OXFORD, INDIANA
CODE OF ORDINANCES
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Chapter

10. RULES OF CONSTRUCTION; GENERAL PENALTY

CHAPTER 10: RULES OF CONSTRUCTION; GENERAL PENALTY

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§ 10.01 TITLE OF CODE.

All ordinances of a permanent and general nature of the town, as revised, codified, rearranged, renumbered, and consolidated into component codes, titles, chapters, and sections, shall be known and designated as the "Oxford Code," for which designation "code of ordinances," "codified ordinances," or "code" may be substituted. Code title, chapter, and section headings do not constitute any part of the law as contained in the code.
(Prior Code, § 10.01)

§ 10.02 INTERPRETATION.

Unless otherwise provided herein, or by law or implication required, the same rules of construction, definition, and application shall govern the interpretation of this code as those governing the interpretation of state law.
(Prior Code, § 10.02)

§ 10.03 APPLICATION TO FUTURE ORDINANCES.

All provisions of Title I compatible with future legislation shall apply to ordinances hereafter adopted amending or supplementing this code unless otherwise specifically provided.
(Prior Code, § 10.03)

§ 10.04 CONSTRUCTION OF CODE.

(A) This code is a codification of previously existing laws, amendments thereto, and newly enacted laws. Any previously existing law or amendment thereto reenacted by this code shall continue in operation and effect, as if it had not been repealed by this code. All rules and regulations adopted under laws reenacted in this code shall remain in full force and effect unless repealed or amended subsequent to the enactment of this code.

(B) Any appropriation repealed and reenacted by this code is continued only for the period designated in the original enactment of that appropriation.

(C) The numerical order and position of sections in this code does not resolve a conflict between two or more sections.

(D) Any irreconcilable conflict between sections shall be resolved by reference to the dates that the sections were originally enacted. The section most recently enacted supersedes any conflicting section or division.

(E) All references within a section of this code to any section of previously existing laws refer to the numbers in the original enactment.

(F) (1) The numerical designations and descriptive headings assigned to the various titles, chapters, subchapters, or sections of this code, as originally enacted or as added by amendment, are not law, and may be altered by the compilers of this or any subsequent codification, in any official publication, to more clearly indicate its content. These descriptive headings are for organizational purposes only and do not affect the meaning, application, or construction of the law they precede.

(2) Each note following a section of this code is for reference purposes only and is not a part of the section.

(G) All references to any section of this code refer to all subsequent amendments to that section, unless otherwise provided.
(Prior Code, § 10.04)

§ 10.05 RULES OF INTERPRETATION; DEFINITIONS.

(A) *Rules of interpretation.* This code shall be construed by the following rules unless the construction is plainly repugnant to the legislative intent or context of the provision.

(1) Words and phrases shall be taken in their plain, ordinary, and usual sense. Technical words and phrases having a peculiar and appropriate meaning in law shall be understood according to their technical import.

(2) Words imputing joint authority to three or more persons shall be construed as imputing authority to a majority of the persons, unless otherwise declared in the section giving the authority.

(3) Where a section requires an act to be done which, by law, an agent or deputy may perform in addition to the principal, the performance of the act by an authorized deputy or agent is valid.

(4) Words denoting the masculine gender shall be deemed to include the feminine and neuter genders; words in the singular shall include the plural, and words in the plural shall include the singular; the use of a verb in the present tense shall include the future, if applicable.

(B) *Definitions.* For the purpose of this code of ordinances, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CLERK-TREASURER. The Clerk-Treasurer of the Town Council.

COUNCIL. The Town Council.

COUNTY. Benton County, Indiana.

HIGHWAY. Includes bridges, roads, and streets, unless otherwise expressly provided.

MONTH. One calendar month.

PERSON. Extends to and includes person, persons, firm, corporation, copartnership, trustee, lessee, receiver, and bodies of politic. Whenever used in any clause prescribing and imposing a penalty, the terms ***PERSON*** or ***WHOEVER*** as applied to any unincorporated entity shall mean the partners or

members thereof, and as applied to corporations, the officers or agents thereof.

PRECEDING and ***FOLLOWING.*** When referring to sections or divisions in this code, refer to the sections or divisions next following or next preceding that in which the words occur, unless some other section is designated.

TOWN. The Town of Oxford, Indiana.

STATE. The State of Indiana.

WRITTEN and ***IN WRITING.*** Include printing, lithographing, or other modes of representing words and letters. Where the written signature of a person is required, the terms mean the proper handwriting of the person, or the person's mark.

YEAR. One calendar year, unless otherwise expressly provided.
(Prior Code, § 10.05)

§ 10.06 SEVERABILITY.

(A) If any section of this code now enacted or subsequently amended or its application to any person or circumstances is held invalid, the invalidity does not affect other sections that can be given effect without the invalid section or application.

(B) Except in the case of a section or amendment to this code containing a nonseverability provision, each division or part of every section is severable. If any portion or application of a section is held invalid, the invalidity does not affect the remainder of the section unless:

(1) The remainder is so essentially and inseparably connected with and so dependent upon the invalid provision or application that it cannot be presumed that the remainder would have been enacted without the invalid provision or application; or

(2) The remainder is incomplete and incapable of being executed in accordance with the legislative intent without the invalid provision or application.

(C) This section applies to every section of this code regardless of whether a section was enacted before or after the passage of this code.
(Prior Code, § 10.06)

§ 10.07 REFERENCE TO OTHER SECTIONS.

Whenever in one section reference is made to another section hereof, the reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered unless the subject matter is changed or materially altered by the amendment or revision.
(Prior Code, § 10.07)

§ 10.08 REFERENCE TO OFFICES; NAME DESIGNATIONS.

(A) *Reference to offices.* Reference to a public office or officer shall be deemed to apply to any office, officer, or employee of this municipality exercising the powers, duties, or functions contemplated in the provision, irrespective of any transfer of functions or change in the official title of the functionary.

(B) *Name designations.* Whenever any ordinance or resolution of the Council refers to any board, bureau, commission, division, department, officer, agency, authority, or instrumentality of any government, and that name designation is incorrectly stated; or at the time of the effective date of that ordinance or subsequent thereto, the rights, powers, duties, or liabilities placed with that entity are or were transferred to a different entity; then the named board, bureau, commission, department, division, officer, agency, authority, or instrumentality, whether correctly named in the ordinance at its effective date

or not, means that correctly named entity, or the entity to which the duties, liabilities, powers, and rights were transferred.
(Prior Code, § 10.08)

§ 10.09 ERRORS AND OMISSIONS.

(A) If a manifest error is discovered, consisting of the misspelling of any words; the omission of any word or words necessary to express the intention of the provisions affected; the use of a word or words to which no meaning can be attached; or the use of a word or words when another word or words was clearly intended to express the intent, the spelling shall be corrected and the word or words supplied, omitted, or substituted as will conform with the manifest intention, and the provisions shall have the same effect as though the correct words were contained in the text as originally published.

(B) No alteration shall be made or permitted if any question exists regarding the nature or extent of the error.
(Prior Code, § 10.09)

§ 10.10 REASONABLE TIME.

(A) In all cases where an ordinance requires an act to be done in a reasonable time or requires reasonable notice to be given, ***REASONABLE TIME OR NOTICE*** shall be deemed to mean the time which is necessary for a prompt performance of the act or the giving of the notice.

(B) (1) The time within which an act is to be done, as herein provided, shall be computed by excluding the first day and including the last.

(2) If the last day is a Saturday, Sunday, or a state holiday, it shall be excluded.
(Prior Code, § 10.10)

§ 10.11 REPEAL OR MODIFICATION OF CODE SECTION.

(A) When a section of this code is repealed which repealed a former section or law adopted prior to the enactment of this code, the former section or law is not revived unless it so expressly provides.

(B) The repeal of any section shall not extinguish or release any penalty, forfeiture, or liability incurred under the section, unless the repealing section so expressly provides. The section shall be treated as still remaining in force for the purposes of sustaining any proper action or prosecution for the enforcement of the penalty, forfeiture, or liability.
(Prior Code, § 10.11)

§ 10.12 LIMITATION PERIOD.

The running of any period of limitations or any requirement of notice contained in any law, whether applicable to civil causes or proceedings, or to the prosecution of offenses, or for the recovery of penalties and forfeitures, contained in a law repealed and reenacted by this code, shall not be affected by the repeal and reenactment; but all suits, proceedings, and prosecutions for causes arising or acts committed prior to the effective date of this code may be commenced and prosecuted with the same effect as if this code had not been enacted.
(Prior Code, § 10.12)

§ 10.13 ORDINANCES UNAFFECTED.

All ordinances of a temporary or special nature and all other ordinances pertaining to subjects not embraced in this code shall remain in full force and effect unless herein repealed expressly or by necessary implication.
(Prior Code, § 10.13)

§ 10.14 ORDINANCES WHICH AMEND OR SUPPLEMENT CODE.

(A) If the legislative body shall desire to amend any existing chapter or section of this code, the chapter or section shall be specifically repealed and a new chapter or section, containing the desired amendment, substituted in its place.

(B) Any ordinance which is proposed to add to the existing code a new chapter or section shall indicate, with reference to the arrangement of this code, the proper number of the chapter or section. In addition to an indication thereof as may appear in the text of the proposed ordinance, a caption or title shall be shown in concise form above the ordinance.
(Prior Code, § 10.14)

§ 10.15 SECTION HISTORIES; STATUTORY REFERENCES.

