Town Hall and Garage in and for said Town, which petition the Board of Trustees has heretofore found to be in due form of law and has caused notice of the filing of said petition to be given as provided by Sec. 64-313 Burns Statutes 1933; and

WHEREAS, the Town of Sellersburg, does not now have on hands funds unappropriated for any other purpose or provided for in the existing budget sufficient to provide for the cost of construction of a town Hall and Garage and the Board has heretofore provided for the issuance of bonds of the Town in the amount of Twenty Thousand Dollars (\$20,000) in order to procure funds for such purpose; and

WHEREAS, The Board determines that there is an extraordinary emergency existing for the making of an appropriation at this time for such purpose; now therefore;

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG:

SECTION 1. That the sum of Twenty Thousand Dollars (\$20,000) be and the same is hereby appropriated out of the proceeds of the bonds designated as "Municipal Bonds of 1959" heretofore authorized to be issued, to be applied on the cost of construction of a Town Hall and Garage in and for the said Town, and expenses incidental thereto and the issuance of bonds on account thereof.

SECTION 2. This ordinance shall be in full force and effect immediately upon its passage and signing by the members of the Board of Trustees.

Passed and Adopted by the Board of Trustees of the Town of Sellersburg, Indiana, on this 11th day of December, 1958.

John H. Werle
John H. Werle
President
Chas. M. Hostettler
Chas. M. Hostettler
Member
Jesse M. Beyl
Jesse M. Beyl
Member

ATTEST: *John W. Kahl*
John W. Kahl
Clerk-Treasurer



O R D I N A N C E No. 206

AN ORDINANCE DECLARING AN EMERGENCY, APPROPRIATING \$25.00 TO PRINTING AND ADVERTISING, \$7,000.00 FOR ASPHALT TAR AND ROAD OIL, FOR THE REMAINDER OF THE YEAR 1958 TO MEET SAID EMERGENCY, AND ORDERING THAT AMOUNT TRANSFERRED FROM THE PRINTING OTHER THAN SUPPLIES, AND STREET FUND.

BE IT ORDAINED by the Board of Trustees of the Town of Sellersburg, Clark County, State of Indiana, in regular session assembled.

SECTION 1. That said Board of Trustees finds that an extraordinary emergency exists for the printing and advertising and for asphalt tar and road oil.

SECTION 2. That said Board further finds that a ten day notice by publication of said contemplated additional appropriation has been given to the taxpayers and other interested parties, stating that a hearing would be held on said contemplated additional appropriation on the 17th day of November, 1958, at 7:30 P.M. at the regular meeting place of said Board, and that taxpayers should have a right to be heard.

SECTION 3. Upon the conclusion of said hearing referred to in Section 2 of this ordinance, the said Board now confirms its determination to appropriate and expend such an additional amount.

SECTION 4. That said Board does hereby appropriate and add an additional sum of \$25.00 to printing and advertising and \$7,000.00 to asphalt tar and road oil.

SECTION 5. The Board of Trustees does hereby find that there is sufficient money in the printing other than office supplies and the street fund for said appropriation and the Clerk-Treasurer of said Town is authorized to transfer said amount from said fund in accordance herewith stated.

SECTION 6. The action taken herein shall be subject to the approval of the Indiana Tax Board, as provided by law.

SECTION 7. All ordinance of or parts of ordinance in conflict herewith are hereby repealed.

Passed by the Board of Trustees of the Town of Sellersburg, Indiana, in regular session the 11th day of December, 1958.

John H. Werle
 John H. Werle

 President

ATTEST:

John W. Kahl
 John W. Kahl

 Clerk-TREASURER

ORDINANCE No. 207

AN ORDINANCE REGULATING THE BURNING OF TRASH, LEAVES,
AND OTHER MATTER AND PROVIDING PENALTIES FOR THE
VIOLATION THEREOF.

SECTION 1. It shall be unlawful for any person to burn any trash,
leaves, or other matter, upon any street or alley in the Town
of Sellersburg, Indiana.

SECTION 2. It shall be unlawful for any person to burn any trash,
leaves, or other matter on the outside between the hour of 5:00
o'clock in the afternoon and 8:00 o'clock the next morning.

Penalty: Any person violating any of the provisions of this
ordinance, shall upon conviction be fined in any sum not to
exceed Five Dollars (\$5.00) for each offense.

SECTION 3. This ordinance shall be in full force and effect from
and after its passage, approval and legal publication.

Passed by the Board of Trustees of the Town of Sellersburg,
Clark County, Indiana, this 11th day of December, 1958.

John H. Werle

 John H. Werle
 President

Chas. M. Hostettler

 Chas. M. Hostettler
 Member

Jesse M. Beyl

 Jesse M. Beyl
 Member

ATTEST: *John W. Kahl*

 John W. Kahl
 Clerk-Treasurer

O R D I N A N C E No. 208

AN ORDINANCE REGULATING PARKING ON CERTAIN STREETS AND ALLEYS AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED: by the Board of Trustees of the Town of Sellersburg, of the State of Indiana.

SECTION 1. PARKING-TIME LIMIT: - It shall be unlawful for any person to park a motor vehicle or other conveyance, for a continuous period of time, longer than two hours between 6:00 o'clock in the morning and 6:00 o'clock at night on the following streets, to-wit:

On Maple Street between East Utica and South New Albany Street. AND on West Utica Street, between Indiana and Scheller Avenue.

SECTION 2. It shall be unlawful for any person to park a motor vehicle or other conveyance in any public alley in the Town of Sellersburg, Indiana, other than for the purpose of loading or unloading, in such manner as to obstruct traffic upon or over said alley.

PENALTY; Any person violating any of the provisions of this ordinance, shall upon conviction be fined in any sum not to exceed Ten Dollars (\$10.00) for each offense.

SECTION 3. This ordinance shall be in full force and effect from and after its passage, approval and legal publication.

Passed by the Board of Trustees of the Town of Sellersburg, Clark County, Indiana, this 11th day of December, 1958

John W. Kahl
ATTEST: John W. Kahl
Clerk-Treasurer

John H. Werle
John H. Werle
President
Chas. M. Hostettler
Chas. M. Hostettler
Member
Jesse M. Beyl
Jesse M. Beyl
Member

O R D I N A N C E No. 209

AN ORDINANCE DELCARING AN EMERGENCY, APPROPRIATING \$300 for Streets, Alleys, and Sewers; \$250 for Printing and Advertisement; \$200 for Election Expense; \$100 for Police Car Maintenance; \$50 for Communication and Transportation; \$15 for Social Security; \$150 for Gas, Oil and Operating Expense, FOR THE REMAINDER OF THE YEAR 1959 TO MEET SAID EMERGENCY, AND ORDERING THAT AMOUNT TRANSFERRED FROM THE BUILDING AND CONSTRUCTION, AND EQUIPMENT FUNDS.

BE IT ORDAINED by the Board of Trustees of the Town of Sellersburg, Clark County, State of Indiana, in special session assembled.

Section 1. That said Board of Trustees finds that an extraordinary emergency exists for the streets, alleys and sewers; printing and advertisement; election expense; police car maintenance; communication and transportation; Social Security; gas, oil, and operating expense for streets.

SECTION 2. That said Board further finds that a ten day notice by publication of said contemplated additional appropriation has been given to the taxpayers and other interested parties, stating that a hearing would be held on said contemplated additional appropriation on the 30 day of November, 1959, at 7:30 P.M. at the special meeting of said board, and that taxpayers should have a right to be heard.

SECTION 3. Upon the conclusion of said hearing referred to in Section 2 of this ordinance, the board now confirms its determination to appropriate and expend such an a dditional amount.

SECTION 4. That the said board does hereby appropriate and add an additional sum of \$300 to Streets, Alleys, and Sewers; \$250 to Printing and Advertisement; \$200 for Election Expenses; \$100 to Police Car Maintenance; \$50 to Communication and Transportation; \$15 to Seocial Security; \$150 to Gas, Oil, and Operating Expense for Streets.

SECTION5. The Board of Trustees does hereby find that there is sufficient money in the Building and Construction, and the Equipment funds for said appropriation and the Clerk-Treasurer of said Town is authorized to transfer said amount from said fund in accordance herewith stated.

SECTION 6. The action taken herein shall be subject to the approval of the Indiana Tax Board, as provided by law.

SECTION 7. All ordinance of or parts of ordinance in conflict herewith are hereby repealed.

Passed by the Board of Trustees of the Town of Sellersburg, Indiana, in Special session this 10 day of Nov., 1959.

Attest:

John H. Kall

Clerk-Treas.

John H. Welle
President

ORDINANCE No. 210

WHEREAS: The Town of Sellersburg, Indiana is desirous of obtaining a Federal Grant for the purpose of partially defraying the cost of a Sewage Disposal Plant Improvement and other necessary sewer extensions:

NOW, THEREFORE, be it ordained by the Town Board of Trustees of the Town of Sellersburg, Indiana, that:

The President of the Town Board of Trustees of the Town of Sellersburg, John H. Werle, is hereby authorized to make application for said Federal Grant by preparing the necessary papers and specifications; the signing and filing of the same with the proper authorities; and all documents necessary to secure Federal grant; said authority to be effective from the date of the passage of this Ordinance and to continue during its term of office.

John H. Werle
John H. Werle - President

Charles M. Hostettler
Charles Hostettler - Member

Jesse M. Beyl
Jesse Beyl - Member

TOWN BOARD OF TRUSTEES

ATTEST:

John W. Kahl
John W. Kahl - Clerk-Treas.

ORDINANCE No. 211

Whereas, The Town of Sellersburg, is interested in improving the orderly development of its community, and is vitally concerned in the methods of improving the present health, safety, convenience, and welfare of their citizens, and for the additional concern for the planning of adequate streets, utilities, health, educational and recreational facilities, and that the growth of the community is commensurate with and promotive of the efficient and economical use of public funds, now therefore:

Be it enacted by the Town Board of Sellersburg, Indiana, and repealing all existing laws to the contrary, the following is hereby ordained.

Section 1. The Sellersburg Town plan commission is hereby created pursuant to the laws of the general assembly of the State of Indiana.

Section 2. The Plan Commission consist of seven members, of which the Town Board shall appoint three persons in the Town government as members. The remaining members shall be citizen members and shall be a ppointed by the Town Board, not more than 2 of whom will be of the same political party.

Section 3. The clerk of the Town Board shall certify members appointed, and the certificates shall be sent to and be a part of the records of the town plan commission. The Town Board shall make similar certification for the appointment of Citizen Members.

Section 4. The Commission shall fix the time for holding regular meetings, but it shall meet at least once in the months of January, April, July and October.

Section 5. The members of the plan commission shall receive no salary for service on the plan commission.

Section 6. The powers and duties of said plan commission are those enumerated and set out by law in the preparation of a master plan and zoning ordinance and in conduction of investigations, hearings necessary, and all other duties incident to the successful administation of said zoning and planning.

Dated May 12, 1960.

By Order of the Town Board

John H. Werle
Chas. M. Hostetler
Jesse M. Beyl

Attest:

John W. Kahl
John W. Kahl - Clerk-Treas.

ORDINANCE NO. 212

AN ORDINANCE AUTHORIZING THE CHAIRMAN OF THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG INDIANA TO MAKE A TEMPORARY LOAN IN THE SUM OF SIX THOUSAND FIVE HUNDRED DOLLARS (\$6500) FROM THE STATE OF INDIANA OR OTHER GOVERNMENT AGENCY FOR PAYING FOR MAKING SURVEY STUDIES, PRELIMINARY PLANS AND ESTIMATED COST FOR ENLARGING AND EXTENDING THE EXISTING SEWAGE TREATMENT PLANT AND SANITARY SEWAGE SYSTEM IN THE TOWN OF SELLERSBURG, CLARK COUNTY, IN THE STATE OF INDIANA.

WHEREAS: The Town of Sellersburg, Indiana, by and through the board of trustees desire to make surveys, studies, preliminary plans and estimate cost of enlarging and extending the existing sewage treatment plant and sanitary sewage system in the Town of Sellersburg, Indiana.

WHEREAS: it is necessary to make preliminary studies, surveys, preliminary plans and estimate of cost to assist the Board of Trustees of the Town of Sellersburg, to reach a decision as to the advisability of undertaking said project; and,

WHEREAS, the Board of Trustees of the Town of Sellersburg Indiana, is without sufficient funds to pay the costs to make necessary surveys, studies, preliminary plans, estimate of cost for the enlarging and extending of the existing sewage treatment plant and sanitary sewage system in the Town of Sellersburg, Indiana, and

WHEREAS: there is now available from the State of Indiana certain loan funds for the purpose of paying the costs of preparing surveys, plans and specifications for public construction of enlarging and extending existing sewage treatment plants and sanitary sewage systems, and,

WHEREAS: application has been made by the Board of Trustees of the Town of Sellersburg, Indiana, to borrow the funds necessary for the making of said surveys, studies, preliminary plans, and estimated cost.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, INDIANA, AS FOLLOWS:

Section 1. That the chairman of the Board of Trustees is hereby authorized and empowered to negotiate a temporary loan in a sum not to exceed Six Thousand and Five Dollars (\$6500) from the State of Indiana or the proper loan agency for a period of not to exceed three years (3), and said chairman of the Board of Trustees is hereby authorized to execute such loan warrants or other evidence of indebtedness that may be necessary to secure said loan.

Section 2. The proceeds of said loan shall be credited to the account of the Sewer Department of the Town of Sellersburg, Administration Fund No. B26; other contractual services for the purpose of paying the cost of a survey, studies, preliminary plans and estimate of cost for the enlargement and extension of the existing sewage treatment and sanitary sewage system in the Town of Sellersburg, Clark County, Indiana.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval.

PASSED by the Board of Trustees of the Town of Sellersburg, Indiana in regular session this 9th day of June, 1960.

John H. Wale
President
Charles M. Koster
Jesse M. Beyl

Attest:

John W. Kahl
Clerk-Treasurer

Approved and signed by me this 9th day of June, 1960.

John H. Wale
President of Town Board

STATE OF INDIANA)
COUNTY OF CLARK) SS.

I, John W. Kahl, Clerk Treasurer of the Town of Sellersburg Indiana, do hereby certify the above and foregoing is a full, true, and complete copy of ordinance No. 212; that said ordinance was passed by the Board of Trustees on the 9th day of June, and was signed and approved by the president of the Town Board on the 10th day of June, 1960, and now remains on file and on record in my WITNESS, my hand and the official seal of the Town of Sellersburg, Indiana, the 10th day of June, 1960.

John W. Kahl
Clerk-Treasurer

ORDINANCE No. 213

ORDINANCE APPROVING AN AGREEMENT FOR A SUPPLY OF ELECTRIC ENERGY FOR TRAFFIC AND/OR FLASHER SIGNALS AND A TRAFFIC AND/OR FLASHER SIGNAL FACILITY LICENSE AGREEMENT WITH PUBLIC SERVICE COMPANY OF INDIANA, INC.

WHEREAS the Town of Sellersburg in Clark County, Indiana, acting by and through the BOARD OF TRUSTEES of said Town, desires to enter into two respective agreements with PUBLIC SERVICE COMPANY OF INDIANA, INC., one being an agreement for a supply of electric energy for traffic and/or flasher signals (hereinafter called the "Electric Energy Supply Agreement") and the other being a traffic and/or flasher signal facility license agreement, (hereinafter called the "Signal Facility License"), which said agreements are respectively in words and figures as follows,:

WHEREAS all acts, conditions and things precedent to the execution by the Town of Sellersburg, Indiana, of the Electric Energy Supply Agreement and the Signal Facility License, and each of them, have happened and been done in regular and due form as required by law.

Now, THEREFORE, Be it Ordained by the BOARD OF TRUSTEES of the TOWN OF SELLERSBURG, INDIANA, AS follows, to-wit:

1. That the TOWN OF SELLERSBURG, INDIANA, do make and enter with PUBLIC SERVICE COMPANY OF INDIANA, INC., into the Electric Energy Supply Agreement and the Signal Facility License, and each of them; and that said agreements, in the respective forms set forth, be, and the same are hereby, approved; that a majority of the BOARD OF TRUSTEES of said Town are authorized to execute each and both of said agreements in the name of and for, and in behalf of said Town, and the Clerk-Treasurer is authorized to attest each and both of said agreements with his signature and affix thereto the corporate seal of said Town; and that when said respective agreements are so executed and are duly executed by PUBLIC SERVICE COMPANY OF INDIANA, INC., they shall be in full force and effect.

2. This ordinance shall be in full force and effect from and after its passage.

Passed, approved and signed this 28 day of July, 1960.

John H. Werle
President - Town Board of Trustees
Alvin M. Hesterline
Trustee

Jesse M. Beyl
Trustee

ATTEST:
John W. Kahl
Clerk-Treas.

ORDINANCE No. 214

ORDINANCE APPROVING A STREET LIGHTING CONTRACT WITH
PUBLIC SERVICE COMPANY OF INDIANA, INC.

WHEREAS, the TOWN OF SELLERSBURG, CLARK, COUNTY, INDIANA, acting by and through the BOARD OF TRUSTEES of said Town, desires to enter into a contract with PUBLIC SERVICE COMPANY OF INDIANA, INC., for overhead street lighting service,

WHEREAS, all acts, conditions and things precedent to the execution by the TOWN OF SELLERSBURG of the said contract have happened and been properly done in regular and due form as required by law.

NOW, THEREFORE, BE it Ordained by the BOARD OF TRUSTEES of the TOWN OF SELLERSBURG, CLARK COUNTY, INDIANA as follows, to-wit:

1. That the TOWN OF SELLERSBURG do make and enter into the aforesaid contract with PUBLIC SERVICE COMPANY OF INDIANA, INC., for the installation, operation and maintenance of the overhead street lighting system more particularly described in said contract, and for the street lighting service to be rendered in accordance with the terms and conditions of the said contract; and that said contract, in the form set forth, be, and the same is hereby, approved; that the President and BOARD OF TRUSTEES of said Town are authorized to execute the same in the name of, and for, and in behalf of said Town, and the Clerk-Treasurer is authorized to attest the same with his signature and affix thereto the corporate seal of said Town; and that when said contract is executed either by the President or a majority of the BOARD OF TRUSTEES and attested by the Clerk-Treasurer, is duly executed by PUBLIC SERVICE COMPANY OF INDIANA, INC., and has been approved by PUBLIC SERVICE COMMISSION OF INDIANA as provided therein, it shall be in full force and effect.