(A) As histories for the code sections, the specific number and passage date of the original ordinance, and amending ordinances, if any, are listed following the text of the code section. Example: (Ord. 10, passed 5-13-1960; Ord. 15, passed 1-1-1970; Ord. 20, passed 1-1-1980; Ord. 25, passed 1-1-1985)

(B) (1) If a statutory cite is included in the history, this indicates that the text of the section reads substantially the same as the statute. Example: (I.C. 36-5-2-2)

(2) If a statutory cite is set forth as a "statutory reference" following the text of the section, this indicates that the reader should refer to that statute for further information. Example:

§ 39.01 PUBLIC RECORDS AVAILABLE.

This municipality shall make available to any person for inspection or copying all public records, unless otherwise exempted by state law.
Statutory reference:
Inspection of public records, see I.C. 5-14-3-1 et seq.

(C) If a section of this code is derived from the previous code of ordinances of the town published in 2007 and subsequently amended, the previous code section number shall be indicated in the history by "(Prior Code, § ___)."
(Prior Code, § 10.15)

§ 10.16 PRESERVATION OF PENALTIES, OFFENSES, RIGHTS, AND LIABILITIES.

All offenses committed under laws in force prior to the effective date of this code shall be prosecuted and remain punishable as provided by those laws. This code does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this code. The liabilities, proceedings, and rights are continued; punishments, penalties, or forfeitures shall be enforced and imposed as if this code had not been enacted. In particular, any agreement granting permission to utilize highway rights-of-way, contracts entered into or franchises granted, the acceptance, establishment, or vacation of any highway, and the election of corporate officers shall remain valid in all respects, as if this code had not been enacted.
(Prior Code, § 10.16)

§ 10.99 GENERAL PENALTY.

The minimum penalty for any ordinance violation shall be as set by the Town Council from time to time.
(Prior Code, § 10.99)
Statutory reference:
Authority, see I.C. 36-1-3-8(a)(10)

TITLE III: ADMINISTRATION

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30. GENERAL PROVISIONS

31. TOWN COUNCIL

32. TOWN OFFICIALS

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CHAPTER 30: GENERAL PROVISIONS

Section

30.01 Compensation of officers and employees
30.02 Membership in organizations

§ 30.01 COMPENSATION OF OFFICERS AND EMPLOYEES.

Officers and employees of the town shall be compensated at a rate as established by Council ordinance from time to time.
(Prior Code, § 30.01) (Ord. 2015-6, passed 1-1-2015)

§ 30.02 MEMBERSHIP IN ORGANIZATIONS.

(A) The town shall maintain membership in the following organizations:

(1) Indiana Association of Cities and Towns;

(2) American Water Works Association; and

(3) Indiana League of Municipal Clerks and Treasurers.

(B) The Clerk-Treasurer of the town is authorized to pay dues and membership fees, as may be required by the organizations.
(Prior Code, § 30.02)

CHAPTER 31: TOWN COUNCIL

Section

31.01 Adoption of *Robert's Rules of Order*, revised
31.02 Temporary suspension of rules; amendment of rules

§ 31.01 ADOPTION OF *ROBERT'S RULES OF ORDER*, REVISED.

The rules of parliamentary practice comprised in the latest published edition of *Robert's Rules of Order,* revised, shall govern the Council in all cases to which they are applicable and in which they are not inconsistent with the ordinances of the town, including these rules, or the statutes of the state.
(Prior Code, § 31.01)

§ 31.02 TEMPORARY SUSPENSION OF RULES; AMENDMENT OF RULES.

The rules of the Council may be temporarily suspended, altered, or amended, by concurrence of a majority vote of all the Council members then in office.
(Prior Code, § 31.02)

CHAPTER 32: TOWN OFFICIALS

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32.16 Clerk-Treasurer
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GENERAL PROVISIONS

§ 32.01 NOMINATING CANDIDATES.

(A) Major party candidates for town offices for the town shall be nominated through the method of a primary election.

(B) The nomination of major party candidates for a town office through the method of political town convention shall be abolished.

(C) The County Election Board shall conduct the primary election for nomination of major party candidates for town offices.

(D) All state statutes governing primary elections for towns shall apply to the nomination of major party candidates for town offices.

(E) The town shall not change the method of nominating major party candidates for its town offices for a period of 12 years.
(Ord. 2011-4, passed 12-5-2011)

SPECIFIC OFFICES

§ 32.15 TOWN MARSHAL.

The Town Marshal must:

(A) Live within five miles of the corporate limits of the town; and

(B) Have adequate means of transportation into the town.
(Prior Code, § 32.01)

§ 32.16 CLERK-TREASURER.

(A) (1) The Clerk-Treasurer is designated as Violations Clerk, pursuant to I.C. 33-36-2-2, and he or she is authorized to take all actions permitted under I.C. 33-36-2 et seq. and 33-36-3 et seq.

(2) The Violations Clerk may accept:

(a) Written appearances;

(b) Waivers of trial;

(c) Admissions of violations; and

(d) Payment of civil penalties up to a specific dollar amount set forth in an ordinance adopted by the Council, but not more than $250; in ordinance violation cases, subject to the schedule prescribed under I.C. 33-36-3 by the Council.

(3) (a) Penalties for violations which may be admitted before the Violations Clerk: Any section of the code of the town which refers to the penalty provisions of § 10.99 for a violation may admitted by the violator before the Clerk-Treasurer who shall serve as Violations Clerk, and pay the civil penalty described in this section in lieu of the filing of a violation. The maximum civil penalty which may be paid to the Violations Clerk is $250. In the event the violator does not wish to admit the violation and pay the civil penalty, or in the event that the civil penalty exceeds $250, the violation will be filed in court, and the civil penalty described in this section will be assessed upon judgment of a violation by the court.

(b) If a person does any of the following, the Clerk shall report this fact to the official having the responsibility to prosecute violation cases for the municipal corporation pursuant to I.C. 33-36-3-5. Proceedings in court against the person shall then be initiated for the alleged violation:

1. Denies a code violation;

2. Fails to satisfy a civil penalty assessed by the Violations Clerk after having entered an admission of violation; or

3. Fails to deny or admit the violation.

(B) The Clerk-Treasurer is hereby required to obtain an annual bond in the amount of $60,000.

(C) (1) The Clerk-Treasurer is hereby authorized to make claim payments in advance of Board allowance for the following types of expenses:

(a) Property or services purchased or leased;

(b) License or permit fees;

(c) Insurance premiums;

(d) Utility payments or utility connection charges;

(e) Maintenance and service agreements;

(f) Leases or rental agreements;

(g) Bond and coupon payments;

(h) Payroll;

(i) State, federal and county taxes;

(j) Expenses that must be paid due to emergency circumstances;

(k) Claims with finance charges that will be due before the next Council meeting;

(l) A product or service for which the legislative body has accepted a bid;

(m) Refunds; and

(n) Claims with available discounts if paid before the next Council meeting.

(2) Each payment of expenses under this division (C) must be supported by a fully itemized invoice or bill and a certification by the Clerk-Treasurer. The claim shall be reviewed and allowed at the next regular or special meeting following the pre-approved payment of the expense.

(D) (1) The Clerk-Treasurer is hereby authorized, in accordance with I.C. 36-1-8-11 and I.C. 36-1-8-11.5 to:

(a) Make electronic fund transfers for the disbursement of public funds for the following categories of payments:

1. Payroll disbursements;

2. Payments to vendors or contractors for goods and services;

3. Utility and service payments; and

4. Transfers related to town debt obligations.

(b) Accept electronic payments for receipts due to the town for the following:

1. State and county distributions;

2. Refunds;

3. Deposits; and

4. Goods or services provided by the town.

(2) The Clerk-Treasurer will safeguard the town funds by ensuring compliance with all statutory requirements, including maintaining a record of all transactions as required by law.
(Ord. 2017-1106-2, passed 11-6-2017; Ord. 2023-619, passed 6-19-2023; Ord. 2024-1021C, passed 10-21-2024; Ord. 2024-1021D, passed 10-21-2024; Ord. 2024-1021E, passed 10-21-2024)

§ 32.17 UTILITY CLERK.

(A) All responsibilities held by the Clerk-Treasurer for billing and collecting utility fees directly from customers who receive services from the town shall be transferred to the Utility Clerk. This does not relieve the Clerk-Treasurer from any reporting requirements in accordance with state law and State Board of Accounts guidance.

(B) The Utility Clerk shall undertake all tasks associated with billing and collecting utility fees, including, but not limited to:

(1) Issuing utility bills to customers;

(2) Collecting payments from customers and applying those payments appropriately; and

(3) Maintaining accurate records of utility billing and collections.

(C) The Utility Clerk has authority to access and utilize necessary resources, information, and systems of the town needed to fulfill his or her obligations.
(Ord. 2013-4, passed 6-17-2013; Ord. 2023-717, passed 7-17-2023)

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CAPITAL ASSET POLICY

§ 33.01 GENERAL INFORMATION.

(A) The town has established a comprehensive fixed assets management system in order to provide a higher degree of control over its considerable investment in capital assets, and to be able to demonstrate accountability to its various constituencies: citizens, rate-payers, oversight bodies, and regulators.

(B) The purpose of establishing a formalized capital assets management system is fivefold:

(1) To safeguard the investments of the citizens of the town;

(2) Fix responsibility for the custody of equipment;

(3) Provide a basis for formulating capital asset acquisition, maintenance, and retirement policies;

(4) Provide data for financial reporting; and

(5) Demonstrate appropriate stewardship responsibility for public assets. This portion of the capital assets policy is limited to outlining the broad classifications of property, the definitions of assets, methods of creating asset data, acquisitions, transfers,

and retirements of town-owned property for which the town is fiscal agent. It does not include data processing, programming requirements, or computer operations procedures.
(Res. 2009-4, passed 12-21-2009)

§ 33.02 DEFINITION.

(A) *CAPITAL ASSETS* include:

(1) Land, land improvements, including monuments, buildings, building improvements, construction in progress, machinery, equipment, vehicles and infrastructure, and computer software;

(2) All land will be capitalized but not depreciated;

(3) All items with a useful life of more than one year, and having a unit cost of $10,000 or more shall be capitalized (including acquisitions by lease-purchase agreements and donated items). A capital asset meeting these criteria will be reported and depreciated; and

(4) Assets that are not capitalized (items less than $10,000) are expensed in the year of acquisition. An inventory will be kept of all computers and of all items costing less than $10,000, but more than $1,000. They will be classified as noncapitalized items in the fixed asset management system.

(B) Exceptions are:

(1) Items costing less than the above limits, which are permanently installed as a part of the cost of original construction or installation of a larger building or equipment unit, will be included in the capitalized cost of the larger unit;

(2) Modular equipment added subsequent to original construction of a larger building or equipment unit which may be put together to form larger units costing more than the prescribed limits will be charged to capital assets even though the cost of individual items is less than such limits; and

(3) Cabinets, shelving, bookcases, and similar items, added subsequent to original construction, which are custom made for a specific place and not adaptable elsewhere, will be capitalized.

(C) Purchases made using grant funds must comply with grant requirements or the above procedures, whichever are the most restrictive.

(D) Town utilities will follow this same definition of capital assets.

(E) The schedule to be followed for the different types of capital assets shall be as set by the Town Council from time to time.
(Res. 2009-4, passed 12-21-2009)

§ 33.03 VALUATION.

(A) Capital assets must be recorded at actual cost. Normally the cost recorded is the purchase price or construction cost of the asset, but also included is any other reasonable and necessary cost incurred to place the asset in its intended location and intended use.

(B) Such costs could include the following:

(1) Legal and title fees, closing costs;

(2) Appraisal and negotiation fees, surveying fees;

(3) Damage payments;

(4) Land preparation costs, demolition costs;

(5) Architect, engineering, and accounting fees;

(6) Insurance premiums during construction;

(7) Transportation charges; and

(8) Interest costs during construction on enterprise funds only.

(C) Donated or contributed assets should be recorded at their fair market value on the date donated.
(Res. 2009-4, passed 12-21-2009)

§ 33.04 ASSET DEFINITIONS BY MAJOR CATEGORY.

(A) It is important to the maintenance of accurate records that each asset category is properly defined and that all persons responsible for records maintenance be fully aware of the categorization systems. This section further clarifies the assets definitions by major category.

(1) ***LAND.*** ***LAND*** is defined as specified land, lots, parcels, or acreage including rights-of-way, owned by the town, its various departments, boards of authorities, regardless of the method or date of acquisition. Easements will not be included as they are not owned by the town, but represent an interest in land owned by another (i.e., property owner) that entitles the easement holder to a specific limited use.

(2) ***LAND IMPROVEMENTS.*** Improvements other than buildings (***LAND IMPROVEMENTS***).

(a) Examples of civil town assets in this category are walks, parking areas and drives, fencing, retaining walls, pools, fountains, planters, underground sprinkler systems, and other similar items.

(b) Examples of town utilities assets in this category are water supply mains, collection sewers (wastewater), wells, dams, fences, intake pipes, manholes, and fire hydrants.

(3) ***BUILDINGS.***

(a) All structures designed and erected to house equipment, services, or functions are included. This includes systems, services, and fixtures within the buildings, and attachments such as porches, stairs, fire escapes, canopies, areaways, lighting fixtures, flagpoles, and all other such units that serve the building.

(b) Plumbing systems; lighting systems; heating, cooling, ventilating, and air handling systems; sprinkler systems; alarm systems; sound systems; and surveillance systems; passenger and freight elevators; escalators; built-in casework; walk-in coolers and freezers; fixed shelving; and other fixed equipment are included with the building, if owned.

(c) Communications antennas and/or towers are not included as buildings. These are parts of the equipment units that they serve.

(4) ***EQUIPMENT.*** (Major movable equipment, vehicles). ***EQUIPMENT*** includes all other types of physical property within the scope of the capital asset management system not previously classified. Included within this category are office mechanical equipment, office furniture, appliances, furnishings, machinery items, maintenance equipment, laboratory equipment, vehicles, road equipment, aircraft, emergency equipment, earth moving equipment, text equipment, and civil defense equipment. All supplies are excluded.

(5) ***INFRASTRUCTURE.*** Infrastructure assets are long-lived capital assets that normally can be preserved for a significantly greater number of years than most capital assets and that are normally stationary in nature. Examples include roads, streetlights, traffic signals, drainage systems (storm water sewers), and water systems. Infrastructure

assets do not include buildings, drives, parking lots, or any other examples given above that are incidental to property or access to the property above.

(6) ***MAINTENANCE AND REPAIRS VS. ADDITIONS AND IMPROVEMENTS.***

(a) ***ADDITIONS AND IMPROVEMENTS*** to infrastructure, which increase the capacity of efficiency of the asset, will be capitalized. For example, roadway reconstruction is considered an improvement and will be capitalized.

(b) ***MAINTENANCE AND REPAIRS*** will be considered as necessary to maintain the existing asset, and therefore not capitalized. For example, patching, resurfacing, snow removal, and the like are considered maintenance activities and will be expensed. Also, any normal department operating activities will be expensed and not capitalized. However, activities which are deemed preliminary and related to a capital project such as feasibility studies and preliminary engineering and design, will be capitalized as an element of the infrastructure asset.

(B) (1) Alleys will not be included as part of infrastructure for the following reasons: Existing improved alleys will be maintained as gravel alleys, and the town is responsible only for the maintenance, such as patching and repairing.

(2) Any investments to upgrade the condition of the alleys will be done by homeowner participation.

(3) Therefore, the town will not track and value alleys, and the patching/repairs will be expensed as they occur.

(C) The historical reporting requirement of GASB 34 requires the town to report items put into use from 1980 forward, and gives the town the option to report items put into use prior to 1980. The town may, in addition to the required timetable, report prior to 1980.
(Res. 2009-4, passed 12-21-2009)

§ 33.05 DEPRECIATION.

(A) Depreciation will be calculated using the straight-line method and full-year convention. No depreciation will be recorded for the year of acquisition and will commence following the year the asset is placed in service and will be calculated in accordance to the town's estimated useful lives as stated above. No salvage value or residual value will be recognized.

(B) (1) Retirements apply to all capital assets including land, buildings, machinery and equipment, vehicles, and general infrastructure.

(2) When an asset is disposed of, scrapped, sold, subject to demolition, and the like, it is to be removed from the property record and the appropriate reduction will be made to historical cost, accumulated depreciation, and net book value amounts.

(3) Retirements will reflect the actual historical cost of the asset when the amount is ascertainable. When historical cost is not ascertainable, an estimated historical cost will be determined.

(C) (1) All the following assets will be depreciated using the straight-line method of depreciation. A gain or loss on disposal will be recorded. Following is a list of the most common useful lives:

Buildings	40 years
Building components (HVAC systems, roofing)	10 - 20 years
Fire-fighting equipment (ladders, hoses)	10 years
Fire trucks	15 years
Grounds equipment (movers, tractors, attachments)	5 - 15 years
Heavy equipment	5 - 10 years
Land improvements - ground work (golf course, athletic fields, landscaping, fencing)	10 - 25 years

Land improvements structure (parking lots, athletic courts, swimming pools)	8 - 25 years
Leasehold improvements	10 years
Office equipment	5 years
Outdoor equipment (playground equipment, radio towers)	10 years
Vehicles	4 years

(2) Town utilities' useful lives are as follows:

Communication equipment	5 years
Computer software	5 years
Furniture and equipment	20 years
Mains	40 years
Other equipment	5 - 20 years
Pump equipment	20 years
Pump stations	40 years
Shop and lab equipment	5 - 15 years
Structure and improvements	40 years
Transportation equipment	4 - 10 years
Treatment equipment	20 years

(Res. 2009-4, passed 12-21-2009)

§ 33.06 ROADWAYS AND CURBS.

Roads, streets, and curbs will be depreciated on a straight-line basis according to the following useful life schedule:

Curbs	
Highback concrete	15 years
Low (roll) back concrete	15 years
Roads	
Paved (asphalt)	40 years
Nonpaved	50 years

(Res. 2009-4, passed 12-21-2009)

§ 33.07 ACQUISITION.

(A) The method of acquisition is not a determining factor under this policy. Each department should report items acquired by:

(1) Regular purchase;

(2) Lease purchase agreement; see below;

(3) Construction by town personnel;

(4) Construction by an outside contractor;

(5) Resolution/condemnation;

(6) Donation/contribution;

(7) Transfer from another department;

(8) Trade or barter; and/or

(9) Annexation.

(B) (1) Leased equipment should be capitalized if the lease agreement meets any one of the following criteria:

(a) The lease transfers ownership of the property to the lessee by the end of the lease term;

(b) The lease contains a bargain purchase option;

(c) The lease term is equal to 75% or more of the estimated economic life of the leased property; and

(d) The present value of the minimum lease payments at the inception of the lease, excluding executory cost, equals at least 90% of the fair value of the leased property.