2. This ordinance shall be in full force and effect from and after its passage.

Passed, approved and signed this 8 day of Sept., 1960.

John H. Welle
President of Town Board

John M. Wastell
Trustee

Jesse M. Beif
Trustee

ATTEST:

John W. Kahl
Clerk-Treas.

ORDINANCE No. 215

ORDINANCE FIXING SALARIES OF THE BOARD OF TRUSTEES
AND TOWN ATTORNEY

BE IT ORDAINED by the Board of Trustees of the Town of Sellersburg, Clark County, in the State of Indiana, that the annual salary of the following officers of said Town and the Town Attorney shall be as follows:

Each Trustee.....\$500.00
Town Attorney 950.00

The additional increase shall be payable \$125.00 each trustee and \$250.00 Town Attorney from the Municipal Sewer Fund, and the sum of \$125.00 each Trustee and \$250.00 Town Attorney from the Municipal Water Fund.

John H. Weiler
President Town Board

Robert M. Wessels

Jesse M. Beyl

ATTEST:

John R. Kahl
Clerk-Treas.

ORDINANCE No. 216

AN ORDINANCE DECLARING AN EMERGENCY, APPROPRIATING \$75.00 TO OTHER COMPENSATION AND SOCIAL SECURITY, \$225.00 TO GARBAGE REMOVAL, \$100.00 TO LIGHT & POWER ELECTRIC CURRENT, \$100.00 to GAS, OIL, MAINTENANCE, & EQUIPMENT POLICE CAR, FROM APPROPRIATION #223 HEAT; and \$50.00 TO GAS, OIL, & OPERATING EXPENSE FROM APPROPRIATION #41 STONE AND GRAVEL, FOR THE REMAINDER OF THE YEAR 1960 TO MEET SAID EMERGENCY, AND ORDERING THAT AMOUNT TRANSFERRED FROM THE APPROPRIATION #223 HEAT AND APPROPRIATION #41 STONE AND GRAVEL.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, Clark County, in the State of Indiana, in regular session assembled.

SECTION 1. That said Board of Trustees finds that an extra-ordinary emergency exists for Other Compensation and Social Security; Garbage Removal; Light & Power Electric Current; Gas, Oil, Maintenance, & Equipment Police Car; and, Gas, Oil, and Operating Expense.

SECTION 2. That said Board further finds that a ten day notice by publication of said contemplated additional appropriation has been given to the taxpayers and other interested parties, stating that a hearing would be held on said contemplated additional appropriation on the 22nd day of November, 1960, at 7:00 P.M., at the regular meeting place of said Board, and that taxpayers should have a right to be heard.

SECTION 3. Upon the conclusion of said hearing referred to in Section 2 of this ordinance, the said Board now confirms its determination to appropriate and expend such an additional amount.

SECTION 4. That said Board does hereby appropriate and add an additional sum of \$75.00 to appropriation #181 Other Compensation and Security Security; \$225.00 to appropriation #17 Garbage Removal; \$100 appropriation #221 Light & Power Electric Current; \$100.00 to appropriation #14 Gas, Oil, Maintenance & Equipment Police Car, \$50.00 to appropriation #23 Gas, Oil & Operating Expenses.

SECTION 5. The Board of Trustees does hereby find that there is sufficient money in the appropriation #223 Heat and appropriation #41 Stone & Gravel, for said appropriation and the Clerk-Treasurer of said Town is authorized to transfer said amount from said funds in accordance herewith stated.

SECTION 6. The action taken herein shall be subject to the approval of the Indiana Tax Board, as provided by law.

SECTION 7. All ordinances of or parts of ordinances in conflict herewith are hereby repealed.

PASSED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, INDIANA in regular session this 22nd day of November, 1960.

John H. Weir
President - Town Board

Chas. M. Haseliter
Trustee

Jesse M. Beyl
Trustee

ATTEST:

John W. Kahl
Clerk-Treas.

ORDINANCE No. 217

AN ORDINANCE OF THE TOWN OF SELLERSBURG AUTHORIZING THE ISSUANCE OF ADDITIONAL WATERWORKS REVENUE BONDS FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF CERTAIN ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO THE MUNICIPAL WATERWORKS OF SAID TOWN, AND OTHER MATTERS CONNECTED THEREWITH

WHEREAS, the Town of Sellersburg has heretofore acquired and now owns and operates a municipal waterworks in said Town in accordance with the provisions of Chapter 76 of the Acts of the Indiana general assembly for the year 1913, and the acts amendatory thereof and supplemental thereto, particularly Chapter 190 of the Acts of 1933; and

WHEREAS, to procure funds to pay the cost of acquisition and improvement of said waterworks the Town issued certain Waterworks Revenue Bonds, which bonds were subsequently refunded by the issuance of certain Water Works Revenue Refunding and Improvement Bonds under date of December 1, 1947, and are now outstanding in the principal amount of One Hundred Eight Thousand Dollars (\$108,000), maturing annually on December 1 of each year over a period ending on December 1, 1986, the bonds maturing in the years 1961 through 1968 and in the years 1975 through 1986 bearing interest at the rate of four per cent (4%) per annum, and the bonds maturing in the years 1969 through 1974 and one bond maturing in 1975 bearing interest at the rate of three and three-fourths per cent (3-3/4%) per annum; and which bonds constitute a first charge against the net revenues of the waterworks; and

WHEREAS, The Board of Trustees now finds that the waterworks of the Town of Sellersburg is in need of certain additions, extensions and improvements, the estimated cost of which, including incidental expenses necessary to be incurred in connection therewith and the financing thereof, is in the amount of Four Hundred Eighty Thousand Dollars (\$480,000); and

WHEREAS, the Board finds that the Town does not have sufficient funds available to pay the cost of said additions, extensions and improvements but has the right to obtain said necessary funds by the issuance of additional waterworks revenue bonds payable out of the revenues of said waterworks, provided such bonds are made junior and subordinate in all respects to the Water Works Revenue Refunding and Improvement Bonds heretofore issued under date of December 1, 1947; now therefore,

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, INDIANA:

Section 1. That the Town of Sellersburg, being the owner of and engaged in operating a municipal waterworks furnishing the public water supply to said Town and its inhabitants, now provide for certain needed additions, extensions and improvements to such waterworks and the financing thereof by the issuance of revenue bonds pursuant to and in the manner prescribed by Chapter 76 of the Acts of 1913, and the acts amendatory thereof and supplemental thereto, particularly Chapter 190 of the Acts of 1933 (sometimes hereinafter referred to as the "Act"), which additional revenue bonds shall be payable solely out of the net revenues (herein defined as gross revenues after deduction only for the reasonable expense of operation and Maintenance)

of said waterworks, including all extensions thereof and additions and improvements thereto subsequently constructed or acquired, subject to the prior payment from said net revenues of the principal of and interest on the now outstanding Water Works Revenue Refunding and Improvement Bonds hereinbefore referred to; in accordance with the terms and provisions thereof.

Sec. 2. That said additions, extensions and improvements consist of the construction of a new water supply system including two (2) new wells, well control and chlorination building, booster pumping facilities, 500,000 gallon storage reservoir, 12-inch cast iron transmission main, and other appurtenances, which additions, extensions and improvements shall be constructed and installed in accordance with the plans and specifications heretofore prepared by Clyde E. Williams & Associates, Inc., consulting engineers of South Bend, Indiana, employed by said Town, which plans and specifications are hereby approved.

Sec. 3. For the purpose of providing funds with which to pay the cost of such additions, extensions and improvements, including incidental expenses, the Town of Sellersburg shall issue and sell its additional revenue bonds; provided, however, that said additional revenue bonds shall be junior and subordinate in all respects to the bonds designated as "Water Works Revenue Refunding and Improvement Bonds" issued under date of December 1, 1947, of which bonds in the amount of One Hundred Eight Thousand Dollars (\$108,000) are now outstanding, and none of the provisions of this ordinance shall be so construed as to adversely affect the rights of the holders of said outstanding revenue bonds.

Sec. 4. Said additional revenue bonds shall be designated "Waterworks Revenue Bonds of 1961," shall be in the principal amount of Four Hundred Eighty Thousand Dollars (\$80,000), in the denomination of One Thousand Dollars (\$1,000) each, numbered consecutively from 1 to 480 inclusive, dated as of the first day of the month in which said bonds are sold, and shall bear interest at a rate not exceeding five and one-half per cent ($5\frac{1}{2}\%$) per annum (the exact rate to be determined by bidding), which interest shall be payable on the first day of June, 1961, and semi-annually thereafter, and shall be evidenced by coupons attached to said bonds. Both principal and interest of said bonds shall be payable in lawful money of the United States of America at the Sellersburg State Bank, in the Town of Sellersburg, Indiana, and such bonds shall mature serially in the amounts and on the dates as follows:

\$ 5,000 on December 1 in the years 1962 to 1976 inclusive;
 \$10,000 on December 1 in the years 1977 to 1983 inclusive;
 \$15,000 on December 1 in the years 1984 to 1986 inclusive;
 \$25,000 on December 1 in the years 1987 to 1990 inclusive;
 \$30,000 on December 1 in the years 1991 to 1994 inclusive;
 \$35,000 on December 1 in the years 1995 and 1996.

The bonds of this issue maturing on December 1, 1974, and thereafter, shall be redeemable at the option of the Town on June 1, 1974, or any interest payment date thereafter, in whole or in part, in their inverse numerical order, at face value, together with the following premiums:

- 5% if redeemed on July 1, 1974, or thereafter on or before December 1, 1979;
- 4% if redeemed on June 1, 1980, or thereafter on or before December 1, 1985;
- 3% if redeemed on June 1, 1986, or thereafter on or before December 1, 1991;
- 2% if redeemed on June 1, 1992, or thereafter prior to maturity;

plus in each case accrued interest to the date fixed for redemption. Notice of such redemption shall be given at least thirty (30) days prior to the date fixed for such redemption by one publication in a newspaper published in Clark County and of general circulation in the Town of Sellersburg, Indiana, and a newspaper or financial journal published in the City of Indianapolis, Indiana. If any of the bonds so to be redeemed are registered, then such notice shall also be mailed to the address of the registered holders as shown on the registration records of the Town. The notice shall specify the date and place of redemption and the numbers of the bonds called for redemption. The place of redemption may be the place of payment named in the bonds, or otherwise as determined by the Town. Interest on the bonds so called for redemption shall cease on the redemption date fixed in said notice, if funds are available at the place of redemption to pay the principal of and premium and interest on the bonds so called for redemption on the date fixed in said notice, and thereafter when presented for payment. Upon payment of the redemption price the bonds so called for redemption shall be surrendered for cancellation, together with the unmatured interest coupons appurtenant thereto.

Sec. 5. Said bonds shall be signed in the name of the Town of Sellersburg by the President of the Board of Trustees, and attested by the Clerk-Treasurer, who shall affix the seal of said Town to each of said bonds. The interest coupons attached to said bonds shall be executed by placing thereon the facsimile signature of the Clerk-Treasurer, and said official, by the signing of said bonds, shall adopt as and for his own proper signature his facsimile signature appearing on said coupons. In case any officer whose signature appears on said bonds shall cease to be such officer before the delivery of the bonds, the signature of such officer shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

Said bonds shall be transferable by delivery, unless registered. Upon presentation of any of the bonds at the office of the Clerk-Treasurer in the Town of Sellersburg, said Clerk-Treasurer shall register said bonds as to the principal thereof without charge or expense to the holder. Such registration shall be noted on the bond, after which no transfer thereof shall be valid unless made by the registered owner in person or by his attorney duly authorized and similarly noted on the bond, but said bond may be discharged from registration by being in like manner retransferred to bearer, after which it shall be transferrable by delivery, but may again be registered as before. The registration of any bond shall not affect the negotiability of the interest coupons attached thereto, but such coupons shall continue to pass by delivery merely and shall always remain payable to bearer.

Sec. 6. The form and tenor of said bonds and the interest coupons to be attached thereto, and the form of registry endorsement thereon, shall be substantially as follows, all blanks to be filled in properly prior to the delivery thereof:

UNITED STATES OF AMERICA
State of Indiana County of Clark

No. _____ \$1,000
TOWN OF SELLERSBURG
WATERWORKS REVENUE BOND OF 1961

The Town of Sellersburg, In Clark County, State of Indiana, for value received, hereby promises to pay to the bearer hereof, or if this bond be registered then to the registered holder hereof, solely out of the special revenue fund hereinafter referred to, the principal amount of

ONE THOUSAND DOLLARS.

ON THE FIRST DAY OF December, 1961 (unless this bond be subject to and be called for redemption prior to maturity as hereinafter provided), and to pay interest thereon from the date hereof until the principal is paid at the rate of _____ per cent (____%) per annum, payable semi-annually on the first days of June and December of each year, beginning on June 1, 1961, upon presentation and surrender of the annexed coupons as they severally become due.

Both principal and interest of this bond are payable in lawful money of the United States of America at the Sellersburg State Bank, in the Town of Sellersburg, Indiana.

This bond is one of an authorized issue of four hundred eighty (480) bonds of the Town of Sellersburg, of like denomination, tenor and effect, except as to dates of maturity, aggregating Four Hundred Eighty Thousand Dollars (\$480,000), numbered consecutively from 1 to 480 inclusive, issued pursuant to an ordinance adopted by the Board of Trustees of said Town on the _____ day of _____, 1961, entitled "An Ordinance of the Town of Sellersburg authorizing the issuance of additional waterworks revenue bonds for the purpose of providing funds to pay the cost of certain additions, extensions and improvements to the municipal waterworks of said Town, and other matters connected therewith, "and in strict compliance with the provisions of Chapter 76 of the Acts of the Indiana General Assembly for the year 1913, and all acts amendatory thereof and supplemental thereto, particularly Chapter 190 of the Acts of 1933.

The principal and interest of this bond and all other bonds of said issue, and all bonds on a parity therewith, constitute a charge against the net revenues (herein defined as the gross revenues after deduction only for the reasonable expenses of operation and maintenance) of said waterworks system, including all extensions thereof and additions and improvements thereto subsequently constructed or acquired; subject, however to the

prior payment of the interest on and principal of an issue of Water Works Revenue Refunding and Improvement Bonds in accordance with the terms thereof, of which bonds in the amount of One Hundred Eight Thousand Dollars (\$108,000) are outstanding, issued under date of December 1, 1947, maturing serially on December 1 of each year over a period ending on December 1, 1986, the bonds maturing in the years 1961 through 1968 and in the years 1975 through 1986 bearing interest at the rate of four per cent (4%) per annum, and the bonds maturing in the years 1969 through 1974 and one bond maturing in 1975 bearing interest at the rate of three and three-fourths per cent (3-3/4%) per annum, authorized by an ordinance adopted on December 8, 1947, as amended by an ordinance adopted on February 19, 1948. The Town covenants that it will, on or before the first day of each calendar month, beginning on _____ 1, 19____, set aside in a special fund designated as the "1961 Waterworks Bond Fund" duly created by the ordinance authorizing this issue of bonds, one-twelfth (1/12) of the amount required to pay the principal of and interest on all outstanding bonds of this issue, and all bonds on a parity therewith, payable within the period of the then next succeeding twelve (12) months, and that said special fund shall be used for no other purpose whatsoever, and the Town shall not be obligated to pay this bond or the interest hereon except from said special fund, and neither this bond nor the issue of which it forms a part shall in any respect constitute a corporate indebtedness of the Town within the provisions and limitations of the constitution of the State of Indiana.

The Town covenants that it will fix, maintain and collect an aggregate of rates and charges for the services rendered by said waterworks which will be sufficient to pay all cost of operation and maintenance of said waterworks, to provide for depreciation, to maintain the fund required for the payment of now outstanding bonds designated "Water Works Revenue Refunding and Improvement Bonds," and to create and maintain the 1961 Waterworks Bond Fund required for the payment of this issue of bonds, and will in all other respects faithfully comply with all of the provisions of the ordinance pursuant to which this bond is issued. In the event the Town shall make any default in the payment of the principal of or interest on this bond, the holder hereof shall have all of the rights and remedies provided for in the governing statutes hereinabove referred to, including the right to compel the collection of sufficient rates and charges to provide for the payment of this bond and the interest hereon.

This bond and all other bonds of the issue of which it is a part shall, in the hands of bona fide holders, have all the qualities of negotiable instruments under the negotiable instruments law of the State of Indiana. This bond may be registered in the name of the owner in the manner and with the effect provided in said ordinance, but unless registered shall pass by delivery. The interest coupons annexed hereto shall at all times pass by delivery.

The bonds of this issue maturing on December 1, 1974, and thereafter, are redeemable at the option of the Town on June 1, 1974, or any interest payment date thereafter, in whole or in part, in their inverse numerical order, at face value, together with the following premiums: five per cent (5%) if redeemed on June 1, 1974, or thereafter on or before December 1, 1979; four per cent (4%) if redeemed on June 1, 1980, or thereafter on or before December 1, 1985; three per cent (3%) if redeemed on June 1, 1986, or thereafter on or before December 1, 1991; two per cent (2%) if redeemed on June 1, 1992, or thereafter prior to maturity; and the accrued interest to the date of redemption; provided notice of such redemption shall be given at least thirty (30) days prior to the date fixed for such redemption, by one publication in a newspaper published in Clark County and of general circulation in the Town of Sellersburg, Indiana, and a newspaper or financial journal published in the City of Indianapolis, Indiana, and a like notice be sent by mail to the holders of such bonds as are then registered. Interest on the bonds so called for redemption shall cease on the redemption date fixed in said notice, if funds are available at the place of redemption to pay the principal, premium and interest on the bonds so called for redemption on the date so named, and thereafter when presented for payment. Upon the payment of the redemption price the bonds so redeemed shall be surrendered for cancellation, together with the unmatured interest coupons appurtenant thereto.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the preparation and complete execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law.

IN WITNESS WHEREOF, the Town of Sellersburg, in Clark County, State of Indiana, has caused this bond to be signed in its corporate name by the President of its Board of Trustees, its corporate seal to be hereunto affixed and attested by its Clerk-Treasurer, and the interest coupons hereto attached to be executed by placing thereon the facsimile signature of said Clerk-Treasurer, as of the first day of _____, 1961.