(2) Leases that do not meet any of the above criteria should be recorded as an operating lease and reported in the notes of the financial statement.
(Res. 2009-4, passed 12-21-2009)

§ 33.08 ASSET TRANSFERS AND DISPOSITIONS.

(A) Property should not be transferred, turned in for auction, or disposed of without prior approval of the department head and the proper board or council of jurisdiction. A vehicle/equipment out-processing checklist (attached to the ordinance codified in this subchapter) should be sent to the Clerk-Treasurer in all cases. This form is a dual-purpose form for transfer (defined as any movement of an asset by virtue of change in location, either by account, department, building, floor, or room) or retirement (disposal) of property. This form should also be forwarded to any risk management group or the relevant insurer's agent to keep insurance schedules current.

(B) The main points to be remembered when using this form are:

(1) Always provide sufficient detail to properly identify the asset, most importantly the asset's tag number or town ID;

(2) Be accurate and do not overlook any of the needed entries;

(3) Write legibly;

(4) Complete each column for every asset listed on the form;

(5) Enter information in correct row, depending on whether you are transferring or deleting an asset;

(6) Have department head sign at the bottom of form; and

(7) Return the form to the Clerk-Treasurer.

(C) If an asset is stolen, the department should notify the designated risk management task group as well as the Clerk-Treasurer.
(Res. 2009-4, passed 12-21-2009)

§ 33.09 PERIODIC INVENTORIES.

A physical inventory of all capital assets (any item over $5,000) will be conducted in each department at least every two years. Department heads will be accountable for the capital asset inventory charged to their departments by verifying a list of their capital assets at year-end. Department heads will still be responsible for maintaining a timely inventory of all other assets which fall below the $5,000 threshold for internal, insurance, and related operational purposes.
(Res. 2009-4, passed 12-21-2009)

§ 33.10 RESPONSIBILITIES OF DEPARTMENT MANAGERS.

(A) It is the responsibility of the department manager to act as or designate a steward for each piece of property. The steward will become the focal point for questions regarding availability, condition, and usage of the asset as well as the contract during the physical inventory process.

(B) Someone should be designated to record the receipt of the asset, to examine the asset to make sure that no damage was incurred during shipment, and to

make sure that the asset was received in working order.

(C) The steward is also responsible for arranging the necessary preventative maintenance and any needed repairs to keep the asset in working condition. It is necessary to have a responsible person available for questions that arise during a physical inventory or when someone wants to borrow the asset. The steward ensures that the asset is used for the purpose for which it was acquired and that there is no personal or unauthorized use. In addition, the steward should report any property damage or theft.
(Res. 2009-4, passed 12-21-2009)

§ 33.11 AUTHORITY AND APPLICATION.

The Clerk-Treasurer shall have continuing authority for the administration and implementation of this policy. This shall include the authority to interpret its provisions in a manner not in conflict with any of its terms. As a management policy, all departments shall cooperate in its execution. This policy shall apply to all offices and departments of the municipality including the municipal utilities.
(Res. 2009-4, passed 12-21-2009)

VOLUNTEER FIRE DEPARTMENT FEES, FUNDS, AND THE LIKE

§ 33.25 DONATIONS AND FUNDS.

(A) *Restricted Firefighters' Donation Fund.*

(1) The Clerk-Treasurer is directed to deposit into such fund all restricted donations received by the Oxford-Oak Grove Township Volunteer Fire Department and turned over to the town. The Fire Department shall identify for what purpose each restricted donation was made, and such information shall be maintained by the Clerk-Treasurer.

(2) The Council shall approve the expenditure of all such deposited restricted donations for lawful purposes, to be determined by the Fire Department's membership, which expenditures shall be limited to purpose(s) expressed by the donor.

(3) At such time as the Fire Department is incorporated, the balance in such fund shall be returned to the Fire Department, for deposit and/or distribution as was intended by the donors.

(B) *Unrestricted Firefighters' Donation Fund.*

(1) The Clerk-Treasurer is directed to deposit into such fund all unrestricted donations received by the Fire Department and turned over to the town. The Fire Department shall identify such donations as being unrestricted for proper classification and deposit by the Clerk-Treasurer.

(2) The Council shall approve the expenditure of all such deposited unrestricted donations for lawful purposes, to be determined by the Fire Department's membership.

(3) At such time as the Fire Department is incorporated, the balance in such fund shall be returned to the Fire Department, for deposit and/or distribution as determined by the Fire Department's membership.
(Ord. 2016-2, passed 3-21-2016)

§ 33.26 REIMBURSEMENT FOR RESPONSES, HAZARDOUS MATERIALS, AND INCIDENTS.

(A) (1) The Town Fire Department, is authorized to recover the reasonable costs of the use of emergency fire and/or rescue (including but not limited to, vehicle accidents, personnel hours, tools, equipment, materials, and vehicles, hazardous materials, and reasonable interest) on the amount due from the date of the response forward.

(2) Additionally, the Oxford Fire Department is authorized to collect a reasonable flat rate for any false alarm responses or fire drill responses for which the Fire Department did not receive at least 48 hours' prior notice.

(3) Nothing in this section shall be interpreted as limiting any amounts the Fire Department is authorized to collect under any applicable state statute or law.

(B) The reasonable costs authorized to be billed for under this section may be recovered directly by the Fire Department or through a third-party billing service as an authorized agent for the collection of such costs.

(C) The reimbursement rates for the aforementioned costs shall be set by the billing entity.

(D) If a third-party billing service is utilized, said third-party billing service shall be authorized to charge a service charge in addition to the cost it is recovering for the Fire Department. Said service charge will be set by the third-party billing service. All charges incurred will be the responsibility of the town Fire Department.

(E) All funds recovered under this section, and due to the Fire Department, shall be remitted directly to the Fire Department by either the responsible party, or if a third-party billing service is utilized, by said third-party billing service. All funds recovered under this section shall be exclusively used by the town Fire Department.

(F) The Fire Department or the third-party billing service shall only have the authority to recover the costs authorized under this section from the applicable insurance company/carrier of the party responsible for the costs authorized to be billed for under this section, in the event that the collection costs and/or attorney's fees are incurred by the Fire Department or the third-party billing service as a result of efforts required to obtain full reimbursement for the costs billed for under this section, said collection costs and/or attorney's fees may be recovered by the Fire Department or third-party billing service from the applicable insurance company/carrier of the party responsible for the costs authorized to be billed under this section.

(G) Costs authorized to be billed under this section may be billed from a retroactive date of not more than 30 days preceding the effective date of this section.
(Ord. 12182023, passed 12-18-2023)

GENERAL POLICIES

§ 33.40 CREDIT CARDS.

(A) The Clerk-Treasurer shall implement and maintain a system for the distribution, authorization, and control of credit cards issued to or for the benefit of the town and used by town officials and employees.

(1) *Distribution.* Credit cards may be distributed to those town officials and employees who, in the opinion of the Clerk-Treasurer, have job responsibilities which would cause their job performance to benefit by use of a credit card (use of the term ***CREDIT CARD*** shall include either the credit card or the credit card number).

(2) *Authorization and control.* The Clerk-Treasurer shall develop and implement guidelines and accounting controls subject to the approval of the Council to ensure the proper usage of credit cards and credit card funds. Including designation those employees or officials, who will be authorized to use a credit card ***AUTHORIZED USER*** and maintain a log of the cards assigned to each.

(3) *Credit limits.* The Clerk-Treasurer shall set credit limits on each credit card issued; provided, that in no event shall such credit limit exceed $1,500

for any individual credit card, nor shall the aggregate credit limits for all credit cards issued to or authorized for use to exceed $4,500.

(4) *Payment of bills.* The Clerk-Treasurer shall process the payment of all credit card bills according to established procedures for accounts payable processing as defined by State Board of Accounts Accounting and Uniform Compliance Manual for Cities and Towns and state statute.

(5) *Uses prohibited.* The following uses are expressly prohibited and unauthorized:

(a) Personal charges or charges not for official town business;

(b) Cash advances;

(c) Use of another authorized user's credit card;

(d) Obtaining or attempting to obtain a new line of credit using the credit card issued to the authorized user;

(e) Use of a credit card, which has been revoked, cancelled, or after the authorization to use the credit card has been terminated by the town;

(f) Uses in excess of the credit limit or, in light of charges incurred during the billing cycle by the authorized user, would cause the credit card's limits to be exceeded;

(g) Authorized users shall not use a credit card, otherwise consistent with this section, in such a manner that would likely bring about embarrassment or disgrace to the town or appear immoral or unprofessional to the citizens of the town;

(h) Use of a credit card after the authorized user's employment ended or elected term in office has concluded; or

(i) In any manner inconsistent with other town ordinances or policies, federal, state, or local laws.

(6) *Documentation of charges required.*

(a) An authorized user shall obtain and retain itemized receipts for each and every purchase made using a town credit card and shall submit clear and legible copies of said receipts to the Clerk-Treasurer on or before the last business day of each month for that month. Any charges, which cannot be properly identified or which are not properly allowed, shall be paid promptly by the authorized user by check, together with interest and all other charges assessed by the credit card company, and shall constitute a prior lien against all amounts owed by the town to the card user until paid in full.

(b) Upon receipt of a credit card, each authorized user shall execute an agreement to be personally liable for any charges, which are unauthorized, not documented, or cannot be properly identified, as set forth herein, to the satisfaction of the State Board of Accounts or the Council.

(7) *Lost or stolen credit cards.* Each authorized user shall be responsible for contacting the issuing financial institution and the Clerk-Treasurer, immediately upon discovering that a credit card has been lost, stolen, or is otherwise unaccounted for. Authorized users shall maintain in a safe location, the telephone number for reported cards lost or stolen. The employee in violation of this provision, may be held responsible for charges incurred, using the card. Each employee shall be required to submit a lost/stolen card affidavit to the Clerk-Treasurer, attesting to the date the loss was discovered and the last charge used.

(8) *Fraudulent use of credit card prohibited.* No authorized user shall knowingly use or attempt to use a credit card beyond the scope of the authority permitted by this section or the policies established by the Clerk-Treasurer.

(B) The Clerk-Treasurer is authorized, to adopt any additional procedures and policies necessary to implement the provisions of this section.

(C) (1) The Clerk-Treasurer is authorized to establish accounts at, enter into agreements with, and pay fees to Approval Payment Solutions, Inc., for the purpose of enabling the town to accept Visa and MasterCard credit cards, check cards, and debit cards during the course of normal monetary transactions.

(2) The aforementioned authorization shall expire at the discretion of the Council.
(Ord. 2-2011, passed 9-26-2011; Ord. 2017-0220, passed 2-20-2017)

§ 33.41 INTERNAL CONTROL STANDARDS AND PROCEDURES.

(A) The town finds that its mission as related to an internal control system is as follows:

(1) Provision of a democratic governmental structure at the grassroots level;

(2) Provision of services as determined through the political process including but not limited to the police, fire, water and sewer utilities, economic development, streets, and parks;

(3) Promotion of government efficiency, accountability, reliability, and transparency; and

(4) Promotion of safeguards to reduce the risk of loss due to fraud, waste, abuse, mismanagement, or errors.

(B) The town finds that its interrelated and often overlapping objectives as related to an internal control system are as follows:

(1) Operations objectives which involve the ways governmental services are performed and the performance of those providing governmental services including by way of example budgeting, purchasing, permitting, cash management, planning, and the like;

(2) Reporting objectives which involve the filing of financial and non-financial information to those inside the government and those outside of the government including by way of example filing the annual report, audit, and examination cooperation, filing uniform conflict of interest forms and the other filings with any governmental agency or official or information required to be kept such as an OSHA log, responding to a public records request, and the like; and

(3) Compliance objectives involve the adherence to laws and regulations including by way of example following guidance documents such as the State Board of Accounts' manuals, bulletins, directives, the Department of Local Government Finance's forms, and directions, including other outside of government trainings and documents such as IACT, and the like.

(C) The town adopts and directs the minimum level of internal control standards and internal control procedures for an internal control system that includes the following five standards to promote government accountability and transparency:

(1) Control environment;

(2) Risk assessment;

(3) Control activities;

(4) Information and communication; and

(5) Monitoring.

(D) The town adopts and directs the following principles in explanation of the pertinent standards above be followed at all levels of the town government.

(1) *Control environment.*

(a) The oversight body and management demonstrate a commitment to integrity and ethical values;

(b) The oversight body oversees the town's internal control system;

(c) Management establishes an organizational structure, assigns responsibility, and delegates authority to achieve the town's objectives;

(d) Management demonstrates a commitment to attract, develop, and retain competent individuals; and

(e) Management evaluates performance and holds individuals accountable for their internal control responsibilities.

(2) *Risk assessment.*

(a) Management defines objectives clearly to enable the identification of risks and defines risk tolerances;

(b) Management identifies, analyzes, and responds to risk related to achieving the defined objectives;

(c) Management considers the potential for fraud when identifying, analyzing, and responding to risks; and

(d) Management identifies, analyzes, and responds to significant changes that could impact the internal control system.

(3) *Control activities.*

(a) Management designs control activities to achieve objectives and respond to risks;

(b) Management designs the town's information system and related control activities to achieve objectives and respond to risks; and

(c) Management implements control activities through policies.

(4) *Information and communication.*

(a) Management uses quality information to achieve the town's objectives;

(b) Management internally communicates the necessary quality information to achieve the town's objectives; and

(c) Management externally communicates the necessary quality information to achieve the town's objectives.

(5) *Monitoring.*

(a) Management establishes and operates monitoring activities to monitor the internal control system and evaluate the results; and

(b) Management remediates identified internal control deficiencies on a timely basis.

(E) The personnel, whether an official or employee, of the town whose official duties include receiving, processing, depositing, disbursing, or otherwise having access to funds that belong to the federal government, state government, a political subdivision, or another governmental entity shall comply with these minimum internal control standards and procedures and any other policy regarding standards and procedures determined necessary by the town now and as modified in the future.

(F) The personnel of the town whose official duties include receiving, processing, depositing, disbursing, or otherwise having access to funds that belong to the federal government, state government, a political subdivision, or another governmental entity shall be trained at least once during a calendar year and annually thereafter, unless on leave status, on the minimum internal control standards and procedures and any other standards and procedures determined

necessary by the town and shall cooperate with the town fiscal officer or designee so that the fiscal officer can timely certify to the State Board of Accounts that the training was received annually by the personnel as provided by law.

(G) The town authorizes the Council to determine the position and person who are the personnel referred to in divisions (E) and (F) above and notify such personnel.

(H) The Council will perform all the internal controls system activities/duties, however, the Council may delegate authority and/or duties in creating, implementing, reviewing, or conducting the training about, the internal control systems policy. "Management," as used in any internal control systems policy, shall refer to the Council unless its usage suggests a department head of the town.

(I) An employee who fails to abide by or cooperate with the implementation, compliance, and certifications connected with the internal control system commits a violation and may result in the discipline, including termination, of the employee.

(J) An elected or appointed official of the town who fails to abide by or cooperate with the implementation and the mandated certifications of the internal control system may be subject to any action allowed by law.
(Res. 2016-1220, passed 12-20-2016)

THEFT, LOSSES, SHORTAGES, AND ERRONEOUS OR IRREGULAR VARIANCES

§ 33.55 THEFT AND OTHER MISAPPROPRIATIONS.

(A) *Purpose.* This policy is intended to comply with I.C. 5-11-1-27 and State Examiner Directive 2015-6.

(B) *Materiality threshold.*

(1) The materiality threshold for the town shall be $100. If the erroneous or irregular variance, loss, shortage, or theft is not cash or a cash-equivalent, the value of the item at the time of the variance, loss, shortage, or theft shall be used to determine whether the materiality threshold has been met.

(2) (a) All erroneous or irregular variances, losses, shortages, or thefts of an amount set by Town Council from time to time or more shall be reported immediately to the State Board of Accounts.

(b) In addition, all erroneous or irregular variances, losses, shortages, or thefts which occur more than one time in a month and which in the aggregate total of an amount set by Town Council from time to time shall be reported immediately to the State Board of Accounts, and to the Council.

(C) *Knowledge of misappropriation.* A public officer who has knowledge of or reasonable cause to believe that there has been a misappropriation of public funds or assets of the public office shall immediately send written notice of the misappropriation to the State Board of Accounts and the County Prosecuting Attorney.

(D) *Maintenance of documentation.* The town shall maintain records and documentation concerning erroneous or irregular variances, losses, shortages, or thefts in accordance with generally-accepted accounting principles and the internal control standards provided by the State Board of Accounts.

(E) *Resolution of incidents not meeting the materiality threshold.*

(1) The town shall investigate all erroneous or irregular variances, losses, shortages, or thefts, regardless of whether they meet the materiality threshold established by this policy.

(2) Upon conclusion of each such investigation, the town shall:

(a) Implement procedures designed to prevent the recurrence of such incidents; and

(b) Take appropriate disciplinary action against the employee responsible for the incident.

(Res. 2016-122001, passed 12-20-2016)

CHAPTER 34: TOWN POLICIES

Section

General Provisions

34.01 NIMS adopted
34.02 Allowing access to public records
34.03 Americans with Disabilities Act
34.04 Non-discrimination agreement

Personnel Regulations

34.15 Personnel policy adopted by reference
34.16 Drugs and alcohol, reporting, and rehabilitation

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Appendix A: Request for Pandemic or Epidemic Leave affidavit

GENERAL PROVISIONS

§ 34.01 NIMS ADOPTED.

The Council hereby adopts the National Incident Management System as defined by the U.S. Department of Homeland Security and the Federal Emergency Management Agency dated March 1, 2004, and as amended, as the basis of response organization by emergency response personnel, departments, or agencies within the town, and hereby directs such persons, departments, and agencies to maintain compliance with NIMS minimum standards for eligibility for Federal Preparedness Grant Programs funding.
(Prior Code, § 34.01)
Editor's note:
Two copies of the provisions adopted by reference in this section are available for public inspection at the office of the Clerk-Treasurer during regular business hours.

§ 34.02 ALLOWING ACCESS TO PUBLIC RECORDS.

(A) The Council shall designate a person or persons responsible for public records release decisions and this person(s) shall make the final determination of whether to approve or deny a request.

(B) All requests for public documents shall be made in writing by completing a request for public records form, which shall be created and/or reviewed by the Clerk-Treasurer and made available to the public by the Clerk-Treasurer.

(1) The request for public records form shall be the only accepted form for making the requests.

(2) The request for public records form shall be submitted to the Clerk-Treasurer's office during regular business hours.