TOWN OF SELLERSBURG

BY

John W. Werler
President, Board of Trustees

Attest:

John W. Kahl
Clerk-Treasurer

(Interest coupon)

Coupon No. _____ \$ _____

On 1,19,
the Town of Sellersburg, Indiana, will pay to bearer (unless
the bond to which this coupon refers is sooner redeemed) at
The Sellersburg State Bank, in said Town, out of its 1961
Waterworks Bond Fund, _____ Dollars in
lawful money of the United States of America, being the in-
terest then due on its Waterworks Revenue Bond of 1961,
dated _____ 1,1961, No. _____.

TOWN OF SELLERSBURG

By John W. Kahl (Facsimile)
Clerk-Treasurer

REGISTRATION ENDORSEMENT

This bond can be registered only at the office of the
Clerk-Treasurer of the Town of Sellersburg, Indiana. No.
writing hereon except by the Clerk-Treasurer.

Date of Registry	In Whose Name Registered	Clerk-Treasurer
_____	_____	_____
_____	_____	_____
_____	_____	_____

Sec. 7. The Clerk-Treasurer is hereby authorized and directed
to have said bonds and coupons prepared, and the President of the Board
of Trustees and the Clerk-Treasurer are hereby authorized and directed
to execute said bonds and the interest coupons to be attached thereto
in the form and manner hereinbefore provided. The Clerk-Treasurer is
hereby authorized to sell said bonds at public sale.

Prior to the sale of the bonds, The Clerk-Treasurer shall cause
to be published a notice of sale once each week for two weeks in the
Charlestown Courier, published at Charlestown, Indiana, and the
Evening News, published at Jeffersonville, Indiana, there being no
newspaper published in the Town of Sellersburg, and one time in The
Indianapolis Commercial, published in the City of Indianapolis,
Indiana. The date fixed for the sale shall not be earlier than
seven (7) days after the last of said publications. The bond sale
notice shall state the time and place of sale, the total amount of bonds,
the maximum rate of interest thereon, the maturities thereof, the
purpose for which the bonds are being issued, the terms and conditions
on which bids will be received and the sale made, and shall set out
such other information as the Clerk-Treasurer, acting on the advice
of the Town Attorney and bond counsel, shall deem necessary.

All bids for said bonds shall be sealed and shall be presented to the Clerk-Treasurer at his office. Bidders shall be required to name the rate of interest which the bonds are to bear, not exceeding five and one-half per cent ($5\frac{1}{2}\%$) per annum. Such interest rate shall be in multiples of one-eighth ($1/8$) of one per cent (1%), and not more than one interest rate shall be named by each bidder. The Clerk-Treasurer shall award the bonds to the highest qualified bidder. The highest bidder shall be the one who offers the lowest net interest cost to the Town, to be determined by computing the total interest on all of the bonds to their maturities and deducting therefrom the premium bid, if any. No bid for less than the par value of said bonds, including accrued interest to the date of delivery, shall be considered. The Clerk-Treasurer shall have the right to reject any and all bids, and in the event no satisfactory bids are received, the Clerk-Treasurer shall be authorized to continue the sale from day to day for a period of thirty (30) days without readvertisement, provided, however, that if said sale be continued no bid shall be accepted which is lower than the highest bid received at the time fixed for such sale in the bond sale notice.

Prior to the delivery of said bonds the Clerk-Treasurer shall obtain a legal opinion as to the validity of the bonds from Ross McCord, Ice and Miller, acting as bond counsel for the Town, and shall furnish such opinion to the purchasers of the bonds. The fee of such bond counsel shall be considered as a part of the cost of the project on account of which said bonds are issued and shall be paid out of the proceeds of said bonds.

In the event it shall be determined that it will not be necessary to issue all of the bonds authorized by this ordinance, the Clerk-Treasurer shall be authorized to sell and deliver a lesser amount of bonds than herein authorized, in which case the bonds not sold or delivered shall be of the last maturity or maturities.

Sec. 8. The bonds herein authorized, when fully paid for and delivered to the purchaser, shall be the valid and binding special revenue obligations of the Town payable out of the revenues of the Town's waterworks to be set aside into the 1961 Waterworks Bond Fund as herein provided, and the proceeds derived from the sale of said bonds shall be and are hereby set aside for application on the cost of construction and installation of the additions, extensions and improvements hereinbefore referred to and the expenses necessarily incurred in connection therewith. The proper officers of the Town are hereby directed to draw all proper and necessary warrants and to do whatever acts and things may be necessary to carry out all of the provisions of this ordinance.

Sec. 9. All accrued interest and any premium received at the time of the delivery of the bonds shall be placed in the 1961 Waterworks Bond Fund hereinafter created. The remaining proceeds from the sale of the bonds shall be deposited in a special account to be designated as "Waterworks Construction Account." Said special account shall be deposited with legally qualified depository or depositories for funds of the Town as now provided by law, but may thereafter be invested in direct obligations of the United States of America in accordance with the provisions of Chapter 9 of the Acts of 1945. The funds in said special account shall be expended only for the purpose of paying the cost of

construction of the additions, extensions and improvements herinabove referred to, together with the incidental expenses necessary to be incurred in connection with such project, and the authorization, issuance and sale of the bonds, and the payment of interest on the bonds if required for that purpose. Any balance or balances remaining in said special account after the completion of said additions, extensions and improvements, which are not required to meet unpaid obligations incurred in connection with such project and the issuance of bonds on account thereof, shall be paid into the 1961 Waterworks Bond Fund and used solely for the purpose of said fund.

Sec. 10. The Town shall keep proper books and records of account separate from all of its other records and accounts, in which complete and correct entries shall be made showing all revenues received on account of the operation of said waterworks, and all disbursements made therefrom and all transactions relating to said waterworks. There shall be prepared and furnished to the original purchaser of the bonds and, upon written request, to any holder of the bonds an annual report setting out complete operating, income and financial statements of said waterworks, in reasonable detail, covering the preceding fiscal year. Such report shall be prepared and furnished within sixty (60) days after the close of each fiscal year, and shall be certified by the Clerk-Treasurer or an auditor employed for that purpose. Copies of all such statements and reports shall be kept on file in the office of the Clerk-Treasurer. Any holder of the bonds shall have the right at all reasonable times to inspect the property of said waterworks and the records, accounts and data of the Town relating thereto. All funds of said waterworks, including the 1961 Waterworks Bond Fund, shall be segregated and kept separate and apart from all other funds of the Town and shall be deposited in lawful depositories of the Town and continuously held and secured or invested as provided by the laws of the State of Indiana relating to the depositing, securing and holding or investing of public funds, including particularly Chapter 9 of the Acts of 1945.

Sec. 11. All of the net revenues of the Town's waterworks shall be and are hereby irrevocably pledged to the payment of the principal of and interest on the now outstanding bonds and the bonds issued pursuant to the provisions of this ordinance, and all bonds on a parity therewith, to the extent necessary for that purpose. The term "net revenues" as used in this section shall be construed to mean the revenues remaining after the reasonable cost of operation and maintenance has been paid. Out of said net revenues there shall first be deposited in the fund known as the "Water Works System revenue Bond Account" created by the ordinance adopted December 8, 1947, as amended by the ordinance adopted February 19, 1948, for the payment of the principal and interest on the now outstanding bonds designated "Water Works Revenue Refunding and Improvement Bonds," the fixed annual amounts specified in said ordinance, as amended, said amounts to be deposited in said account in equal monthly installments. Such monthly deposits into said Water Works System Revenue Bond Account shall continue until such time as said fund shall contain an amount sufficient to pay all of said bonds then outstanding, together with the interest thereon to the dates of maturity thereof. Said Water Works System Revenue Bond Account shall be applied to the payment of the principal of

and interest on the bonds issued pursuant to the provisions of said ordinance, as amended, in accordance with the terms of said bonds, and to no other purpose whatsoever.

There is hereby created a special fund for the payment of the principal of and interest on the Waterworks revenue Bonds of 1961 herein authorized, and all bonds on a parity therewith, which shall be known as the "1961 Waterworks Bond Fund." Out of the net revenues remaining after meeting the monthly requirements of the hereinabove mentioned Water Works System Revenue Bond Account, there shall be deposited in the "1961 Waterworks Bond Fund" on or before the first day of each calendar month, beginning as of the date of the bonds herein authorized, a sufficient amount of such remaining net revenues of the Town's waterworks to pay one-twelfth (1/12) of the interest on and principal of the then outstanding Waterworks Revenue Bonds of 1961 issued pursuant to the provisions of this ordinance, and any bonds hereafter issued on a parity therewith, which will be payable during the period of the then next succeeding twelve (12) calendar months. Such monthly deposit shall continue until such time as said fund contains an amount sufficient to pay all of said Waterworks Revenue Bonds of 1961 then outstanding, together with the interest thereon to the dates of maturity thereof, and to pay the principal of and interest on any bonds hereafter issued on a parity therewith. In addition to said monthly one-twelfth (1/12) debt service deposits, there shall be deposited monthly in said fund not less than the amount of Four Hundred Dollars (\$400) until there has been accumulated from such additional deposits the sum of Thirty Thousand Dollars (\$30,000) as a debt service reserve in said 1961 Waterworks Bond Fund. Thereafter said debt service reserve shall be maintained in said fund as a minimum balance over and above the monthly one-twelfth (1/12) debt service deposits so long as any of the bonds herein authorized are outstanding, the Board of Trustees finding and declaring that said debt service reserve is a reasonable and proper protection against default. Said 1961 Waterworks Bond Fund shall be applied to the payment of the principal of and interest on the bonds issued pursuant to the provisions of this ordinance in accordance with the terms of said bonds, and to the payment of the principal of and interest on any bonds hereafter issued on a parity therewith, and to no other purpose whatsoever. Only moneys in said 1961 Waterworks Bond Fund in excess of said monthly one-twelfth (1/12) debt service deposits and said minimum balance debt service reserve may be used for the purpose of redeeming bonds prior to maturity unless all of the outstanding bonds payable from said fund can be retired by the application of moneys in said fund. Moneys in said 1961 Waterworks Bond Fund may be invested in accordance with the laws of the State of Indiana relating to the investment of public funds, including particularly Chapter 9 of the Acts of 1945. (No part of the net revenues of the Town's waterworks shall be transferred to the general fund or any other fund of the Town not related to the Town's waterworks so long as any of the bonds issued pursuant to this ordinance are outstanding.)

Sec. 12. After providing for the reasonable operating and maintenance expenses and after setting aside the amounts hereinbefore required to be paid into the Water Works System Revenue Bond Account and the 1961 Waterworks Bond Fund, all or

such portion of the remaining income and revenues of said system as shall be necessary shall be set aside into the Depreciation Account established by the ordinance adopted December 8, 1947, as amended by the ordinance adopted February 19, 1948, and may be expended in making good depreciation in the waterworks, or in new construction, extensions, betterments, or additions to said waterworks; or funds in such account may be used for the call or purchase of outstanding bonds for redemption prior to maturity, provided that no such redemption shall be made at a price in excess of the then applicable redemption price, or if the bonds are non-callable at the time, then at a price in excess of the highest redemption price provided in the ordinance authorizing the issuance of such bonds. The funds in said Depreciation Account may be invested in accordance with the laws of the State of Indiana relating to the investment of public funds, including particularly Chapter 9 of the Acts of 1945.

Sec. 13. The Town shall establish, maintain and collect reasonable and just rates and charges for the facilities and services afforded and rendered by said waterworks which will provide revenues at all times at least sufficient to pay the reasonable and proper cost of maintenance and operation of the system, to provide for depreciation, to pay the principal of and interest on all bonds payable from the revenues of the waterworks as the same shall fall due, and to meet any other obligations required to be met out of said revenues. (So long as any of the bonds herein authorized are outstanding, none of the facilities or services afforded or rendered by said waterworks shall be furnished without a reasonable and just charge being made therefor. The rates or charges so established shall apply to all consumers of the service provided by said waterworks system, including service rendered by said system to the Town, and all revenues collected pursuant to this section shall be deemed to be the revenues of said waterworks.)

Sec. 14. The Town reserves the right to authorize and issue additional bonds, payable out of the revenues of the waterworks, of equal priority with the bonds authorized by this ordinance, for the purpose of financing the cost of future additions, extensions and improvements to the waterworks, subject to the following conditions:

(a) The interest on and principal of all bonds payable from the revenues of the waterworks shall have been paid to date in accordance with the terms thereof, and all required payments into the Water Works System Revenue Bond Account and the 1961 Waterworks Bond Fund have been made in accordance with the provisions of the prior ordinance establishing said Water Works System Revenue Bond Account and the provisions of this ordinance.

(b) The net revenues (herein defined as gross revenues after deduction only for the reasonable expense of operation and maintenance) of said waterworks in the calendar year immediately preceding the issuance of any such additional equal priority bonds shall be not less than one hundred twenty-five per cent (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the maximum annual interest and principal requirements of the additional equal priority bonds proposed to be issued; or, prior to the issuance of said equal priority bonds,

the water rates and charges shall be increased sufficiently so that said increased water rates and charges applied to the previous calendar year's operations would have produced net revenues, as defined above, for said year equal to not less than one hundred twenty-five (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the maximum annual interest and principal requirements of the additional equal priority bonds proposed to be issued. For purposes of this subsection, the records of the waterworks shall be analyzed and all showings shall be prepared by a certified public accountant employed by the Town for that purpose, who shall certify that he has no pecuniary interest in the improvements proposed to be made, or the financing thereof, other than to make such analysis and to prepare such showings.

(c) To the extent required by law, the issuance of the proposed additional equal priority bonds and any necessary increase in water rates and charges shall have been approved by the Public Service Commission of Indiana.

Sec. 15. For the purpose of further safeguarding the interests of the holders of the bonds herein authorized, it is hereby specifically provided as follows:

(a) On all contracts let for the additions, extensions and improvements to said waterworks, the contractors shall be required to furnish surety bonds in an amount equal to one hundred per cent (100%) of the amount of their contracts, to insure the completion of said contracts in accordance with their terms. Such contractors shall also be required to carry employer's liability and public liability insurance to the extent ordinarily required on public works.

(b) So long as any of the bonds herein authorized are outstanding, the Town shall at all times maintain said waterworks system in good condition and operate the same in an efficient manner and at a reasonable cost.

(c) So long as any of the bonds herein authorized are outstanding, The Town shall maintain insurance on the insurable parts of the system, of a kind and in an amount such as is usually carried by private corporations engaged in a similar type of business. All insurance shall be placed with responsible insurance companies qualified to do business under the laws of the State of Indiana, and insurance proceeds shall be used in replacing or restoring property destroyed or damaged, or shall be deposited in the Depreciation Fund.

(d) So long as any of the bonds herein authorized are outstanding, the Town shall not mortgage, pledge or otherwise encumber its waterworks system or any part thereof, and shall not sell, lease or otherwise dispose of any part of the same, excepting only such property as may be replaced or which shall no longer be necessary for use in connection with the operation of said system.

(e) Except as otherwise specifically provided in Sec. 14 of this ordinance, so long as any of the bonds herein authorized are outstanding, no additional bonds or other obligations pledging

any portion of the revenues of the system, or constituting a lien or charge against the property of said system, or the revenues thereof, shall be authorized, executed or issued by the Town, except such as shall be made junior and subordinate in all respects to the bonds herein authorized, unless all then outstanding bonds authorized by this ordinance are surrendered and cancelled coincidentally with the delivery of said additional bonds.

(f) The Town covenants that it will, so long as any of the bonds herein authorized are outstanding, cause to be installed and maintained not less than forty-five (45) fire hydrants, and that the annual hydrant rental to be paid by the Town to its waterworks department shall not be less than One Hundred Seventy-five Dollars (\$175) per hydrant, which rental the Board of Trustees now finds to be just and reasonable. Said hydrant rental shall be paid semi-annually as the same accrues. The revenue from said fire hydrant rental shall be deemed to be revenue derived from the operation of said waterworks system and shall be used and accounted for as other revenues derived from said system.

(g) The provisions of this ordinance shall constitute a contract by and between the Town and the holders of the bonds herein authorized, all the terms of which shall be enforceable by any bondholder by any and all appropriate proceedings in law or in equity. (After the issuance of said bonds this ordinance shall not be repealed, amended or modified in any respect which will adversely affect the rights or interests of the holders of said bonds, nor shall the Board of Trustees, or any other body of the Town, adopt any law, ordinance or resolution in any way adversely affecting the rights of the bondholders so long as any of said bonds, or the interest thereon, remains outstanding or unpaid.)

(h) The provisions of this ordinance shall be construed to create a trust in the proceeds derived from the sale of the bonds herein authorized, for the uses and purposes herein set forth, and so long as any of the bonds are outstanding, the provisions of this ordinance shall also be construed to create a trust in the portion of the revenues of said waterworks system herein directed to be set apart into the 1961 Waterworks Bond Fund, for the uses and purposes of said fund, as in this ordinance set forth.

(i) None of the provisions of this ordinance shall be construed as requiring the expenditure of any funds of the Town derived from any sources other than the proceeds of said bonds and the operation of said waterworks system.

Sec. 16. All ordinances and parts of ordinances in conflict herewith are hereby repealed, but none of the provisions of this ordinance shall be so construed as adversely affecting the rights of the holders of said outstanding Water Works Revenue Funding and Improvement Bonds issued under date of December 1, 1947.

Sec. 17. This ordinance shall be in full force and effect from and after its passage.

Passed and adopted by the Board of Trustees of the Town of
Sellersburg on the 27th day of January, 1961.

John W. Weir

Jesse M. Beayl
Board of Trustees

Attest:

John M. Kahl
Clerk-Treasurer

ORDINANCE No. 218

AN ORDINANCE ESTABLISHING RATES AND CHARGES
FOR THE USE OF AND SERVICES RENDERED BY THE
WATERWORKS SYSTEM OF THE TOWN OF SELLERSBURG

WHEREAS, the Board of Trustees of the Town of Sellersburg has authorized the making of additions, extensions and improvements to the existing waterworks system of said Town in order to make available a sufficient volume of water to the customers of said waterworks system and properly protect the interests and welfare of said Town and its inhabitants; and

WHEREAS, in order to procure the necessary funds to pay the cost of construction and installation of said additions, extensions and improvements it is necessary for the Town to issue and sell waterworks revenue bonds payable solely out of the revenues of said waterworks system, which revenues under the existing schedule of rates and charges are insufficient to enable the Town to finance the needed additions, extensions and improvements; and

WHEREAS, the Board now finds that the existing rates and charges for the use of and service rendered by the waterworks of said Town are too low and are insufficient to enable the Town to properly operate its waterworks plant, provide for depreciation, and finance said additions, extensions and improvements; that the proposed additions, extensions and improvements will improve the service rendered by said waterworks system and make the same of greater value to the Town and its inhabitants, and that the existing rates and charges should be increased; now therefore,

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, INDIANA:

Section 1. That there shall be and there are hereby established for the use of and the service rendered by the waterworks system of the Town of Sellersburg, the following rates and charges, based upon the amount of water supplied by said waterworks system:

(a) <u>Metered Rates per Month</u>			<u>Per 1,000 Gallons</u>
First	2,500 gallons	per month	\$1.30
Next	500 gallons	per month	1.06
Next	2,000 gallons	per month	.88
Next	15,000 gallons	per month	.70
Next	30,000 gallons	per month	.52
Over	50,000 gallons	per month	.40

(b) Minimum Charges

Each user shall pay a minimum charge, based upon the size of meter installed, for which the users shall be entitled to the quantity of water set out in the metered schedule of rates.

5/8 and 3/4 inch meter	per month	\$ 2.60
1 inch meter	per month	6.50
1-1/4 inch meter	per month	11.70
1-1/2 inch meter	per month	15.60
2 inch meter	per month	25.00
3 inch meter	per month	65.00
4 inch meter	per month	100.00

(c) Collection or Deferred Payment Charge

All bills for water services not paid within 15 days from the due date thereof, as stated in such bills, shall be subject to the collection or deferred payment charge of 10% on the first \$3.00 and 3% on the excess over \$3.00.

(d) Private Fire Protection

1 - 1/2 inch connection	per annum	\$ 10.00
2 inch connection	per annum	15.00
2- 1/2 inch connection	per annum	20.00
3 inch connection	per annum	30.00
4 inch connection	per annum	50.00
6 inch connection	per annum	75.00
8 inch connection	per annum	100.00

(e) Private and Public Fire Hydrant Rental

Municipal Fire Hydrants	per annum	\$175.00
Private Fire Hydrants	per annum	175.00

(f) Temporary Users

Water furnished to temporary users such as contractors, circuses, etc., shall be charged on the basis of the above gallon rates as established by the Waterworks Superintendent.

(g) Railroads

Water supplied for railroad use may be charged for on such terms as shall be fixed by public contract approved by the Town Board of Trustees and the Public Service Commission of Indiana.

Sec. 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed; provided, however, that the existing schedule of water rates and charges shall remain in full force and effect until the schedule of rates and charges fixed by this ordinance shall be approved by the Public Service Commission of Indiana, and until such time as the order of said Commission approving said new rates and charges shall direct.

Sec. 3. This ordinance shall be in full force and effect from and after its passage; provided, however, that the schedule of rates and charges herein set out shall not become effective unless approved by the Public Service Commission of Indiana or until such time as said Commission shall direct.

Passed and adopted by the Board of Trustees of the Town of Sellersburg on the 27th day of January, 1961.

John H. Wesler

Jesse M. Beyl
Board of Trustees

ATTEST:

John W. Kahl
Clerk-Treasurer

ZONING ORDINANCE #219

For The

TOWN OF SELLERSBURG, INDIANA

ESTABLISHING A ZONING PLAN FOR THE TOWN OF SELLERSBURG TO CONSERVE THE VALUE OF PROPERTY IN THE TOWN AND TO THE END THAT LIGHT, AIR, CONVENIENCE OF ACCESS, AND SAFETY FROM FIRE, FLOOD AND OTHER PUBLIC DANGERS MAY BE SECURED: THAT CONGESTION IN THE PUBLIC STREETS MAY BE LESSENED OR AVOIDED: AND THAT THE PUBLIC HEALTH, SAFETY, COMFORT, MORALS, CONVENIENCE AND GENERAL PUBLIC WELFARE MAY BE PROMOTED IN A MANNER WHICH RECOGNIZES THE NEEDS OF INDUSTRY AND BUSINESS IN THE FUTURE GROWTH OF THE TOWN AND WILL ENCOURAGE THE DEVELOPMENT OF HEALTHY SURROUNDINGS FOR FAMILY LIFE IN RESIDENTIAL NEIGHBORHOODS: ALL IN ACCORDANCE WITH A MASTER PLAN DESIGNED TO ASSURE EFFICIENCY AND ECONOMY IN THE PROCESS OF DEVELOPMENT OF THE TOWN, AND FOR THE PURPOSE OF:

- (1) Classifying, regulating and limiting the height, area, bulk and use of buildings hereafter to be erected;
- (2) Regulating and determining the area of front, rear, and side yards and other open spaces about buildings;
- (3) Regulating and determining the use and intensity of use of land and lot areas;
- (4) Classifying, regulating and restricting the location of trades, callings, industries, commercial enterprises and the location of buildings designed for specific uses;
- (5) Dividing the Town into districts of such kind, character, number, shape and area as may be deemed necessary to carry out the purpose of this ordinance:

to provide for administration and for penalties for the violation of its provisions; authorizing the creation of a Board of Zoning Appeals and providing for review of the decisions of such Board by the court. This ordinance, and ordinances supplemental or amendatory thereto, shall be known as the Zoning Ordinance of Sellersburg, Indiana.

Be it ordained by the Town Board of Sellersburg, Indiana

ARTICLE I. IN GENERAL

SECTION 1. INTERPRETATIONS.

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, morals, convenience and general welfare.

SECTION 2. NON-INTERFERENCE WITH GREATER RESTRICTIONS OTHERWISE IMPOSED.

It is not intended by this Ordinance to interfere with, or abrogate or annul any easements, covenants, or other agreements between parties, nor to interfere with, or abrogate or annul any ordinances, rules, regulations, or permits previously adopted or issued, and not in conflict with any of the provisions of this ordinance, or which shall be adopted or issued, pursuant to law, regarding the use of buildings or land; provided, however, that where this ordinance imposes a greater restriction upon the use of buildings or land, or upon the height of buildings, or requires larger open spaces or greater lot area per family, than are required by or imposed by such easements, covenants or agreements between parties, or by such ordinances, rules, regulations, or permits, the provisions of this ordinance shall control.

SECTION 3. DEFINITIONS.

For the purpose of this Ordinance, certain terms and words are hereby defined as follows:

Words in the present tense include the future and vice versa; words in the singular number include the plural number and vice versa; the word "building" includes the word "structure" and vice versa; the word "shall" is mandatory and not directory.

ACCESSORY BUILDING: A subordinate building, or a portion of a main building, the use of which is incidental to that of the main building.

ACCESSORY USE: A use which is incidental to the main use of the land or premises.

ALLEY: A public thoroughfare, which affords only secondary means of access for vehicles to abutting property, and which is not over twenty (20) feet in width.

APARTMENT: A building or portion thereof designed for or occupied by more than two (2) families. See also DWELLING-MULTIPLE.

AUTOMOBILES; FARM EQUIPMENT OR HOUSE TRAILER SALES AREA: An open area, other than a street used for the display, sale or rental of new or used automobiles, farm equipment including tractors, or house trailers, and where no repair work of same is done except minor incidental repair of automobiles, farm equipment including tractors or house trailers to be displayed, sold or rented on the premises.

AUTOMOBILE WRECKING: The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, obsolete or wrecked vehicles, or their parts.

BASEMENT: A story, wholly or more than half its depth, underground, which, unless subdivided into rooms and used for tenant purposes, shall not be included as a story for the purpose of height determination.

BLOCK: Property having frontage on one side of a street and lying between the two nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way, waterway or other barrier.

BOARDING HOUSE: A building where meals are regularly served for compensation for three (3) or more persons, but not exceeding twelve (12) persons, not open to transients, in contradistinction to hotels and restaurants open to transients.

BUILDING: A structure having a roof supported by columns or walls, for the shelter, support, enclosure or protection of persons, animals, chattels or property. When separated by party walls, without openings through such walls, each portion of such building shall be considered a separate structure.

BUILDING SETBACK LINES: A line on a plat between which line and the adjacent street line, buildings or structures may not be erected.

BUSINESS: The engaging in the purchase, sale, barter or exchange of goods, wares, merchandise or services, the maintenance or operation of offices, or recreational or amusement enterprises for profit.

CAMP, PUBLIC: Any area or tract of land used or designated to accommodate two (2) or more automobile house trailers, or two (2) or more camping parties, including cabins, tents or other camping outfits. See also MOTEL or TOURIST LODGE.

TOWN: Wherever the word Town is used herein it shall refer to the Town of Sellersburg, Indiana.

COMMERCIAL: See BUSINESS

COMMISSION: The Sellersburg Plan Commission of Sellersburg, Indiana.

COUNTY: Wherever the word County is used herein it shall refer to Clark County, Indiana.

DEAD-END STREET: A minor street having but one outlet for vehicular traffic.

DISTRICT: A section of Town of Sellersburg for which uniform regulations governing the use, height, area, size and intensity of use of buildings and land, open spaces about buildings, and other zoning requirements, are herein established.

DWELLING: Any building or portion thereof which is designed or used exclusively for residential purposes.

DWELLING, DOUBLE: A two-family dwelling designed to house two families living side by side.

DWELLING, DUPLEX: A two-family dwelling designed to house two families living one above the other.

DWELLING, SINGLE-FAMILY: A detached building designed for or occupied by one family, exclusively.

DWELLING, TWO-FAMILY: A detached building designed for or occupied by two families, living independently.

DWELLING, MULTIPLE: See APARTMENT.

FAMILY: A group of one or more persons occupying a building and living as a single housekeeping unit. No unrelated group, living as a single housekeeping unit shall consist of more than six (6) persons, as distinguished from a group occupying a lodging house or hotel.

FARM: A tract of land used for agricultural or forestry purposes including residential structures and accessory buildings required for the operation of the farm.

FILLING STATION: Any building, structure, premises or enclosure or other place used for the dispensing, sale or offering for sale at retail of fuels or oils for motor vehicles. When the dispensing, sale or offering for sale is incidental to the conduct of a public garage, the premises shall be classified as a public garage.

FRONT YARD LINE: The line establishing a front yard, between which line and the street or front line of the lot, the location of buildings, uses or portions of buildings, is regulated by this ordinance.

GARAGE, PRIVATE: An accessory building with capacity for not more than three (3) motor vehicles for storage only, not more than one (1) of which may be a commercial vehicle, which does not exceed one and one-half (1 1/2) tons capacity. Provided, however, that a garage designed to house one (1) motor vehicle for each family housed in an apartment house shall be classed as a private garage; and provided further that a garage on a farm may house all farm vehicles required for the operation of the farm.

GARAGE, PUBLIC: Any building or premises, except those defined as a private garage, used for the storage or care of motor vehicles, or where such vehicles are equipped for operation, repaired, or kept for remuneration, hire or sale.

GROUP HOUSE: A group of dwellings constructed in a row with the dwelling units separated by vertical party walls without opening.

HEIGHT OF BUILDING: The Vertical distance from the lot line level to the highest point of the building for flat roofs; to the deck line for mansard roofs; and to the main height level, between eaves and ridges for gables and hip roofs.

HOME OCCUPATION: Any occupation carried on by a member of the family residing on the premises, in connection with which there is used on sign, other than the name-plate, not more than one (1) square foot in area, that will indicate from the exterior that the building is being used in part for any other purpose than that of dwelling; there is kept no stock in trade; no commodity is sold on the premises; and no person is employed other than a member of the family residing on the premises.

HOTEL: A building where lodging is provided and offered to the public for compensation, and which is open to transient guests, in contradistinction to a boarding or lodging house.

INSTITUTION: Any building occupied by a non-profit corporation or a non-profit establishment for public use.

KENNEL: Any lot or premises on which four (4) or more dogs, at least four (4) months of age, are kept.

LODGING HOUSE: A building where lodging only is provided for compensation to three (3) or more, but not exceeding twelve (12) persons, not open to transients, in contradistinction to a hotel which is open to transients.

LOT: A parcel of land occupied or intended for occupancy by a use permitted in this ordinance, including one (1) main building and its accessory buildings. And the open spaces required by this ordinance, and having its principal frontage on a highway, road, street or officially designated and approved place.

LOT, CORNER: A lot abutting upon two (2) or more roads, highways, or streets at their intersection.

LOT, DEPTH OF: The main horizontal distance between the front line and the rear line of the lot.

LOT, GROUND LEVEL:

a. For buildings having walls adjoining one street only, the elevation of the sidewalk, or of the center of the street, if there is no sidewalk, at the center of the wall adjoining the street.

b. For buildings having walls adjoining more than one street, the average of the elevations of the sidewalks, or of the centers of the streets, if there are no sidewalks, at the centers of all walls adjoining the streets.

c. For buildings having no wall adjoining a street, the average elevation of the ground adjacent to the exterior walls of the building.

d. Any walls approximately parallel to and not more than five (5) feet from a street line shall be considered as adjoining the street.

LOT, INTERIOR: A lot other than a Corner Lot or a Through Lot.

LOT LINE, FRONT: In the case of an interior lot, a line separating the lot from the street or place; and in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street, except in cases where deed restrictions in effect specify another line as the front line of the lot.

LOT LINE, REAR: A lot line which is opposite, and most distant from the front line and, in the case of an irregular or triangular shaped lot, a line ten (10) feet in length within the lot, parallel to, and at the maximum possible distance from, the front lot line.

LOT LINE, SIDE: Any boundary line not a front lot line or a rear lot line.

LOT OF RECORD: A lot which is part of a subdivision, the map of which has been recorded in the office of the County Recorder of Clark County, Indiana, or a parcel of land, the deed to which has been recorded in the office of the County Recorder in Clark County, Indiana, prior to the passage of this Ordinance.

LOT, THROUGH: A lot having frontage on two streets at opposite ends of the lot.

MASTER PLAN: A complete plan or any part of such plan for the development of the Town of Sellersburg as prepared and adopted by the Town Plan Commission.

MOTEL: A building, or group of buildings, in which lodging is provided and offered to the public for compensation, and catering primarily to the public traveling by motor vehicle.

NON-CONFORMING USE: A building or premises which does not conform in its use or otherwise with all of the regulations of the district in which such building or premises is located.

PARKING LOT: A parcel of land devoted to unenclosed parking space for five (5) or more motor vehicles for compensation or otherwise.

PLACE: An open unoccupied space other than a street or alley, permanently reserved for use as the principal means of access to abutting property.

PLAT: A map or drawing on which the subdivider's plan of subdivision is presented and which he submits for approval and intends, in final form, to record.

PROFESSIONAL OFFICE: When conducted in a residential district a Professional Office shall be incidental to the residential occupancy of the building, shall be conducted entirely within a residential building, and shall include only the offices of doctors or practitioners, ministers, architects, lawyers, artists, authors, musicians and other professional occupations occasionally conducted within a residence, by the occupant.

STABLE, PRIVATE: A detached accessory building for the keeping of horses owned by the occupants of the premises and not kept for remuneration, hire or sale.

STABLE, PUBLIC: A stable other than a private stable.

STORY: That portion of a building, included between the surface of any floor and the surface of the floor next above it. If there is no floor above it, then the space between such floor and the ceiling next above it shall be the story.

STORY, HALF: That portion of a building under a sloping gable, hip or gambrel roof, the wall plates, on at least two opposite exterior walls of which are not more than three (3) feet above the floor level of such half-story.

STREET: A public thoroughfare twenty (20) feet or more in width between property lines, which affords principal means of access to abutting property. For the purpose of this ordinance a HIGHWAY OR ROAD shall be considered a STREET.

STRUCTURE: Anything constructed or erected, the use of which requires more or less permanent location on the ground, or which is attached to something permanently located on the ground.

STRUCTURAL ALTERATION: Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girders, or any substantial change in the roof or exterior walls.

SUBDIVISION: The division of a lot, tract or parcel of land into two (2) or more lots or other divisions of land for the purpose, whether immediate or future, of building development, including all changes in street or lot lines, provided however, that division of land for agricultural purposes in parcels of more than ten (10) acres, not involving any new street or easement access, shall not be considered a subdivision under the terms of this ordinance.

THOROFARE PLAN: A plan prepared and adopted by the Town Plan Commission indicating the locations and classifications of existing and proposed streets and highways, including bridges, viaducts, expressways, parkways, alleys and other public ways and places.

TOURIST HOME: A residence in which lodging for not more than five (5) transient guests is provided, which has not required structural alterations, and which the residential use has not been discontinued.

YARD, FRONT: An open unoccupied space between the front line of the building and the front line of the lot. The front line of the building shall be the line of the mainwall nearest to and facing the street, including sun parlors and enclosed porches and excluding steps below the first floor level and entranceways and open unroofed porches and terraces.

YARD, REAR: An open space between the rear line of the lot and the rear line of the building, extending the full width of the lot and unoccupied except for authorized accessory buildings.

YARD, SIDE: An open, unoccupied space on the same lot with a building, between the side line of the building and the side line of the lot and extending to a point twenty-five (25) percent of the depth of the lot from rear line of the lot.

ZONE: Same as DISTRICT.

ARTICLE II. DISTRICTS AND ZONE MAPS.

SECTION 1. DISTRICTS.

The town of Sellersburg is hereby divided into four (4) districts and park areas, in order to carry out the purposes of this ordinance. The districts shall be known and designated as follows:

Residential District	R
Local Business District	LB
General Commercial District	GC
Industrial District	I

Parks

P

SECTION 2. ZONE MAP

The Zone Map are hereby declared to be parts of the ordinance with respect to their zoning indications, and are hereinafter referred to as the Zone Map. Notations, references, indications and other matters shown on the Zone Map are as much a part of this ordinance as if they were fully described in the text of the ordinance.

SECTION 3. DETERMINATION AND INTERPRETATION OF DISTRICT BOUNDARIES.