(3) Each request shall identify with reasonable particularity the record being requested.

(C) (1) To recover the costs of reproducing these records, the Clerk-Treasurer shall assess the persons making the request a charge of $0.10 per page for photocopying of single-sided standard eight and one-half by 11-inch paper, and for copying photographs, audio tapes, electronic media, non-standard documents, and other items that may not be duplicated on a standard photocopier, the Clerk-Treasurer shall charge the direct cost for such copying, as defined by I.C. 5-14-3-2.

(2) Pursuant to I.C. 5-14-3-8, the town shall also assess a charge of $150 per recording for recordings from body cameras, dash cameras, trail cameras, and any other law enforcement recording.

(D) Pursuant to I.C. 5-14-3-3, a person who obtains public records or information, which includes either the name, address, telephone number, property location, account balances, or any identifying information shall not be used for commercial purposes, including to sell, advertise, or solicit the purchase of merchandise, goods, or services, or sell, loan, give away, or otherwise deliver the information obtained by the request to any other person for these purposes.
(Prior Code § 34.50) (Ord. 2021-0802B, passed 8-2-2021) Penalty, see § 34.99

§ 34.03 AMERICANS WITH DISABILITIES ACT.

The town adopts the 2010 Americans with Disabilities Act Standards for Accessible Design and the 2005 Guidelines for Accessible Public Rights. In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the town will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

(A) *Employment.* The town does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

(B) *Effective communication.* The town will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so he or she can participate equally in the town's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

(C) *Modifications to policies and procedures.*

(1) The town will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in town offices, even where pets are generally prohibited.

(2) Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the town should contact as soon as possible but no later than 48 hours before the scheduled event:

The Clerk-Treasurer of the Town of Oxford
Oxford Town Hall
105 S. Howard Street
P.O. Box 54
Oxford, IN 47941
(765) 385-2150 oxfordct@sbcglobal.net

(3) The ADA does not require the town to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

(4) Complaints that a program, service, or activity of the town is not accessible to persons with disabilities should be directed to the Clerk-Treasurer.

(5) The town will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

(D) *Town grievance procedure under the Americans with Disabilities Act.*

(1) This grievance procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA), being 42 U.S.C. §§ 12101 et seq. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the town. The town's personnel policy governs employment-related complaints of disability discrimination.

(2) The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant, and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

(3) The complaint should be submitted by the grievant and/or his or her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Clerk-Treasurer of the Town of Oxford, ADA Coordinator
105 S. Howard Street
P.O. Box 54
Oxford, IN 47941
(765) 385-2150 oxfordct@sbcglobal.net

(4) (a) Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his or her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape.

(b) The response will explain the position of the town and offer options for substantive resolution of the complaint.

(5) If the response by the ADA Coordinator or his or her designee does not satisfactorily resolve the issue, the complainant and/or his or her designee may appeal the decision within 15 calendar days after receipt of the response to the Council.

(6) (a) Within 15 calendar days after receipt of the appeal, the Council or its designee will meet with the complainant to discuss the complaint and possible resolutions.

(b) Within 15 calendar days after the meeting, the Council or its designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

(7) All written complaints received by the ADA Coordinator or his or her designee, appeals to the Council, or its designee, and responses from these two offices will be retained by the town for at least three years.
(Res. 2019-1216C, passed 12-16-2019)

§ 34.04 NON-DISCRIMINATION AGREEMENT.

The implementation plan, attached to the resolution codified herein "TOWN OF OXFORD TITLE VI IMPLEMENTATION PLAN," becomes a written policy of the town and will be available to the public upon passage.
(Res. 2019-1216D, passed 12-16-2019)

PERSONNEL REGULATIONS

§ 34.15 PERSONNEL POLICY ADOPTED BY REFERENCE.

The town's personnel policies are hereby adopted by reference and incorporated herein as if set out in full.
(Prior Code, § 34.35)
Editor's note:

Two copies of the provisions adopted by reference in this section are available for public inspection at the office of the Clerk-Treasurer during regular business hours.

§ 34.16 DRUGS AND ALCOHOL, REPORTING, AND REHABILITATION.

(A) *Overview.* The town makes a commitment to provide employees a safe working environment, to ensure that employees, equipment, and operating practices comply with health and safety standards, and to maintain public confidence in the town and its employees. Since the town values each employee, the town offers employees assistance in dealing with alcohol and drug abuse problems.

(B) *Policy.*

(1) The town requires all employees to report for work in a condition that allows them to perform their duties in a safe and efficient manner. Employees will not be permitted to work under the influence of alcohol or with prohibited drugs in their systems thereby affecting job performance.

(2) Violation of any provision of this section will be considered just cause for disciplinary action up to and including discharge, even for a first offense. In addition, refusal to adhere to any part of the policy may be considered an act of insubordination and also may lead to disciplinary action up to and including discharge.

(C) *Prohibited drugs.*

(1) ***PROHIBITED DRUGS*** are defined as illegal substances, including controlled substances as defined in the Controlled Substance Act (21 U.S.C. §§ 801 et seq.) and the Code of Federal Regulations (21 C.F.R. §§ 1308.11 through 1308.15) and prescription controlled substance which have not been prescribed by a licensed physician or dentist for specific treatment purposes for the employee. Abuse of prescription or over-the-counter drugs will also be treated as a substance abuse problem under this section.

(2) This section prohibits the illegal use, sale, transfer, distribution, possession, or unlawful manufacture of narcotics, drugs, or other controlled substances while on the job or on town premises (including vehicles used for town business).

(3) (a) These include but are not limited to marijuana, cocaine, crack, POP, heroin, LSD, amphetamines, hallucinogens, and barbiturates.

(b) Any illegal substances found on such premises will be turned over to the state police and may lead to criminal prosecution.

(D) *Alcohol.*

(1) The use of alcohol on the job or on town premises is prohibited, unless such use is non-abusive and is part of an authorized official event held off town premises. The use of alcohol in vehicles used for town business is strictly prohibited.

(2) (a) Alcohol possession applies to all open or unsealed alcoholic beverage containers. Such containers are not allowed on the job or on town premises, unless their possession is part of an authorized official event.

(b) Possession of such containers in vehicles used for town business is never authorized.

(E) *Reporting violations.*

(1) Employees must as a condition of employment, abide by the terms of this section and report any conviction to the town under a criminal drug statute for violations occurring on or off town premises when conducting town business. Report of a conviction must be made to the town within five business days after the conviction. The town will then notify the appropriate contracting officer within ten days after receiving notice from either the employee or from another source. (These requirements are mandated by the Drug-Free Workplace Act of 1988, being 41 U.S.C. §§ 8101 et seq.)

(2) An employee who is involved with off the job illegal drug activity may be considered in violation of this section. In determining whether disciplinary action will be imposed for this activity, the town will consider the circumstance of each incident, including but not limited to any adverse effect the employee's actions may have on its customers, other employees, the public, or the town 's reputation and image.

(3) Any questions regarding the reporting of violations should be directed to the Clerk-Treasurer.

(F) *Employee rehabilitation.*

(1) Health maintenance is primarily a personal responsibility and it is the individual's responsibility to correct unsatisfactory job performance or behavioral problems caused by alcohol or drug abuse. In an effort to assist employees, the town will provide various means for employees and their family members to remain aware of the dangers of substance abuse in the workplace and to overcome drug and alcohol related problems.

(2) Employees with a personal alcohol or drug related problem are encouraged to volunteer to participate in a approved rehabilitation program upon referral from the Employee and Family Assistance Program, before work performance becomes affected.

(3) Participation in a rehabilitation program will not be considered a barrier to employment nor a cause for disciplinary action. Employees will not be disciplined merely because of participation in a rehabilitation program or excused from the disciplinary consequences of conduct which is in violation of this section or any other town policies or job requirements.

(4) Any employee identified through a town investigation as having a substance abuse problem also may not avoid disciplinary action by requesting to participate in an approved rehabilitation program.

(5) Circumstances in each case will be evaluated to determine the course of action to be taken (i.e., whether the employee will be offered the opportunity to participate in a rehabilitation program and/or will be subject to discipline).

(G) *Testing.*

(1) The town will not ask employees to submit to random alcohol or drug tests.

(2) Alcohol or drug tests may be required for employees in the following circumstances:

(a) When unsatisfactory job performance or other employee behavior is reasonably indicative of substance abuse;

(b) During and after participation in a drug or alcohol rehabilitation program for a reasonable period of time as determined by the town; and/or

(c) When required by law.

(3) If a supervisor identifies an employee with a behavior pattern and/or job performance

reasonably indicative of substance abuse, the supervisor (with the concurrence of the next level of supervision) may recommend that the employee have a fitness for duty examination by a physician designated by the town. The physician will determine whether a fitness for duty examination is necessary and whether alcohol or drug tests will be required.

(4) Pre-employment drug testing is part of the pre-employment physical. The method of testing will be determined by the town. Applicants who test positive for prohibited drugs in their systems will not be offered employment. Any questions regarding reapplication opportunities should be directed to the Clerk-Treasurer.
(Ord. 2015-7, passed 7-6-2015)

§ 34.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) (1) Any person or organization that violates § 34.02 shall be fined $500 for each violation.