In determining the boundaries of districts, and establishing the regulations applicable to each district, due and careful consideration has been given to existing conditions, the character of buildings erected in each district, the most desirable use for which land in each district may be adapted, and the conservation of property values throughout the Town.

Where uncertainty exists as to the exact boundaries of any district as shown on the Zone Map, the following rules shall apply:

a. Where district boundaries are indicated as following street, alley, lot or established property lines, or approximately along such lines, such lines shall be construed to be district boundaries.

b. In unsubdivided areas, or where a district boundary subdivides a lot or a property, the exact location of the boundary shall be determined by use of the scale of the Zone Map.

c. In the case of further uncertainty, the Board of Zoning Appeals shall interpret the intent of the Zone Map as to the location of the boundary in question.

SECTION 4. PROCEDURE RELATING TO VACATED AREAS.

Whenever any street, alley, public way, railroad right-of-way, waterway, or other similar area is vacated by proper authority, the districts adjoining such street, alley, public way, railroad right-of-way, waterway, or other similar area, shall be extended automatically to the center of such vacation and all area included in the vacation shall then and thenceforth be subject to all appropriate regulations of the extended districts.

ARTICLE III. GENERAL PROVISIONS AND SPECIFICATIONS.

SECTION 1. USE.

No building of land shall be used and no building shall be erected, reconstructed or structurally altered, which is arranged, intended, or designed to be

used, for any purpose other than a use which is permitted and specified in a district in which such building or land is located.

SECTION 2. HEIGHT.

No building shall be erected, reconstructed or structurally altered to exceed in height the limits established and specified for the district in which such building is located.

SECTION 3. YARDS, LOT AREA AND SIZE OF BUILDINGS.

No building shall be erected, reconstructed or structurally altered in any manner which will encroach upon or reduce in any manner, the yards, lot area per family or size of building regulations established and specified for the district in which such building is located.

SECTION 4. LOTS.

Every building hereafter erected shall be located on a lot, which fronts on a street, and in no case shall more than one building and its customary accessory buildings be erected on any lot.

ARTICLE IV. RESIDENTIAL DISTRICT

SECTION 1. USES PERMITTED AND SPECIFIED.

a. Uses permitted and specified for the Residential Districts:

- (1) Dwelling.
- (2) Dwelling, Double.
- (3) Dwelling, Duplex.
- (4) Dwelling, Single-Family.
- (5) Dwelling, Two-Family.

b. Additional Uses:

- (1) Apartment for more than four (4) families.
- (2) Group House.
- (3) Lodging House.
- (4) Boarding House.
- (5) Hotel, in which business may be conducted for the sole convenience of the occupants of the building, and provided that there shall be no entrance to such place of business except from the inside of the building, and that no display of stock of goods for sale shall be so arranged that it can be viewed from the outside of the building.

- (6) Tourist Home.
- (7) Private Clubs and Lodges, except those, the chief activity of which is a service customarily carried on as a business.
- (8) Mortuary.

SECTION 2. HEIGHT SPECIFICATIONS.

- a. Maximum: Eighty (80) feet or seven (7) stories.
 - b. Spires, church steeples, chimneys, cooling towers, elevator bulkheads, fire towers, monuments, penthouses, stacks, tanks, stage towers, scenery lofts, water towers, transmission towers, farm buildings or necessary mechanical appurtenances, if permitted in this district.
 - (1) Any height not in conflict with other ordinances or regulations.

SECTION 3. INTENSITY OF USE SPECIFICATIONS.

- a. Single-Family and Two-Family Dwellings, Three-and Four-Family Apartments.
 - (1) Minimum Lot Area: Eight Thousand One Hundred and Twenty Five Square Feet (8,125).
 - (2) Minimum Width of Lot: Sixty-five (65) feet.
- b. Apartments for more than four (4) families:
 - (1) Minimum Lot Area: Eight Thousand (8,000) square feet for the first four (4) families plus five hundred (500) square feet for each additional family to be housed in the apartment.
 - (2) Minimum width of lot: Fifty (50) feet, or as otherwise specified herein.

SECTION 4. SIZE OF BUILDING SPECIFICATIONS.

- a. Single-Family and Two-Family Dwelling, Three-or Four-Family Apartment.
 - (1) Single Family or Duplex (one family above the other) Dwellings: Six hundred seventy-two (672) square feet.
 - (2) Double (one family beside the other) Dwelling: Nine hundred (900) square feet.
 - (3) Three-or Four-Family Apartment: One thousand one hundred (1100) square feet.

b. Apartments for more than four (4) families: Minimum ground floor area, one thousand (1,000) square feet.

SECTION 5. YARD SPECIFICATIONS:

a. Buildings shall be set back from front, rear and side lines of all lots in order to establish open areas designated as Front, Rear, and Side Yards. The minimum set backs for such purposes shall be as follows:

b. Front Yard:

- (1) Normally, twenty percent (20%) of the depth of the lot-maximum required forty (40) feet.
- (2) In a block where twenty-five (25) percent of lots are occupied by buildings, the average depth of front yards establishes the front yard for the block.
- (3) Where front yard or set back line is established in a recorded subdivision, such lines establish the front yard.
- (4) Lots extending through from one street to another, front yard required on each street.
- (5) Accessory buildings: Shall be set back at least seventy-five (75) feet from the front line of the lot.
- (6) Open, unroofed, unenclosed porch (not a screened or glass-enclosed porch or sun parlor): May project into front yard maximum of ten (10) feet.
- (7) Along the side street line of a corner lot, where no lots front on the side street in rear of the corner lot: Ten (10) percent of the depth of the lot measured perpendicularly to the side street.
- (8) Along the side street line of a corner lot, where there are lots facing the side street in rear of the corner lot: At rear of the lot same depth as the front yard of the lots facing the side street; for each foot over three (3) feet that the rear of a building or accessory building is distant from the rear of the lot, it may be placed four (4) inches nearer the street line of the side street, but not closer than ten (10) percent of the depth of the lot perpendicular to the side street.

c. Side Yard:

- (1) Normally five (5) feet long each side lot line.

- (2) Accessory buildings located in rear yards: may be located within three (3) feet of side lot line.

d. Rear Yard:

- (1) Normally twenty-five percent (25%) of depth of lot - maximum required twenty-five (25) feet.
- (2) Where an alley abuts rear of lot: Depth of rear yard may be measured from center line of the alley.
- (3) Accessory Building: May be located within three (3) feet of the rear lot line.
- (4) Accessory Building detached from main buildings: Maximum occupancy of rear yard: thirty percent (30%).
- (5) Lots extending through from street to street: May waive rear yard if compensated by other open space on same lot.

e. General Yard Specifications.

- (1) Ordinary projections of skylights over basements, sills, belt courses, chimneys, cornices and flues and ornamental features, not to exceed twelve (12) inches open or lattice-enclosed fire escapes, fireproof outside stairways, balconies and bay windows projecting not over four (4) feet; permitted, otherwise yards must be open and unobstructed to the sky.
- (2) Required yards for one building shall not be used again for another building.

SECTION 6. LOTS DEFICIENT IN AREA OF WIDTH.

a. Lot included in a recorded subdivision at time of passage of this ordinance, deficient in area of width: May be used as a building lot for single-family dwelling.

b. Lot in single ownership at time of passage of this ordinance, deficient in area of width: May be used as a building lot for a single-family dwelling.

SECTION 7. OFF-STREET PARKING OF MOTOR VEHICLES.

a. Specifications relating to off-street parking of motor vehicles are contained in Article X.

ARTICLE V. LOCAL BUSINESS DISTRICT

SECTION 1. USES PERMITTED AND SPECIFIED:

- a. Uses permitted and specified for the Residential District.
- b. Additional uses:
 - (1) Automobile Services Uses, excepting those involving body repair and painting but including Filling Station, Public Garage, Tire Repair Shop, Public Parking Lot, Automobile or Trailer Sales Area, provided that all repair work, including tire repair, shall be carried on within enclosed buildings.
 - (2) Business Services Uses, including Bank, Offices, Postal Station.
 - (3) Clothing Service Uses, including Dry Cleaning and Pressing not employing more than four (4) persons on any one shift, except those using a cleaning fluid having a petroleum base, Laundry Agencies, Self-service Laundry, Dress-making, Millinery, Tailor Shop, Shoe Repair Shop.
 - (4) Equipment Service Uses, including Radio Shop, Electric Appliance Shop, Record Shop.
 - (5) Food Service Uses, including Grocery, Meat Market, Supermarket, Restaurant, Delicatessen, Roadside Sale Stand, Bakery not employing more than four (4) persons on any one shift.
 - (6) Personal Services Uses, including Barber Shop, Beauty Shop, Photographic Shop.
 - (7) Retail Service Uses, including Drugstore, Newsdealer, Retail Store, Show Room, Flower Shop, Greenhouse not over one thousand (1,000) square feet in area.
 - (8) Commercial Recreational Uses, including Theater, but not Drive-In Theater, Bowling Alley, Skating Rink, Billiard Room, Dancing Academy, provided that such uses shall be conducted within buildings, so constructed that no noise of any kind produced therein, shall be audible beyond the confines of such building.
 - (9) Sign or Bill Board.
 - (10) Hotel.
 - (11) Private Club or Lodge.

- (12) Accessory Building or Use customarily incident to the above uses. Any building used primarily for any of the above purposes may not have more than forty percent (40%) of its floor area devoted to industrial or storage purposes incidental to such primary use, and provided that not more than five (5) persons are employed at one time or on any one shift in connection with such incidental use.

SECTION 2. HEIGHT SPECIFICATIONS:

- a. Identical with those prescribed in Article IV, Section 2.
- b. Apartments, Hotels and Office Buildings: Eighty (80) feet.

SECTION 3. INTENSITY OF USE SPECIFICATIONS:

- a. Identical with those prescribed in Article IV, Section 3.

SECTION 4. SIZE OF BUILDING SPECIFICATIONS:

- a. Identical with those prescribed in Article IV, Section 4.

SECTION 5. YARD SPECIFICATIONS:

- a. Detached Residential Structures:

(1) Identical with those prescribed in Article IV, Section 5.

- b. Commercial Structures:

(1) Front Yard: Twenty percent (20%) of the depth of the lot; maximum required twenty-five (25) feet.

(2) Side Yard:

(a) Where entire block is designated as a Local Business District: No side yard required.

(b) Where Local Business District adjoins a Residential District within a block: Minimum side yard of five (5) feet.

(3) Rear Yard: Specifications for loading and unloading berths contained in Article X. Apply in lieu of rear yard.

SECTION 6. OFF-STREET PARKING OF MOTOR VEHICLES.

- a. Specifications relating to off-street parking of motor vehicles are contained in Article X.

ARTICLE VI. GENERAL COMMERCIAL DISTRICT

SECTION 1. USES PERMITTED AND SPECIFIED.

- a. Uses permitted and specified for the Local Business District, as contained in Article V, Section 1.
- b. Additional Uses.
 - (1) Retail and Department Stores of all types.
 - (2) Storage or Wholesale Warehouse.
 - (3) Wholesale Establishments.
 - (4) Bakery employing more than five (5) persons on the premises.
 - (5) Bottling Works.
 - (6) Building Material Storage Yard.
 - (7) Carting, Express, Hauling or Storage.
 - (8) Coal, Coke, or Wood Yard.
 - (9) Contractor's Plant or Storage Yard.
 - (10) Dyeing and Cleaning Works employing more than five persons on the premises, or using a cleaning fluid that had a petroleum base.
 - (11) Laundry employing more than five (5) persons on the premises.
 - (12) Lumber Yard, but not including a planing mill.
 - (13) Machine Shop.
 - (14) Milk Distributing Station, other than a creamery or manufacture of dairy products.
 - (15) Motor Bus or Railroad Station.
 - (16) Printing and Publishing.

(17) Industrial Operations, ordinarily using only light machinery, conducted only within enclosed, substantially constructed buildings, and which are not noxious or offensive by reason of the emission of smoke, dust, gas, fumes, odors, noise or vibrations, beyond the confines of the building wherein such use is conducted.

(18) Night Clubs, Taverns and any retail establishments selling by drink any alcoholic beverage.

SECTION 2. HEIGHT SPECIFICATIONS.

- a. Maximum: One hundred (100) feet.
- b. Commercial, industrial, apartment or public buildings may be erected to heights above one hundred (100) feet if the portion above one hundred (100) feet is set back from the street line, one (1) foot for each two (2) feet of additional height.

SECTION 3. INTENSITY OF USE SPECIFICATIONS.

- a. Residential Structures: Identical with those prescribed in Article IV, Section 3.

SECTION 4. SIZE OF BUILDING SPECIFICATIONS.

- a. Residential Structures: Identical with those prescribed in Article IV, Section 4.

SECTION 5. YARD SPECIFICATIONS.

- a. Residential Structures: Identical with those prescribed in Article IV, Section 5.

SECTION 6. OFF-STREET PARKING OF MOTOR VEHICLES.

- a. Specifications relating to off-street parking of motor vehicles are contained in Article X.

ARTICLE VII. INDUSTRIAL DISTRICT

SECTION 1. USES PERMITTED AND SPECIFIED.

- a. Uses permitted and specified for the General Commercial District, except night clubs, taverns and any retail establishment selling by drink any alcoholic beverage.

b. Additional Uses:

- (1) Automobile wrecking or junk storage only within enclosed buildings, or in yards completely enclosed and surrounded by solid walls or solid fences at least eight (8) feet in height.
- (2) Brewery.
- (3) Bulk Storage of inflammable fluids in above-ground tanks.
- (4) Cement Products manufacture.
- (5) Creamery or manufacture of dairy products.
- (6) Flour or Cereal Mill.
- (7) Foundry.
- (8) Grain Elevator.
- (9) Metal Forging.
- (10) Motor Car Manufacture.
- (11) Monument Works or Stone Cutting.
- (12) Open storage of industrial supplies, materials and manufactured products.
- (13) Planing Mill.
- (14) Poultry Slaughter and Wholesaling.
- (15) Railroad Shops and Yards.
- (16) Industrial operations which are not injurious to health or safety of humans or animals or injurious to vegetation.
- (17) Industrial operations are permitted which are not noxious or offensive by reason of the emission of smoke, dust, gas, fumes, odors or vibrations, at a distance of more than two hundred (200) feet from the building or premises in which such operations are conducted.

c. Uses Not Permitted:

- (1) Acetylene gas manufacture or storage.
- (2) Acid manufacture.
- (3) Alcoholic manufacture.
- (4) Amonia, Bleaching powder or Chlorine manufacture.
- (5) Blast Furnace.
- (6) Cement, Lime, Gypsum or Plaster of Paris manufacture.
- (7) Creosote manufacture or treatment
- (8) Distillation of Bones, Wood or Coal.
- (9) Dyestuff manufacture.
- (10) Explosives or Fireworks Manufacture or Storage.
- (11) Fat Rendering.
- (12) Garbage, Offal or Dead Animals Reduction or Dumping.
- (13) Gas manufacture or storage.
- (14) Glue, Size or Gelatine Manufacture.
- (15) Petroleum Refining.
- (16) Smelting of Tin, Copper, Zinc or Iron Ores.
- (17) Tar Distillation or manufacture.
- (18) Manufacture or Industrial Operation of any kind which is noxious or offensive more than two hundred (200) feet beyond the confines of the premises or building in which such operations is conducted by reason of the emission of smoke, dust, gas, fumes, odors, noise or vibrations.

SECTION 2. HEIGHT SPECIFICATIONS:

- a. Maximum: Eighty (80) feet.

- b. Commercial and Industrial Buildings may be erected to heights above eighty (80) feet if the portion above eighty (80) feet is set back from the street line, one (1) foot for each two (2) feet of additional height.

SECTION 3. SPECIFICATIONS FOR INTENSITY OF USE AND SIZE OF BUILDING.

- a. Residential Structure: Identical with those prescribed in Article IV, Sections 3 and 4.

SECTION 4. YARD SPECIFICATIONS.

- a. Residential Structures: Identical with those prescribed in Article IV, Section 5.

SECTION 5. OFF-STREET PARKING OF MOTOR VEHICLES.

- a. Specifications relating to off-street parking of motor vehicles are contained in Article X.

ARTICLE VIII. SPECIAL USES

SECTION 1. PERMITS FOR SPECIAL USES.

- a. The following uses, or structural alterations thereto, which are hereby classified as Special Uses, may be permitted by the Board of Zoning Appeals, after public notice and hearing according to law, and after a report by the Town Plan Commission, and determination by the Board of Zoning Appeals that the Special Use on the site applied for is consistent with the spirit, purpose and intent of this ordinance, will not substantially or permanently injure the appropriate use of neighboring property, and if of a public or semi-public nature, will substantially serve the public convenience and general welfare.
 - (1) Abattoir or Stock Yards.
 - (2) Airport or Aircraft landing field.
 - (3) Amusement park.
 - (4) Baseball park.
 - (5) Cemetery or Crematory.
 - (6) Fire or Police Station.
 - (7) Golf Course.

- (8) Hospitals, including those for the insane or feeble-minded.
- (9) Horse or Automobile Racing Establishments.
- (10) Library or Museums.
- (11) Motels and Tourists Lodges.
- (12) Penal or Correctional Institutions.
- (13) Philanthropic or Charitable Institutions.
- (14) Public Building.
- (15) Public Utilities buildings or use.
- (16) Institution of Higher Learning.
- (17) Sanitary Fill; refuse dump.
- (18) Sewage or Garbage Disposal Plant.

ARTICLE IX. NON-CONFORMING USE SPECIFICATIONS.

SECTION 1. CONTINUATION THEREOF AND RECONSTRUCTIONS.

The Lawful use of a building or premises, existing at the time of passage of this ordinance, may be continued although such use does not conform to all of the provisions of this ordinance, except as hereinafter provided.

SECTION 2. EXTENSION.

A non-conforming use may be extended throughout a building provided no structural alterations are made therein, except those required by law.

SECTION 3. CHANGE.

A non-conforming use may be changed to another non-conforming use of the same or greater restrictions, provided no structural changes are made in the building. Whenever a non-conforming use has been changed to a conforming use or to a use permitted in a district of greater restrictions, it shall not thereafter be changed to a non-conforming use or a less restricted use.

SECTION 4. NON-CONFORMING USE CREATED BY AMENDMENT.

These provisions apply in the same manner to a use which may become a

non-conforming use due to a later amendment to this ordinance.

SECTION 5. ERECTION AND RE-ERECTION OF BUILDINGS.

No building shall be erected upon any premises devoted to a non-conforming use, and no building located upon any such premises, which has been damaged by fire or other causes to the extent of more than eighty percent (80%) of its appraised valuation, shall be repaired or rebuilt, except in conformity with regulations of this ordinance.

SECTION 6. TEMPORARY PERMITS.

The Board of Zoning Appeals may authorize, by written permit in a residential district for a period of not more than one (1) year from the date of such permit, a temporary building for commercial or industrial construction and development of said district.

SECTION 7. RIGHT TO CONSTRUCT IF PERMIT ISSUED.

Nothing herein contained shall require any change in the plans, construction or designated use of a building for which a building permit has been heretofore issued and the construction of which has been diligently prosecuted within ninety (90) days of the date of such permit and which entire building shall be completed according to such plans, as filed, within three (3) years from date of passage of this ordinance.

SECTION 8. USE TO CONFORM AFTER DISCONTINUANCE.

In the event that a non-conforming use of any building or premises is discontinued for a period of one (1) year the use of the same shall thereafter conform to the uses permitted in the district in which it is located.

SECTION 9. DISCONTINUANCE OF NON-CONFORMING USE OF LAND.

The lawful use of land for storage purposes, which does not conform to the provisions of this ordinance, shall be discontinued within five (5) years from the date of passage of this ordinance, and the use of land for storage purposes, which may become a non-conforming use by reason of an amendment to this ordinance, shall be discontinued within five (5) years from the date of passage of such amendment.

ARTICLE X. OFF-STREET PARKING FOR MOTOR VEHICLES.

SECTION 1. PARKING REQUIREMENTS.

In order to lessen or avoid congestion in the streets and to secure safety

and promote general welfare, the following regulations are hereby established to require that each building hereafter erected, reconstructed or structurally altered, which is arranged, intended or designed to be used for any of the following uses, shall provide off-street parking space, of not less than two hundred fifty (250) square feet for each space, within the building, or on the premises surrounding the building, or on other premises when specified as follows:

- a. Residence and Apartment Buildings: One (1) vehicle parking space for each family housed in the building.
- b. Hotels and Lodging Houses: One (1) vehicle parking space for each three (3) sleeping rooms.
- c. Theaters: Sport Arenas: Mortuaries: Other places of Congregation: One (1) vehicle parking space for each six (6) seats.
- d. Bowling Alleys: Skating Rinks: Lodge Halls: Union Halls: One (1) vehicle parking space for each one hundred twenty-five (125) square feet of floor space devoted to such use.
- e. Supermarkets: Retail Stores: Restaurants: Taverns: Night Clubs, each having an area of one thousand (1,000) square feet or more: One (1) vehicle parking space for each one hundred twenty-five (125) square feet devoted to such use.
- f. Industrial, manufacturing, wholesale, and office uses: One (1) vehicle parking space for each three (3) employees or occupants. The maximum number of employees of a manufacturing, industrial or wholesale use or occupant of an office building shall be used as a basis for determining the number of parking spaces to be provided.
- g. Roadside Sales Stand: A minimum of six (6) vehicle parking spaces, plus one (1) additional space for each one hundred twenty-five (125) square feet of the area of the stand.
- h. Special Uses listed in Article VIII herein; a number of vehicle parking spaces to be determined and required as a part of the permit for such Special Use.

SECTION 2. LOADING AND UNLOADING BERTHS.

For the purposes outlined in Section 1, loading and unloading berths, of not less than two hundred fifty (250) square feet each, shall be provided in connection with each building hereafter erected or reconstructed, which is arranged, intended or designated to be used for any of the following purposes:

a. Building used for manufacturing, storage, wholesale and hospitals:

Square feet of Gross Floor Area	25,000 or less,	No. of Berths	1;
Square feet of Gross Floor Area	25,001 to 84,000,	No. of Berths	2;
Square feet of Gross Floor Area	84,001 to 156,000,	No. of Berths	3;
Square feet of Gross Floor Area	156,001 to 236,000,	No. of Berths	4;
Square feet of Gross Floor Area	236,001 to 325,000,	No. of Berths	5;

One (1) additional Berth for each 100,000 square feet above 325,000 square feet.

b. Hotels:

Square feet of Gross Floor Area	100,000 or less,	No. of Berths	1;
Square feet of Gross Floor Area	100,000 to 336,000,	No. of Berths	2;
Square feet of Gross Floor Area	336,001 to 624,000,	No. of Berths	3;
Square feet of Gross Floor Area	624,001 to 944,000,	No. of Berths	4;
Square feet of Gross Floor Area	944,001 to 1,300,000,	No. of Berths	5;

One (1) additional Berth for each 400,000 square feet above 1,300,000 square feet.

SECTION 3. GENERAL PROVISIONS.

The following general and special provisions shall apply to the furnishing of off-street parking facilities for motor vehicles and loading and unloading berths:

a. The vehicle parking spaces and loading and unloading berths required are the minimum Areas to be provided. Open areas devoted to vehicle parking may be used in computing open spaces required by this ordinance. Required parking space shall be counted only once in determining off-street parking requirements for individual buildings.

b. Space for off-street vehicle parking may be provided on the lot occupied by the building which it serves, or upon approval by the Board of Zoning Appeals, on adjacent areas within three hundred (300) feet of such building provided the property is zoned to permit such use.

c. Board of Zoning Appeals may grant a permit for the establishment of a parking lot, in a residential district, provided that the entire area of the parking lot is within two hundred (200) feet of said district, or place of congregation in a residential district, immediately adjacent to such other place of congregation, and provided further that:

- (1) There shall be no sales, dead storage, repair work, dismantling or servicing of any kind on said parking lot.

- (2) Entrances and exits shall be approved as to location by the Town Plan Commission.
- (3) No parking shall be permitted between the front yard line and the front lot line.
- (4) The lot shall be paved with a dust-proof or hard surface meeting the standard specifications of the Town.
- (5) No advertising signs shall be erected upon such lot except not more than one (1) sign for each street side to indicate the operator and purpose of the lot. Such sign shall not exceed twenty (20) square feet in area and shall not extend more than ten (10) feet in over-all height above the ground.
- (6) Lighting facilities, if provided, shall be so arranged as to be reflected away from residentially zoned or used property.
- (7) If at any time after the issuance of the required permits any of the provisions of this Section are not complied with the permits shall be revoked.

d. Any other place of congregation, which requires parking facilities at times when other nearby uses would not require their established parking facilities, may enter into a joint agreement for the use of such facilities and, if such agreement is approved by the Board of Zoning Appeals, said Board may relieve such other place of congregation from establishing its own off-street vehicle parking facilities.

e. Groups of stores, or other buildings and uses requiring off-street parking facilities, as prescribed herein, may join in establishing group parking lots with adequate capacity for all the buildings and uses participating in their establishment.

f. The Regulations herein prescribed shall not apply to lots within a General Commercial District or an Industrial District, in a block, which, at the time of passage of this ordinance, was occupied by structures used for commercial or industrial purposes.

g. Open parking lots shall be paved with a dust proof or hard surface meeting the Standard Specifications of the Town.

ARTICLE XI. BOARD OF ZONING APPEALS

SECTION 1. ESTABLISHMENT.

a. A board of Zoning Appeals is hereby established. The word "Board" when used in this ordinance, shall be construed to mean Board of Zoning Appeals.

SECTION 2. COMPOSITION AND APPOINTMENT.

a. The Board shall be composed of five (5) members, all of whom shall be residents of the Town, and none of whom shall hold other elective or appointive office in the Town or in Clark County, except that two (2) of the five (5) members shall be appointed from the Town Plan Commission's citizen membership. Of the original five members, two shall be appointed to serve for four (4) years; one for three (3) years; one for two (2) years; and one for one (1) year. Terms of these members shall expire on the first day of January of the first, second, third or fourth year, respectively, following their appointment. Thereafter, as terms expire, each new appointment shall be for a term of four (4) years. All members of the board shall be appointed by the Town Board of Sellersberg.

SECTION 3. ORGANIZATION.

a. At the first meeting of each year, the Board shall elect a Chairman and a vice-chairman from among its members, and it may appoint and fix the compensation of a secretary and such employees as are necessary for the discharge of its duties all in conformity to and compliance with salaries and compensations heretofore fixed by the Town Board of Sellersburg.

SECTION 4. RULES OF PROCEDURE.

a. The Board shall adopt rules for its procedure consistent with the provisions of the Planning Act of 1947, which is Chapter 174 of the Acts of the Indiana General Assembly of 1947.

SECTION 5. MEETING AND RECORDS.

a. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, keep records of its examinations and other official actions, prepare findings and record the vote of all actions taken. All minutes and records shall be filed in the office of the Board and shall be a public record.

SECTION 6. APPEALS FROM BUILDING INSPECTOR.

a. Any decisions of the Building Inspector made in enforcement of this ordinance may be appealed to the Board of Zoning Appeals by any person claiming to be adversely affected by such decision.

SECTION 7. POWERS AND DUTIES OF THE BOARD.

a. The Board shall have the following powers and it shall be its duty to:

- (1) Hear and determine appeals from and review any order, requirement, decision or determination made by the Building Inspector in the enforcement of this ordinance.
- (2) Permit and authorize exceptions to the district regulations only in the classes of cases or in particular situations as specified in this ordinance.
- (3) Hear and decide special exceptions to the terms of the ordinance upon which the Board is required to act under this ordinance.
- (4) Authorize upon appeal in specific cases such variances from the terms of this ordinance as will not be contrary to the public interest, where owing to special conditions, fully demonstrated on the basis of the facts presented, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so that spirit of this ordinance shall be observed and substantial justice done.

b. In exercising its powers, the Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from as in its opinion ought to be done in the premises, and to that end shall have all the powers of the Building Inspector from whom the appeal is taken.

c. The board shall hear and determine appeals in the manner prescribed in Section 78 to 81, inclusive, of the Planning Act of 1947, described in Article XII, Section 4.

SECTION 8. RESTRICTIONS ON BOARD ACTION.

a. Every decision of the Board shall be subject to review by certiorari, as prescribed in Section 82 to 88, inclusive, of the Planning Act of 1947, described.

- b. No variance in the application of the provisions of this ordinance shall be made by the Board relating to the buildings, land or premises now existing or to be constructed, unless after a public hearing, the Board shall find that such variance will not:
- (1) Impair the adequate supply of light and air to adjacent property.
 - (2) Increase the hazard from fire, flood and other dangers to said property.
 - (3) Diminish the taxable land value of lands and buildings throughout the city.
 - (4) Increase the congestion in the public streets.
 - (5) Otherwise impair the public health, safety, comfort and general welfare of the inhabitants of the community.

ARTICLE XII. ADMINISTRATION

SECTION 1. ENFORCEMENT BY WHOM.

The Building Inspector is hereby designated and authorized to enforce this Ordinance.

SECTION 2. PLATS.

Each application for a building permit shall be accompanied by a plat, in duplicate, drawn to scale, showing the actual dimensions of the lot to be upon, the size of the building to be erected, reconstructed or structurally altered, and such other information as shall be necessary to provide for the enforcement of this Ordinance. A careful record shall be kept of all such applications and plats, in the office of the Town Clerk.

SECTION 3. IMPROVEMENT LOCATION PERMITS.

- a. No land shall be occupied or used and no building hereafter erected, reconstructed or structurally altered shall be occupied or used, in whole or in part, for any purpose whatsoever, until an Improvement Location Permit shall have been issued by the Building Inspector stating that the building and use comply with all of the provisions of this Ordinance applicable to the building or premises or the use in the district in which it is to be located.
- b. No change in use shall be made in any building or part thereof, now or hereafter erected, reconstructed or structurally altered, without an Improvement Location Permit having been issued by the Building

Inspector, and no such permit shall be issued to make such change unless it is in conformity with the provisions of this Ordinance.

- c. Improvement Location Permits shall be applied for coincidentally with the application for a building permit and shall be issued within ten (10) days after lawful erection, reconstruction or structural alteration of such building shall have been completed.
- d. A record of all Improvement Location Permits shall be kept on file in the office of the Clerk-Treasurer and copies shall be furnished upon request of any person having a proprietary or tenancy interest in the building or land affected. A fee of \$5.00 shall be charged for each original permit and \$0.50 for each copy thereof.
- e. No permit shall be issued for excavation for or the erection, reconstruction or structural alteration of any building, before application has been made for an Improvement Location Permit.

ARTICLE XIII. INTERIM PROVISIONS.

SECTION 1. RESIDENCE DISTRICT DEFINED.

By a residence district, neighborhood or section is meant the land fronting on both sides of any public or platted street, where less than twenty-five percent (25%) of the frontage is now used or if occupied by buildings designated to be used for business or industrial purposes, within a distance of three hundred (300) feet of the center of the place where any building for industrial or business purposes is sought to be used, erected, located, constructed or altered, provided that if the distance from the center of such locations of such proposed building for industrial or business purposes is less than three hundred (300) feet, on the same side of the street, to the next intersecting street, the nearest street line of such intersecting street shall be the limit of the residence district in that particular direction and on both sides of the street. An intersecting street as used herein shall mean any street or public way, which is used by the public or is included in a recorded plat of a subdivision, which joins another street at an angle, whether or not it crosses the other.

SECTION 2. AGRICULTURAL DISTRICT DEFINED.

An agricultural district as used herein is meant to be any tract of vacant land which is not subdivided into streets and lots, which is in single ownership at the date of approval of this ordinance, and of which less than twenty-five percent (25%) of the area is now used for business or industrial purposes either in buildings or on vacant land.

ARTICLE XIV. SUPPLEMENTAL ORDINANCES

SECTION 1 AMENDMENTS.

The Town Board may, from time to time, amend, supplement or change the regulations and districts fixed by this Ordinance, in the manner prescribed in Sections 63 and 64 of Chapter 174 of the Acts of the Indiana General Assembly of 1947.

ARTICLE XV. PENALTIES AND REMIDIES.

SECTION 1. PENALTIES.

Any person or corporation who shall violate any of the provisions of this Ordinance or fail to comply therewith or with any of the requirements thereof, or who shall build, reconstruct or structurally alter any building in violation of any detailed statement or plan submitted and approved thereunder shall, for each and every violation of noncompliance, be guilty of a misdemeanor and, upon conviction, shall be fined not less than ten (10) dollars and not more than three hundred (300) dollars and each day that such violation or noncompliance shall be permitted to exist shall constitute a separate offense.

SECTION 2. REMIDIES.

The Town Plan Commission, the Board of Zoning Appeals, the Building Inspector, or any designated enforcement official, or any person or persons, firm or corporation, jointly or severally aggrieved, may institute a suit for injunction in the Circuit Court of the county to restrain an individual or a government unit from violating the provisions of this ordinance. The Town Plan Commission or the Board of Zoning Appeals may also institute a suit for mandatory injunction directing an individual, a corporation or a governmental unit to remove a structure erected in violation of the provisions of this ordinance. Any building erected, raised, or converted, or land or premises used in violation of any provisions of this ordinance or the requirements thereof, is hereby declared to be a common nuisance and as such may be abated in such manner as nuisances are now or may hereafter be abated under existing law.

ARTICLE XVI. BUILDING INSPECTOR

SECTION 1.

There is hereby established in the Town of Sellersburg, Indiana, the office of Building Inspector.

SECTION 2.

The Building Inspector shall be appointed by the Plan Commission. His appointment shall continue during good behavior and service and he shall not be removed from office except for cause after full opportunity has been given him to be heard on specific charges.

SECTION 3.

The Building Inspector is hereby authorized and directed to enforce all the provisions of this Ordinance as adopted.

SECTION 4.

No persons, firms or corporations shall erect, construct, enlarge, alter, repair, move, remove, improve, convert or demolish any building or structure in the Town of Sellersburg, Indiana, or cause the same to be done until first having obtained a separate building permit for each such building or structure from the Town Clerk, who may require plans thereof together with a statement of materials to be used.

SECTION 5.

To obtain a permit, applicant must first file an application therefor in writing on a form to be furnished by the Town Clerk and every applicant shall complete all information requested on said form.

SECTION 6.

Each application for a permit shall be accompanied by one set of plans and specifications.

SECTION 7.

The application, plans and specifications filed by an applicant for a permit shall be checked by the Building Inspector. If the Building Inspector is satisfied that the work described in an application for a permit and the plans filed therewith conform to the requirements of this Ordinance and other pertinent laws and ordinances, he shall issue a permit therefor to the applicant. When the Building Inspector issues the permit, he shall endorse in writing and stamp on plans and specifications the word "APPROVED". Such approved plans and specifications shall not be changed, modified, or altered without authorization from the Building Inspector.

SECTION 8.

Before a building permit is issued a permit fee therefor shall be paid to

the Town Clerk as set forth in Schedule A, filed herewith and made a part hereof:

SCHEDULE A.

- a. Trailer Court Permit Fees will be assessed as follows: a minimum fee of \$5.00 for each space provided and available for trailer parking.
- b. Industrial or Commercial Building Permit Fees: a minimum fee of \$10.00 up to and including 10,000 cu.ft. and 30¢ on each additional 1000 cu. ft., or any fractional part thereof.
- c. Building Permit Fees for Structural (Improvement) Alterations: a fee of \$2.00 on alterations, repairs, or additions up to and including an estimated \$1,000.00 and 30¢ on each additional improvement on each additional \$1,000.00 or any part of said sum.
- d. Residential Building Permit Fees: a minimum fee of \$5.00 up to and including 10,000 cu. ft. and 20¢ on each additional 1,000 cu. ft. or any fractional part thereof.
- e. The minimum fee for all inspection shall be \$5.00.
- f. The permit fee for removal or demolition of buildings or structures shall be \$2.50.

ARTICLE XVII. VALIDITY.

SECTION 1. VALIDITY.

Should any section or provisions of this ordinance be declared by a court of competent jurisdiction to be invalid such decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 2. REPEALING SECTION.

All ordinances or parts of ordinances in conflict or inconsistent, herewith, are hereby repealed.

SECTION 3. WHEN EFFECTIVE.

This ordinance shall be in full effect from and after its passage, approval and publication according to law.