(2) Each record obtained in violation of § 34.02 shall constitute a separate violation.
(Ord. 2021-0802B, passed 8-2-2021)

APPENDIX A: REQUEST FOR PANDEMIC OR EPIDEMIC LEAVE AFFIDAVIT

_____ _____

Employee Name (please print) Department

I am requesting leave because:

School/Daycare Closure [Child-Care Leave]:

_____ My minor child's (under 13) school/daycare has closed, and I need to provide childcare.

Symptoms of a virus deemed as a Pandemic:

_____ I or a member of my household or **immediate family*** am/is presenting symptoms of the virus.

Positive test for a virus deemed as a Pandemic:

_____ I or a member of my household or **immediate family*** has tested positive for the virus.

_____ I or a member of my household or **immediate family*** work(s) or go(es) to school with someone who has tested positive for the virus.

_____ I or a member of my household or **immediate family*** have been informed by a public health agency that I/they have been exposed to another person has tested positive for the virus.

Recent travel out of the country:

_____ I or a member of my household or **immediate family*** recently returned from a foreign country or domestic interstate travel.

Elevated health risk:

_____ I have an elevated health risk due to pregnancy, age (over 60), compromised immune system, or chronic disease and have been advised by my health care provider to self-quarantine.

_____ Other (please explain) _____

* ***Immediate family*** *is defined as: a spouse, child, step-child, parent, step-parent, sibling, step-sibling, family-in-law, grandchildren, grandparents, grandparents of spouse and step grandparents.*

Return completed form to your Elected Official/Department Head via email, if possible, or by utilizing a designated drop box. Attach a copy of this form with your biweekly payroll stub for the Payroll Department, and provide a copy to the Clerk-Treasurer.

_____ _____

Employee Signature Date

_____ _____

Elected Official/Department Head Signature Date

(Ord. passed - -)

TITLE V: PUBLIC WORKS

Chapter

50. GENERAL PROVISIONS

51. WATER AND SEWERS

CHAPTER 50: GENERAL PROVISIONS

Section

50.01 Reimbursement rates
50.02 Collection of delinquent fees, charges, and penalties
50.03 Garbage
50.04 Wood chipping

§ 50.01 REIMBURSEMENT RATES.

(A) *Rates*. The rates as set by the Town Council from time to time are established as the reasonable costs to the town and the basis for any billing for reimbursement.

(B) *Billing*. The town shall bill the property owner, citizen, or creator of the above expenses, at the above rates, upon the completion of the task. Cost of collection may be added if incurred and a lien may be placed upon the property involved if payment is not made within 30 days.

(C) *Delinquent accounts*. The Council or designated officers may, under certain extraordinary circumstances, authorize the compromising or settlement of delinquent accounts.
(Prior Code, § 50.01) (Ord. 2013-4, passed 6-17-2013)

§ 50.02 COLLECTION OF DELINQUENT FEES, CHARGES, AND PENALTIES.

(A) (1) Wastewater fees are fees assessed against real estate and shall constitute a lien against the property served until paid. Water, storm water, sanitation, or tall grass and weed abatement fees are fees assessed against real property, and may constitute a lien against residential owner-occupied and business properties served pursuant to I.C. 36-1-3. The lien attaches when a notice, described below, is recorded in the office of the County Recorder, except in the following circumstances: A fee is not enforceable as a lien against a subsequent owner of property unless the lien for the fee was recorded with the County Recorder before the conveyance to the subsequent owner.

(2) If the property is conveyed before the lien can be filed, the town shall notify the person who owned the property at the time the fee became payable. The notice shall inform the former owner that payment, including penalty fees for delinquencies, is due not more than 15 days after the date of the notice. If payment is not received, the amount due may be collected in any manner permitted by law. If payment is not received within 180 days after the date of the notice, the amount due may be expensed as a bad debt loss.

(B) If the sewer, water, garbage collection, or tall grass and weed abatement fees, charges, and penalties are not paid within the time fixed by the code of ordinances, they are delinquent. The Clerk-Treasurer, or his or her designee, (the "Clerk-Treasurer") is charged with the responsibility to collect delinquent sewer, water, garbage collection, and tall grass and weed abatement fees, charges and penalties (the "delinquent fees"). The Clerk-Treasurer shall review all delinquent accounts every month, or as necessary and attempt to collect the delinquent fees

in any of the following manners, pursuant to I.C. 36-1-3 and 36-9-23:

(1) By filing a civil action in the name of the town against the customer, for the following:

(a) Delinquent water fees, charges, and penalties from residential customers, whether or not owner-occupied, and business owners;

(b) Delinquent wastewater fees, charges, and penalties from residential customers, whether or not owner-occupied, business owners, or owners of non-owner occupied residences, pursuant to I.C. 36-9-23-31; and/or

(c) Delinquent storm water, sanitation, or tall grass and weed abatement fees, charges, and penalties from owners or occupants of any property served; or

(2) By the County Auditor's and Treasurer's offices following the recording of a notice of lien for the collection of wastewater, storm water, sanitation, or tall grass and weed abatement fees, charges, and penalties, in I.C. 36-9-23-33, summarized as follows.

(a) As often as the Clerk-Treasurer determines is necessary in a calendar year, the Clerk-Treasurer shall prepare a notice of lien for each lot or parcel of real property on which fees and penalties are delinquent, listing the amount of fees, charges, and penalties which are delinquent, together with the costs of recording and service charges, on said notice of lien.

(b) The Clerk-Treasurer shall record each notice of lien with the County Recorder, and shall then mail to each property owner on the notice of lien a notice stating that a lien against the owner's property has been recorded. A service charge and a certification fee may be added by the County, as well as the cost of recording the notice of lien and the costs of recording a release of lien, shall be added to the amount due for each notice of lien.

(c) Not later than ten days after recording each notice of lien, the Clerk-Treasurer shall certify to the County Auditor a list of the liens that remain unpaid for collection in the next tax collection cycle.

(d) The Clerk-Treasurer shall release any recorded notice of lien when the delinquent fees and service certification, and recording fees described above, have been fully paid.

(e) Upon receipt of the Clerk-Treasurer's certified list described above, the County Auditor shall enter on the tax duplicate for the town the delinquent fees, penalties, service charges, recording fees, and certification fees, which are due not later than the due date of the next installment of property taxes. The County Treasurer shall then include any unpaid charges for the delinquent fees, penalty, service charge, recording fees, and certification fee to the owner or owners of each lot or parcel of property, at the time the next cycle's property tax installment is billed.

(f) After the Clerk-Treasurer's certification of liens, the Clerk-Treasurer may not collect or accept delinquent fees, penalties, service charges, recording fees, or certification fees from property owners whose property has been certified to the County Auditor.

(g) If the delinquent fees, penalty, service charge, recording fees, and certification fee are not paid, they shall be collected by the County Treasurer in the same way that delinquent property taxes are collected.

(h) At the time of each semiannual tax settlement, the County Treasurer shall certify to the County Auditor all fees, charges, and penalties that have been collected. The County Auditor shall deduct

the service charges and certification fees collected by the County Treasurer and pay over the Clerk-Treasurer the remaining fees and penalties due to the town. The County Treasurer shall retain the service charges and certification fees that have been collected for deposit in the County General Fund.

(i) Delinquent fees, penalties, and service charges that were not recorded before a recorded conveyance shall be removed from the tax roll, and a release of lien shall be recorded, for a purchaser who provides a verified demand in writing to the Clerk-Treasurer and the County Auditor, which states that the delinquent fees were not incurred by the purchaser as a user, lessee, or previous owner, and that the purchaser has not been paid by the seller for the delinquent fees.

(j) The Clerk-Treasurer may at any time elect to record a release of the notice of lien, paying the service charges, recording fees, and certification fees, decertifying the lien such that collection is not undertaken by the County Auditor and County Treasurer, and seek to collect the delinquent fees by filing a civil action in the manner described above; or

(3) By foreclosing a lien following the recording of a notice of lien.
(Ord. 2021-621, passed 6-21-2021)

§ 50.03 GARBAGE.

(A) (1) The rates and charges for the use and service of the refuse, garbage, and trash pick up within the town shall be added to the water and sewage bill each month to all accounts.

(2) The rate for those 62 or older shall be as set by the Town Council from time to time. Residents age 62 or older must call the Clerk-Treasurer's office and request the discount. Businesses owned by citizens age 62 or older are not eligible for this discount.

(B) In the event the charges for the same are not paid in the same manner as water and sewage, same shall be deemed delinquent.

(C) All trash, garbage, and refuse collection shall be discontinued ten days after written notice of the delinquency without further notice if the rates or charges for the services are not paid within 30 days after rendition of the bill therefor.

(D) The rates and charges herein established shall be collected from owners, occupants, and users of any premises within the town (only one charge per month per premises). Delinquent garbage collection fees shall be collected in the manner set forth in § 50.02 of this chapter.

(E) In the case of multiple unit housing facilities having more than four separate units, the landlords will be assessed for each occupied unit.
(Prior Code, § 50.03) (Ord. 2013-4, passed 6-17-2013; Ord. 2017-1106-1, passed 11-6-2017)

§ 50.04 WOOD CHIPPING.

(A) *Definition.* ***WOOD CHIPPING*** is the process of entering natural wood products such as tree limbs into a machine designed to grind wood into wood chips. Lumber and other building materials are not considered natural wood products for purposes of this definition.

(B) *Residents eligible for free chipping service.*

(1) Any permanent resident of the town who pays utility bills.

(2) Town employees may request a proof of identity or residency if they do not recognize a person who is bringing limbs or brush for chipping.