PRESENTED BY:

The foregoing, within and attached Ordinance passed by the Town Board of Sellersburg, Indiana, on the ____ day of _____ 19____.

(Signed) _____
President - Town Board

Jesse M. Beyl

Attest:

John W. Kahl

Clerk-Treasurer

SUBDIVISION CONTROL ORDINANCE #220

AN ORDINANCE ADOPTING, AS A PART OF THE MASTER PLAN FOR SELLERSBURG, INDIANA, PROVISIONS FOR SUBDIVISION CONTROL AND THE APPROVAL OF PLATS AND REPLATS WITHIN THE AREA OVER WHICH THE SELLERSBURG TOWN PLAN COMMISSION HAS JURISDICTION ACCORDING TO AUTHORITY GRANTED BY ENABLING LEGISLATION OF THE GENERAL ASSEMBLY OF THE STATE OF INDIANA.

WHEREAS, The General Assembly of the State of Indiana has enacted legislation which states that a town plan commission shall prepare a master plan for the development of the town so as to assure the promotion of public health, safety, morals, convenience, order and the general welfare, for the sake of efficiency and economy in the process of development; and

WHEREAS, a plan commission may include as part of such master plan provisions for subdivision control and the approval of plats and replats; and

WHEREAS, such provisions are essentials to proper development of the town;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN BOARD AT SELLERSBURG, INDIANA:

SECTION A. Application.

A person desiring the approval of a plat for the subdivision of any land lying within the corporate limits of the Town of Sellersburg, shall submit a written application for a certificate of approval to the Town Plan Commission. The application shall contain a statement specifying the intentions of the owner respecting the proposed land use of the development, deed restrictions, drainage, sewage disposal, water facilities and the intended date of the development.

SECTION B. Preliminary Plat.

Two (2) copies of the preliminary plat shall be submitted with the application. The Commission shall not be required to consider an application at a meeting if such application has been made less than four (4) days prior to such meeting, except that the Commission shall take action on such application within forty-five (45) days from the date submitted. The Commission, if it tentatively approves the application shall set a date for a hearing on the proposed Plat, notify the applicant in writing, and publish a notice of the hearing at least ten (10) days prior to the date of the hearing.

The Preliminary Plat, the scale of which shall be one hundred (100) feet to one (1) inch, except that, when the use of this scale would result in a

drawing having a dimension in excess of thirty (30) inches, a scale of two hundred (200) feet may be used. The plat shall be prepared in accordance with the standards of designs herein specified and shall show;

- (1) Proposed name of the subdivision;
- (2) Location by section, township and range, or by other legal description;
- (3) Names and addresses of developer and surveyor who made the plat;
- (4) Date, Scale, and Northpoint;
- (5) Location, widths, and names of all existing or prior platted streets or other public ways, railroad and utility rights of ways, parks, and other public open spaces, permanent buildings and structures, and sections and corporation lines, within or adjacent to the tract;
- (6) Existing sewers, water mains, culverts or other underground facilities within the tract or within five hundred (500) feet thereof, indicating pipe sizes, grades and exact locations as obtained from public records;
- (7) Boundary lines of adjacent tracts of unsubdivided land, showing owner's names;
- (8) Layout of proposed streets, their names and widths of the alleys, cross-walkways, and easements;
- (9) Layout of proposed lots, their numbers and drawn to an accurate scale;
- (10) Parcels of land intended to be dedicated for public use or set aside for use of property owners in the subdivision;
- (11) Building setback lines;
- (12) Contours at vertical intervals of not more than five (5) feet where the slope is greater than ten (10) percent and not more than two (2) feet where the slope is less than ten (10) percent.
- (13) Proposed house numbering system by indicating of block number.

SECTION C. Final Plat.

A final plat will not be considered for approval until the hearing on the required preliminary plat has been completed. The final plat shall be submitted to the Commission in the form of an original tracing and shall be a

complete and accurate layout. The filing fee shall be ten dollars (\$10.00) plus two dollars (\$2.00) per lot.

- (1) The Boundary lines of the subdivided tract, together with accurate distances and angles, and the exact location of all existing and recorded streets intersecting the boundary of the tract;
- (2) Angles or true bearing and distances to the nearest established street line or existing official monuments, which shall be accurately described on the plat;
- (3) An accurate metes and bounds description of the tract and its source of title as shown by the records in the office of the County Recorder;
- (4) Street names;
- (5) The length of all arcs and radii, central angles, internal angles, points of curvature and tangency, and the length of all tangents;
- (6) All easements for right of ways for public services and utilities and any limitations on such easements;
- (7) Lot numbers and dimensions;
- (8) Street lines with accurate dimensions in feet and hundredths and with angles to street, alley and lot lines;
- (9) Location, type, material, and size of all monuments and lot markers;
- (10) The accurate outline of all property which is offered for dedication for public use with the purpose thereof indicated, and all property that may be reserved by deed covenant or restriction for the common use of property owners of the subdivision;
- (11) Setback building line locations and dimensions;
- (12) Restrictions of all types which run with the land;
- (13) Name of the subdivision;
- (14) Name and address of the subdivider;
- (15) Northpoint, scales and date;
- (16) Certification by a registered professional engineer or land surveyor acceptable to the Commission;

- (17) Certificate of dedication of public lands;
- (18) Certificates for approval by the Town Plan Commission, and Town Board.

SECTION D. In General.

The subdivision shall be in harmony with the Master Plan including the Zoning Ordinance.

SECTION E. Street System.

The streets of the subdivision shall conform in location and classification to the Thorofare Plan and shall meet standards as follows:

- (1) Widths are those established by Typical Street Cross Section Standards, included as a part of the Thorofare Plan;
- (2) The centerline of streets should intersect at as nearly right angles as possible.
- (3) At street and alley intersections the property line corners shall be rounded by arcs, or cut by chords as required by the Typical Street Cross Section Standards included in the Thorofare Plan;
- (4) Subdivision should be designed to avoid the simultaneous intersection of more than two (2) streets (carrying traffic from more than four (4) directions);
- (5) Street curb intersections shall be rounded by a radius of at least twenty (20) feet;
- (6) If the smallest angle of intersection is less than sixty (60) degrees, the foregoing minimum radii shall be increased at the discretion of the Commission;
- (7) When one or more of the streets involved in an intersection is a limited access highway, thorofare, boulevard, or parkway, the foregoing minimum standards shall be increased at the discretion of the Commission;
- (8) In General, alleys with a minimum width of right of way of twenty (20) feet shall be required in all business, commercial, and industrial districts. Except where justified by unusual conditions, alleys will not be permitted in residential districts;
- (9) A dead-end street or cul-desac may be permitted when the

Commission deems it appropriate. Such streets shall terminate in a circular right of way providing for a minimum outside curb diameter of seventy (70) feet, unless the Commission approves an equally safe and convenient form of paved space instead of the required turning circle. No dead-end street longer than six hundred (600) feet will be permitted.

- (10) Visibility on curved streets must be maintained along the center line for the following minimum distances; Limited access highways - to be determined by the Commission, but generally not less than five hundred (500) feet; Major thorofares, boulevards and parkways - three hundred (300) feet; Minor Residential Streets - one hundred (100) feet.
- (11) The minimum radius of curvature measured on the centerline of the street shall be:

Limited Access Highway - to be determined by the Commission;
Major Thorofares, boulevards, and parkways - three hundred (300) feet;
Secondary Thorofares - two hundred (200) feet;
Minor streets - one hundred (100) feet.

- (12) Between reversed curves there shall be a tangent of at least one hundred (100) feet.

SECTION F. Blocks.

- (1) Blocks shall not exceed one thousand three hundred twenty (1,320) feet in length unless unusual circumstances justify greater length.
- (2) Blocks shall be of sufficient width to allow two (2) tiers of lots of

SECTION G. Lots.

- (1) All lots shall abut on a street.
- (2) Side lines generally shall be at right angles to straight street lines and radial to curved street lines.
- (3) Lot dimensions and areas shall not be less than the minimum required by the Zoning or Land Use Ordinance for the district in which the plat is located and shall also conform to the following minimum requirements;
- (a) In areas provided with public water supply and sewers.
Area - eight thousand one hundred and twenty five (8,125)

square feet;
 Width on building line - sixty-five (65) feet;
 Width at any other point - fifty (50) feet;
 Depth - one hundred twenty-five (125) feet;

(b) In areas without public sanitary sewers.

Areas - fifteen thousand (15,000) square feet;
 Width on building line - seventy-five (75) feet;
 Width at any other point - sixty (60) feet;
 Depth - one hundred fifty (150) feet.

(4) Where lots are to be used for commercial purposes, provisions shall be made in the subdivision design and restrictions for off street parking as required by the Zoning or Land Use Ordinance.

SECTION H. Easements.

Where Alleys are not provided easements shall be provided for utilities. Such easements shall generally be located along rear or side lot lines in which case a minimum width of twelve (12) feet, six (6) feet on either side of the lot line, shall be provided or, if such easement is within a lot, the total minimum width shall be provided. Easements shall be so laid out that a proper continuity may be had for utilities from block to block.

SECTION I. Building Setback Lines.

Building setback lines shall generally conform to those established by the Zoning Ordinance except that the Commission may approve greater setbacks according to sound planning and subdividing principles.

SECTION J. Public Open Spaces.

Where park, playground, School grounds or other open space shown on the Master Plan is located in whole or in part in the applicant's subdivision, the Commission may request the dedication or reservation for such purposes in those cases in which the Commission deems such requirements to be reasonable.

SECTION K. Monuments and Line Markers.

Monuments shall be of steel in concrete. The minimum standard monument shall be standard weight, one and one-fourth (1 1/4) inch nominal diameter pipe thirty (30) inches long, surrounded in the ground on all sides by not less than five (5) inches of concrete to a depth of not less than twelve (12) inches. Top of pipe may be open or sheared but must be cut off perpendicular

to its length and driven without being seriously deformed or battered on top. Markers shall consist of iron pipes or steel bars at least thirty (30) inches long, and not less than five-eighths ($5/8$) inch diameter.

Monuments shall be placed:

- (a) So that the scored or marked point shall coincide exactly with the intersection of the lot or property line at that point and shall be set so that the top of the monument is level with the surface of the surrounding ground;
- (b) At the intersection of all angles in the boundary line of the survey;
- (c) At the intersection of street property lines;
- (d) At the beginning and ending of all curves where streets and alleys are so laid out;
- (e) At all points where lot lines intersect such curves both front and rear;
- (f) At all angles in property lines of streets and alleys.
 - (1) The corners of all lots not marked by monuments as herein-before required shall be marked by galvanized or wrought iron pipe, or iron or steel bars at least three feet in length and not less than five eighths ($5/8$) inch in diameter, the top of the pipe or bar to be set level with the surrounding ground.

SECTION L. Street Grading.

Streets and other open ways shall be brought to grades as shown on plans and profiles prepared by a registered engineer and approved by the Town Board.

The streets within the subdivision shall be surfaced to the established grade with not less than six (6) inches of compact depth of compacted aggregate, and to a minimum width of not less than ten (10) feet on each side of the center line of the street. Asphaltic surface course shall be two (2) inches thick. All streets within the subdivision which are the extension of existing and improved streets, or connected to improved streets abutting upon the subdivision, shall be improved in the same manner.

A certificate of completion shall be filed with the Board by a registered professional engineer stating that the roads have been constructed in accordance with the plans and specifications filed with the Board.

SECTION M. Sewer and Water.

Wherever there is, within a reasonable distance, a sanitary sewer outlet or outlets and a connection is feasible, the subdivision shall be provided with a complete public sewer system which shall connect with such outlets. This work shall be done in accordance with plans and profiles prepared by a professional engineer, registered in accordance with the Indiana State Laws, and approved by the Town Board. In the absence of such sewer mains, proper provisions shall be made for the disposal of sanitary sewage according to requirements of the Indiana State Board of Health by means of Septic tanks or other approved method of disposal. Similar requirements shall apply to the provision for proper water supply for the subdivision.

A certificate of completion shall be filed with the Board by a registered engineer stating that the sewer system and water system have been constructed in accordance with the plans and specifications filed with the board. No water mains smaller than six (6) inches shall be used to service a proposed development.

SECTION N. Storm Drainage.

A storm drainage plan shall be submitted with the preliminary plat. Adequate drainage shall be provided to serve a five (5) year storm.

SECTION O. Street Signs.

The erection of standard Town street signs shall be required at the intersection of all streets.

SECTION P. Conditions Plat Approval.

The Commission will consider approval of the final plat for record only after all required monuments have been installed and notice has been received from the Town Board that there has been filed with and approved by that Board one of the following:

- (1) A certificate to the effect that the streets, sewers, water and other Utilities and facilities that have been required as a precedent to approval have been graded, improved, and installed in accordance with specifications; or
- (2) A bond which, whenever all or any part of the plat is located within the corporate limits of the Town shall:
 - (a) Run to the Town Board.

- (b) Be in an amount determined by the Town Board with the approval of the Commission to be sufficient to complete the improvements and installations in compliance with this ordinance.
- (c) Be with surety satisfactory to the Town Board with the approval of the Commission.
- (d) Specify the time for the completion of the improvements and installations; or

SECTION Q. Final Action.

After hearing and within a reasonable time after application for approval of the plat, the Commission shall approve or disapprove it. If the Commission approves, it shall affix the Commission's seal upon the plat together with the certifying signatures of its president and secretary. If the Commission disapproves, it shall set forth its reasons in its own records and provide the applicant with a copy.

SECTION R. Certificate Forms.

- (a) The following forms for indication of approval shall be used in final plats:

CERTIFICATES.

Under authority provided by Chapter 174 - Acts of 1947 enacted by the General Assembly of the State of Indiana and Ordinance adopted _____ by the Town Board of Sellersburg, Indiana, this plat was given approval by the Town of Sellersburg as follows:

Approved by Planning Commission at a meeting held.

.
President

.
Secretary

Approved by Town Board at a meeting held

.
Chairman

.
Member

.
Member

(b) Each final plat submitted to the Commission for approval shall carry a certificate signed by a Registered Professional Engineer of Land Surveyor in substantially the following form:

"I,, hereby certify that I am a professional Engineer (or a Land Surveyor), licensed in compliance with the laws of the State of Indiana; that this plat correctly represents a survey completed by me on, that all the monuments shown thereon actually exist; and that their location, size, type and material are accurately shown."

(SEAL)

(c) Each final plat submitted to the Commission for approval shall carry a deed of dedication in substantially the following form:

"We, the undersigned owners of the real estate shown and described herein, do hereby certify that we have laid off, platted and subdivided, and do hereby lay off, plat and subdivide, said real estate in accordance with the within plat.

This subdivision shall be known and designated as an addition to the Town of Sellersburg, Indiana.

All streets and alleys shown and not heretofore dedicated, are hereby dedicated to the public.

Front and side yard building setback lines are hereby established as shown on this plat, between which lines and the property lines of the streets there shall be erected or maintained no building or structure other than an open one-story porch.

There are strips of ground feet in width as shown on this plat and marked "Easement", reserved for the use of public utilities for the installation of mains, poles, ducts, lines, and wires, subject at all times to the proper authorities and to the easement herein reserved. No permanent or other structures are to be erected or maintained upon said strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities, and to the rights of the owners of other lots in this subdivision.

(Additional dedications and protective covenants, or private restrictions, would be inserted here; important provisions are those specifying the use to be made of the property and, in the case of residential use, the minimum habital floor area.)

The foregoing covenants, (or restrictions), are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 19____. (Twenty-five year period), at which time said covenants, (or restrictions), shall be automatically extended for successive periods of ten (10) years unless

by vote of a majority of the then owners of the building sites covered by these covenants, or restrictions, it is agreed to change such covenants, or restrictions, in whole or in part. Invalidation of any one of the foregoing covenants, or restrictions, by judgement or court order shall in no wise effect any of the other covenants or restrictions, which shall remain in full force and effect. The right to enforce these provisions by injunction, together with the right to cause the removal, by due process of law of any structure or part thereof erected or maintained in violation hereof, is hereby dedicated to the public and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns."

Witness our Hands and Seals this day of , 19. . .

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State of Indiana)
County of Clark) SS:

Before me, the undersigned notary public, in and for the County and State, personally, appeared and each separately and severally acknowledged the execution of the foregoing instrument as his or her voluntary act and deed, for the purposes, therein expressed.

Witness my Hand and Notarial Seal this day of , 19. . .

.
Notary Public

SECTION 5.

This Ordinance shall be in full force and effect from and after its passage and approval by the Town Board.

Passed by the Town Board of Sellersburg, Indiana on the day of 19.

John H. Weisk

Jesse M. Beyl
Board of Trustees

attest:

John W. Kahl



ORDINANCE No. 221

REDEVELOPMENT ORDINANCE

WHEREAS, the Town of Sellersburg recognizes that there exists blighted areas both residential and nonresidential;

(a) That the buildings in such areas are to a large extent unsanitary and unsafe, and that the use of the same causes an increase in and spread of disease and crime, constituting a menace to the health, safety, morals and welfare of the residents of the Town of Sellersburg;

(b) That the conditions existing in such areas necessitate excessive and disproportionate expenditures of public funds for crime prevention and punishment, public health and safety, fire and accident protection, and other public services and facilities, and impair the value of property in surrounding areas;

(c) That the number and extent of such areas is increasing, resulting in a rapid and undesirable decentralization of the town, an increased demand for the extension of costly town facilities, and in reduction of the value of taxable property within the corporate limits;

(d) That the clearance, replanning and redevelopment of such blighted areas is a public and governmental function which cannot be accomplished through the ordinary operations of private enterprise, due to the necessity for the exercise of the power of eminent domain, the necessity for requiring the proper use of the land within such areas so as to serve best the interests of the Town and its citizens, and the cost of such projects;

(e) That the conditions existing in such blighted areas are beyond remedy and control by regulatory processes because of the obsolescence and deteriorated conditions of buildings and other improvements, faulty land planning and land use, shifting of population and technological and social changes;

(f) That the clearance, replanning and redevelopment of such areas will benefit the health, safety, morals and welfare, and will serve to protect and increase property values to the town and its respective citizens;

(g) That the clearance, replanning, and redevelopment of such blighted areas are public uses and purposes for which public money may be spent and private property acquired.

WHEREAS, the Town of Sellersburg further recognizes

(a) There exists in the Town deteriorated areas which constitute a serious and growing menace, injurious to the public health, safety, morals and welfare of the residents;

(b) Certain blighted or deteriorated areas, or portions thereof, may require acquisition and clearance, as provided by the laws of the State of Indiana, since the prevailing conditions of decay may make impracticable the reclamation of the area by

conservation or rehabilitation, but other areas or portions thereof may, through the means provided by the laws of the State of Indiana, be susceptible of conservation or rehabilitation in such a manner that the conditions and evils hereinbefore enumerated may be eliminated, remedied or prevented, and that salvable blighted and deteriorated areas can be conserved and rehabilitated through appropriate public action and the cooperation and voluntary action of the owners and tenants of property in such areas, and

(c) Maximum opportunity, consistent with the sound needs of the town as a whole, as to the rehabilitation or redevelopment of areas, be allowed private enterprise.

Be it enacted by the Town Board of Sellersburg, Indiana, and repealing all existing laws to the contrary, the following is hereby ordained.

Section 1. The Sellersburg Town Redevelopment Commission is hereby created pursuant to the laws of the General Assembly of the State of Indiana.

Section 2. There shall be a board known as the Town of Sellersburg Redevelopment Trustees which shall consist of five (5) members; to which the Sellersburg Town Board president shall select two members, one for a term of three (3) years and one for a term of four (4) years; two members are to be nominated by the board of town trustees, one for a term of one (1) year and one for a term of four (4) years; One shall be nominated by the judge of the circuit court of Clark County and for a term of two (2) years. Vacancies shall be filled according to the laws of the General Assembly of the State of Indiana.

Section 3. The Town Board president shall certify members appointed, and the certificates shall be promptly filed with the town clerk.

Section 4. The trustees originally appointed shall meet within thirty (30) days after their appointment at a time and place designated by the Town Board president, and thereafter shall meet at regular intervals or specially as often as necessary to transact business or duties imposed upon them.

Section 5. The trustees at their original meeting shall appoint five (5) commissioners who will be known as the Commissioners of the Sellersburg Town Redevelopment Commission. Each shall serve for one (1) year from the first day of January next following their appointment and until his successor is appointed and qualified. Further appointment and vacancies shall be filled according to the laws of the General Assembly of the State of Indiana.

Section 6. The commissions shall meet not later than thirty (30) days after the first commissioners are appointed, and annually thereafter on the second day of January following their appointment, and thereafter they shall meet at regular intervals or specially as often as necessary to transact business or duties imposed upon them.

Section 7. The said trustees and commissioners shall receive no salaries.

Section 8. The powers and duties of said Trustees, and Commissioners are those enumerated and set out by the laws of the General Assembly of the State of Indiana, and in conducting investigations, hearings, necessary, and all other duties incident to the successful administration of this ordinance.

Passed and adopted by the Board of Trustees of the Town of Sellersburg on the _____ day of _____, 1961.

John H. Wells

Jesse M. Beyl
Board of Trustees

Attest:

John M. Kahl
Clerk-Treasurer

ORDIANCE NO. 222

AN ORDINANCE TO AMEND SECS. 4 AND 6 OF AN ORDINANCE ENTITLED "AN ORDINANCE OF THE TOWN OF SELLERSBURG AUTHORIZING THE ISSUANCE OF ADDITIONAL WATERWORKS REVENUE BONDS FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF CERTAIN ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO THE MUNICIPAL WATERWORKS OF SAID TOWN, AND OTHER MATTERS CONNECTED THEREWITH."

WHEREAS, the Board of Trustees has heretofore on January 27, 1961, adopted Ordinance No. 217 authorizing the issuance of additional waterworks revenue bonds for the purpose of providing funds to pay the cost of certain additions, extensions and improvements to the municipal waterworks of the Town, which ordinance, among other things, provided that the interest on said bonds should be payable on the first day of June, 1961, and semi-annually thereafter; and

WHEREAS, the Board now finds, due to the lapse of time since the adoption of said ordinance, that said ordinance should be amended to change the first interest payment date to the first day of December, 1961; now therefore,

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, INDIANA:

Section 1. That Sec. 4 of Ordinance no 217, entitled "An Ordinance of the town of Sellersburg authorizing the issuance of additional waterworks revenue bonds for the purpose of providing funds to pay the cost of certain additions, extensions and improvements to the municipal waterworks of said Town, and other matters connected therewith," be and the same is hereby amended to read as follows: Sec. 4. Said additional revenue bonds shall be designated "Waterworks Revenue Bonds of 1961," shall be in the principal amount of Four Hundred Eighty thousand Dollars (\$480,000), in the denominations of One Thousand Dollars (\$1,000) each, numbered consecutively from 1 to 480 inclusive, dated as of the first day of the month in which said bonds are sold, and shall bear interest at a rate not exceeding five and one-half per cent (5-1/2%) per annum (the exact rate to be determined by bidding), which interest shall be payable on the first day of December, 1961, and semi-annually thereafter, and shall be evidenced by coupons attached to said bonds. Both principal and interest of said bonds shall be payable in lawful money of the United States of America at the Sellersburg State Bank, in the Town of Sellersburg, Indiana, and such bonds shall mature serially in the amounts and on the dates as follows:

\$ 5,000 on December 1 in the years 1962 to 1976 inclusive;
 \$10,000 on December 1 in the years 1977 to 1983 inclusive;
 \$15,000 on December 1 in the years 1984 to 1986 inclusive;
 \$25,000 on December 1 in the years 1987 to 1990 inclusive;
 \$30,000 on December 1 in the years 1991 to 1994 inclusive;
 \$35,000 on December 1 in the years 1995 to 1996.

The bonds of this issue maturing on December 1, 1974, and thereafter, shall be redeemable at the option of the Town on June 1, 1974, or any interest payment date thereafter, in whole or in part, in their inverse numerical order, at face value, together with the following premiums:

- 5% if redeemed on June 1, 1974, or thereafter on or before December 1, 1979;
- 4% if redeemed on June 1, 1980, or thereafter on or before December 1, 1985;
- 3% if redeemed on June 1, 1986, or thereafter on or before December 1, 1991;
- 2% if redeemed on June 1, 1992, or thereafter prior to maturity;

plus in each case accrued interest to the date fixed for redemption.

Notice of such redemption shall be given at least thirty (30) days prior to the date fixed for such redemption by one publication in a newspaper published in Clark County and of general circulation in the Town of Sellersburg, Indiana, and a newspaper or financial journal published in the City of Indianapolis, Indiana. If any of the bonds so to be redeemed are registered, then such notice shall also be mailed to the address of the registered holders as shown on the registration records of the Town. The notice shall specify the date and place of redemption and the numbers of the bonds called for redemption. The place of redemption may be the place of payment named in the bonds, or otherwise as determined by the Town. Interest on the bonds so called for redemption shall cease on the redemption date fixed in said notice, if funds are available at the place of redemption to pay the principal of and premium and interest on the bonds so called for redemption on the date fixed in said notice, and thereafter when presented for payment. Upon payment of the redemption price the bonds so called for redemption shall be surrendered for cancellation, together with the unmatured interest coupons appurtenant thereto.

Section 2. That Sec. 6 of said ordinance be and the same is hereby amended to read as follows: Sec. 6. The form and tenor of said bonds and the interest coupons to be attached thereto, and the form of registry endorsement thereon, shall be substantially as follows, all blanks to be filled in properly prior to the delivery thereof:

UNITED STATES OF AMERICA
State of Indiana County of Clark

No. _____ \$ 1,000

TOWN OF SELLERSBURG
WATERWORKS REVENUE BOND OF 1961

The Town of Sellersburg, in Clark County, State of Indiana, for value received, hereby promises to pay to the bearer hereof, or if this bond be registered then to the registered holder hereof, solely out of the special revenue fund hereinafter referred to, the principal amount of

ONE THOUSAND DOLLARS

ON THE FIRST DAY OF December, 1961 (unless this bond be subject to and be called for redemption prior to maturity as hereinafter provided), and to pay interest thereon from the date hereof until the principal is paid at the rate of _____ per cent (____%) per annum, payable semi-annually on the first days of June and December of each year, beginning on December 1, 1961, upon presentation and surrender of the annexed coupons as they severally become due.

Both principal and interest of this bond are payable in lawful money of the United States of America at the Sellersburg State Bank, in the Town of Sellersburg, Indiana.

This bond is one of an authorized issue of four hundred eighty (480) bonds of the Town of Sellersburg, of like denomination, tenor and effect, except as to dates of maturity, aggregating Four Hundred Eighty Thousand Dollars (\$480,000), numbered consecutively from 1 to 480 inclusive, issued pursuant to an ordinance adopted by the Board of Trustees of said Town on the 27th day of January, 1961, entitled "An Ordinance of the Town of Sellersburg authorizing the issuance of additional waterworks revenue bonds for the purpose of providing funds to pay the cost of certain additions, extensions and improvements to the municipal waterworks of said Town, and other matters connected therewith," as amended by an ordinance duly adopted on the _____ day of _____, 1961, and in strict compliance with the provisions of Chapter 76 of the Acts of the Indiana General Assembly for the year 1913, and all acts amendatory thereof and supplemental thereto, particularly Chapter 190 of the Acts of 1933.

The principal and interest of this bond and all other bonds of said issue, and all bonds on a parity therewith, constitute a charge against the net revenues (herein defined as the gross revenues after deduction only for the reasonable expenses of operation and maintenance) of said waterworks system, including all extensions thereof and additions and improvements thereto subsequently constructed or acquired; subject, however to the prior payment of the interest on and principal of an issue of Water Works Revenue Refunding and Improvement Bonds in accordance with the terms thereof, of which bonds in the amount of One Hundred Eight Thousand Dollars (\$108,000) are outstanding, issued under date of December 1, 1947, maturing serially on December 1 of each year over a period ending on December 1, 1986, the bonds maturing in the years 1961 through 1968 and in the years 1975 through 1986 bearing interest at the rate of four per cent (4%) per annum, and the bonds maturing in the years 1969 through 1974 and one bond maturing in 1975 bearing interest at the rate of three and three-fourth percent (3-3/4%) per annum, authorized by an ordinance adopted on December 8, 1947, as amended by an ordinance adopted on February 19, 1948. The Town covenants that it will, on or before the first day of each calendar month, beginning on _____ 1, 19____, set aside in a special fund designated as the "1961 Waterworks Bond Fund" duly created by the ordinance authorizing this issue of bonds, one-twelfth (1/12) of the amount required to pay the principal of and interest on all outstanding bonds of this issue, and all bonds on a parity therewith, payable within the period of the then next succeeding twelve (12) months, and that said special fund shall be used for no other purpose whatsoever, and the Town shall not be obligated to pay this bond or the interest hereon except from said special fund, and neither this bond nor the issue of which it forms a part shall in any respect constitute a corporate indebtedness of the Town within the provisions

and limitations of the constitution of the State of Indiana.

The Town covenants that it will fix, maintain and collect an aggregate of rates and charges for the services rendered by said waterworks which will be sufficient to pay all cost of operation and maintenance of said waterworks, to provide for depreciation, to maintain the fund required for the payment of now outstanding bonds designated "Water Works Revenue Refunding and Improvement Bonds", and to create and maintain the 1961 Waterworks Bond Fund required for the payment of this issue of bonds, and will in all other respects faithfully comply with all of the provisions of the ordinance pursuant to which this bond is issued. In the event the Town shall make any default in the payment of the principal of or interest on this bond, the holder hereof shall have all of the rights and remedies provided for in the governing statutes hereinabove referred to, including the right to compel the collection of sufficient rates and charges to provide for the payment of this bond and the interest hereon.

This bond and all other bonds of the issue of which it is a part shall, in the hands of bona fide holders, have all the qualities of negotiable instruments under the negotiable instruments law of the State of Indiana. This bond may be registered in the name of the owner in the manner and with the effect provided in said ordinance, but unless registered shall pass by delivery.

The bonds of this issue maturing on December 1, 1974, and thereafter, are redeemable at the option of the Town on June 1, 1974, or any interest payment date thereafter, in whole or in part, in their inverse numerical order, at face value, together with the following premiums: five per cent (5%) if redeemed on June 1, 1974, or thereafter on or before December 1, 1979; four per cent (4%) if redeemed on June 1, 1980, or thereafter on or before December 1, 1985; three per cent (3%) if redeemed on June 1, 1986, or thereafter on or before December 1, 1991; two per cent (2%) if redeemed on June 1, 1992, or thereafter prior to maturity; and the accrued interest to the date of redemption; provided notice of such redemption shall be given at least thirty (30) days prior to the date fixed for such redemption, by one publication in a newspaper published in Clark County and of general circulation in the Town of Sellersburg, Indiana, and a newspaper or financial journal published in the City of Indianapolis, Indiana, and a like notice be sent by mail to the holders of such bonds as are then registered. Interest on the bonds so called for redemption shall cease on the redemption date fixed in said notice, if funds are available at the place of redemption to pay the principal, premium and interest on the bonds so called for redemption on the date so named, and thereafter when presented for payment. Upon the payment of the redemption price the bonds so redeemed shall be surrendered for cancellation, together with the unmatured interest coupons appurtenant thereto.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the preparation and complete execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law.

IN WITNESS WHEREOF, the Town of Sellersburg, in Clark County, State of Indiana, has caused this bond to be signed in its corporate name by the President of its Board of Trustees, its

corporate seal to be hereunto affixed and attexted by its Clerk-Treasurer, and the interest cupons hereto attached to be executed by placing thereon the facsimile signature of said Clerk-Treasurer, as of the first dat of June 8 1961.

TOWN OF SELLERSBURG

BY _____
President, Board of Trustees

Attest:

Clerk-Treasurer

(Interest Coupon)

Coupon No. _____ \$ _____

On _____ 1, 19____.

the Town of Sellersburg, Indiana, will pay to bearer (unless the bond to which this coupon refers is sooner redeemed) at the Sellersburg State Bank, in said Town, out of its 1961 Waterworks Bond Fund, _____ Dollars in lawful money of the United States of America, being the interest then due on its Waterwörks Revenue Bond of 1961, dated _____ 1, 1961, No. _____

TOWN OF SELLERSBURG

By _____ (Facsimile)
Clerk-Treasurer

REGISTRATION ENDORSEMENT

This bond can be registered only at the office of the Clerk-Treasurer of the Town of Sellersburg, Indiana. No writing hereon except by the Clerk-Treasurer.

Date of Registry	In Whose Name Registered	Clerk-Treasurer
_____	_____	_____
_____	_____	_____
_____	_____	_____

Section 3. This ordinance shall be in full force and effect

from and after its passage.

Passed and adopted by the Board of Trustees of the Town of Sellersburg on the 8th day of June 1961.

John H. Werle

Jesse M. Beyl
Board of Trustees

Attest:

Clerk-Treasurer

ORDINANCE NUMBER 223

An Ordinance Regulating The Use Of Air Guns, or B.B. Guns in the Town of Sellersburg, County of Clark, in the State of Indiana, and imposing a penalty for the violation of the Provisions of this Ordinance.

SECTION 1. Be it ordained by the Board of Trustees of the Town of Sellersburg, Clark County, Indiana, that it is hereby made unlawful for any person to shoot an air gun, or B.B. gun in the city limits of the town of Sellersburg, Clark County, in the State of Indiana.

SECTION 2. An air gun, or B.B. gun for the purpose of this ordinance is defined to be a gun that impells by compressed air, or a spring, a pellet, shot, or other object.

SECTION 3. Any person violating any provision of this ordinance shall upon conviction be fined in any sum not less than one (\$1.00) dollar nor more than five (\$5.00) dollars, for each violation.

SECTION 4. An emergency is hereby declared to exist for the passage of this ordinance and the same shall be in full force and effect from and after the passage, approval, and legal publication according to law.

PASSED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, CLARK COUNTY, IN THE STATE OF INDIANA, THIS 24th DAY OF MAY, 1962.

John H. Werle (SEAL)
President of the Town Board

Attest:

H. Robert Diedrich, Clerk-Treasurer.

AN ORDINANCE DECLARING AN EMERGENCY, APPROPRIATION \$200.00 TO SALARIES OF TOWN MARSHALS, \$150.00 TO SOCIAL SECURITY AND OTHER COMPENSATION, \$50.00 TO POLICE SUPPLIES, \$50.00 TOPRINTING AND ADVERTISEMENT, PUBLICATION OF LEGAL NOTICE, AND ORDERING THAT AMOUNT TRANSFERRED FROM THE APPROPRIATION #81 DEBT PAYMENT.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, CLARK COUNTY, in the STATE OF INDIANA, in regular session assembled.

SECTION 1. That said Board of Trustees finds that an extraordinary emergency exists for Salaries of Town Marshals, Social Security and Other Compensation, Police Supplies, and Printing and Advertisement, Publication of Legal Notice.

SECTION 2. That said Board further finds that a ten day notice of publication of said contemplated additional appropriation has been given to the taxpayers and other interested parties, stating that a hearing would be held on said contemplated additional appropriating on the 16th day of October 1961 at 7:30 P.M.; at the regular meeting place of said Board, and that taxpayers should have a right to be heard.

SECTION 3. Upon the conclusion of said hearing referred to in Section 2 of this Ordinance, the said Board not confirms its determination to appropriate and expend such additional amount.

SECTION 4. That said Board does hereby appropriate and add an additional sum of \$200.00 to Salaries of Town Marshals, \$150.00 to Social Security and Other Compensation, \$50.00 to Police Supplies, \$50.00 to Printing and Advertisement, Publication of Legal Notice.

SECTION 5. The Board of Trustees does hereby find that there is sufficient money in the Appropriation No. 81, Debt Payment for said Appropriations and the Clerk-Treasurer of said Town is authorized to transfer from said funds in accordance herewith stated.

SECTION 6. The action taken herein shall be subject to the approval of the Indiana Tax Board, as provided by law.

SECTION 7. All ordinances of or parts of ordinances in conflict herewith are hereby repealed.

PASSED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, INDIANA, IN REGULAR SESSION this 16th day of November 1961.

John H. Werle
 (S/) John H. Werle

(S/S) Chas. M. Hostettler

(S/S) Jesse M. Beyl

ATTEST:

(S/) John W. Kahl
 Clerk-Treas.