(C) *Restrictions.*

(1) Those who receive a town utility bill, but who do not live within the town limits;

(2) Residents who pay another person or business to trim or remove trees; and

(3) Persons who are in the business of tree trimming and/or removal are not eligible for the chipping service.

(D) *Wood that can be chipped.* Any tree limb under five inches in diameter, brush or bushes as long as they are not currently bearing fruit and do not exceed five inches in diameter, all limbs, brush, and the like (must be natural wood plants or trimmed from those).

(E) *Products that can not be chipped.* Leaves, limbs with fruit, leafy green plants, garden waste, weeds, grass clippings, and various yard waste not of wood plants.

(F) *Procedure for chipping.*

(1) (a) Place limbs at the curb for chipping.

(b) Place butts of limbs towards the road.

(c) Do not stack and/or twist limbs together.

(d) Lay limbs in neat rows.

(2) (a) The town does not pick up limbs from vacant lots.

(b) Please do not include evergreens or vines. The sap causes the machinery to seize up.

(c) Storm damage will be picked up within a few days of incident and will be free of charge.

(G) *Amount of brush for pick up.*

(1) There is no restricted size, but needs to be stacked and placed accordingly.

(2) Charged based on time taken to collect and chip brush.

(3) Unmanageable piles will be removed with backhoe and/or dump truck.

(Ord. passed 8-3-2015) Penalty, see § 10.99

CHAPTER 51: WATER AND SEWERS

Section

General Provisions

51.01 Cross-connection and backflow prevention
51.02 Billing procedures
51.03 Disconnection procedures

Sewers

51.15 Schedule of rates
51.16 Connection and installation to and use of sewers

Water

51.30 Schedule of rates

GENERAL PROVISIONS

§ 51.01 CROSS-CONNECTION AND BACKFLOW PREVENTION.

(A) For the purpose of this section, the following definition applies unless the context clearly indicates or requires a different meaning.

CROSS-CONNECTION. Any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the town water system and the other, water from a private source, water of unknown or questionable quality or safety, or steam, gases, or chemicals, whereby there may be flow from one system to the other, the direction of flow depending on the pressure differential between the two systems.

(B) No person, firm, or corporation shall establish or permit to be established or maintain or permit to be maintained any cross-connection. No interconnection shall be established whereby potable water from a private, auxiliary, or emergency water supply other than the regular public water supply of the town may enter the supply or distribution system of the municipality, unless the private, auxiliary, or emergency water and method of connection and use of the supply has been approved by the town and by the State Department of Environmental Management in accordance with 327 I.A.C. 8-10.

(C) It shall be the duty of the Town Water Utility Department to cause inspections to be made of all properties served by the public water system where cross-connections with the public water system is deemed possible. The frequency of inspections and re-inspections based on potential health hazards involved shall be established by the Town Water Utility Department.

(D) Upon presentation of credentials, the representative of the Town Water Utility Department shall have the right to request entry at any reasonable time to examine the property served by a connection to the public water system of the town for cross-connections. On request, the owner, lessee, or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on the property. The

refusal of access or refusal of requested pertinent information shall be deemed evidence of the presence of cross-connections.

(E) The Town Water Utility personnel is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this section exists, and to take precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be disconnected only after reasonable notice is served on the owner, lessee, or occupants of the property or premises where a violation is found or suspected to exist. Water service to such a property shall not be restored until the cross-connection(s) has been eliminated in compliance with the provisions of this section.

(F) If it is deemed by the Town Water Utility personnel that a cross-connection or an emergency endangers public health, safety, or welfare and requires immediate action, and a written finding to that effect is filed with the Clerk-Treasurer and delivered to the consumer's premises, service may be immediately discontinued. The consumer shall have an opportunity for a hearing within ten days of the emergency discontinuance.

(G) (1) All consumers using toxic or hazardous liquids, all hospitals, mortuaries, wastewater treatment plants, laboratories, and all other hazardous users shall install and maintain a reduced pressure principal backflow preventer in the main water line servicing the building on the premises.

(2) The backflow preventer must be installed in an easily accessible location not subject to flooding or freezing.

(H) This section does not supersede the state Plumbing Code, the IDEM rule 327 I.A.C 8-10, or any local plumbing ordinance, but is supplementary to them.
(Prior Code, § 51.01) Penalty, see § 10.99

§ 51.02 BILLING PROCEDURES.

(A) There shall be and there hereby is established for the use of and the service rendered by the waterworks system of the town the rates and charges in the appendix attached to the ordinance codified herein based on the use of water supplied by said waterworks system. Current rates are established by ordinance and may be found in the Appendices.

(B) (1) Each user shall pay a deposit fee prior to receiving utility service from the town.

(2) All residential owner-occupied, residential non-owner-occupied, and business customers shall complete a service application and shall pay a deposit of $90.

(C) (1) The rates and charges shall be prepared and billed by the town monthly, as the town may deem appropriate and as determined by the bylaws and regulations of the town as hereinafter provided for, and shall be collected in the manner provided by law and ordinance.

(2) The rates and charges will be billed to the tenant or tenants occupying the property served unless otherwise requested in writing by the owners. The non-owner-occupant, as well as the property owner, shall receive a delinquency notice on leased properties.

(3) The owners of the properties served, which are occupied by tenants, shall have the right to examine the collection records of the town for the purpose of determining whether the rates and charges have been paid by the tenants, provided that the examination shall be made in the office in which the records are kept and during the hours that the office is open for business.

(D) Payment is due on the date of billing. Users shall have until the fifth day of the month following the month of the billing to pay the billing without penalty. Accounts not paid within the period shall be

delinquent and a penalty equal to 10% of the sum due shall be assessed as a surcharge and added to the user's bill. In the event the account holder had a prior unpaid balance, any payments shall be first applied to the most recent billing, and then to the next most recent billing, until the account balance is paid in full.

(E) Upon a bill becoming delinquent, a user shall have two weeks to pay the bill before the disconnection procedure described herein is utilized. Disconnection may be avoided only by paying the full account balance, including penalties.

(F) If a user suffers financial hardship, the user's service will not be immediately discontinued, if prior to the bill becoming delinquent, in a writing signed by the user, the user advises the Council of the user's financial hardship and provides adequate proof of the hardship and the user pays $10 or one-tenth of the bill, whichever is less, with the written notice. The user must agree in writing to pay all of the outstanding bill, plus penalties, within 90 days. The user must agree and does, in fact, remain current on all future bills. The user must not have previously failed to honor such a commitment to the town within the last 12 months. The user must not be currently paying under this section for any past due bill. If the user breaches the agreement, the disconnection procedure described herein shall be utilized.
(Ord. 2021-621, passed 6-21-2021) Penalty § 10.99

§ 51.03 DISCONNECTION PROCEDURES.

(A) If a bill, including penalties, becomes delinquent and is not paid within 14 days of the bill's due date, the property served shall be placed on the disconnection list.

(B) Prior to the Council deciding whether to disconnect service, the user (including the owner and the occupant) will be provided an opportunity to present evidence to the Council. Town employees will notify users of the possibility of disconnection by hanging disconnection notices on the affected property's door or mailing such notices at the end of each month, or as soon thereafter as possible.

(C) All disconnection notices shall plainly state:

(1) The user will have an opportunity to present evidence to the Council at the Town Council meeting at 7:00 p.m. in the Town Hall, prior to the Council determining whether to disconnect the service at the property served by the utility;

(2) If the Council votes to approve disconnection of utility services at that meeting, the actual disconnection will take place within 48 hours of the meeting;

(3) The reason for disconnection; and

(4) The telephone number of the Town Hall which the user may call during regular business hours in order to question the proposed disconnection or seek information concerning his or her rights.

(D) At the first Town Council meeting each month, there shall be an agenda item for disconnection hearings. The Council shall invite all persons who received disconnection notices to address the Council and present evidence concerning the proposed disconnection. At the conclusion of any each hearing, or if no evidence is presented, after determining that no one wishes to address the Council and present evidence, the Council will decide whether disconnection of utilities should proceed against anyone receiving a disconnection notice.

(E) After the first Town Council meeting each month, and within 48 hours of the meeting, town employees shall disconnect the utility service of those owners, lessees, and users of the property whose disconnection was approved at said Town Council meeting.

(F) (1) After any water service is disconnected to any property serviced by the water utility because of failure to pay trash or water bills, there shall be

imposed a fee of $25 for reconnection, which shall occur during normal business hours.

(2) If a utility customer requests reconnection outside of normal business hours, there shall be imposed a fee of $50 for reconnection.

(G) When service is disconnected for non-payment, it will not be reconnected until all past due charges and penalties, together with a reconnection fee, are paid.
(Ord. 2021-621, passed 6-21-2021) Penalty, see § 10.99

SEWERS

§ 51.15 SCHEDULE OF RATES.

(A) (1) For the use of and the service rendered by the sewage works, rates and charges shall be collected from the owners of each and every lot, parcel of real estate, or building that is connected with the town's sanitary sewer system or otherwise discharges sanitary sewage, industrial wastes, water, or other liquids, either directly or indirectly, into the sanitary sewer system of the town.

(2) Except as herein otherwise provided, sewage rates and charges shall be based on the quantity of water used on or in the property or premises subject to the rates and charges, as the same is measured by the water meter there in use.

(B) The water usage schedule on which the amount of the sewage rates and charges shall be determined by the Town Council from time to time.

(C) The quantity of water obtained from sources other than the municipal waterworks and discharged into the public sanitary sewer system may be determined by the town in such manner as the town shall elect, and the sewage treatment service may be billed at the above appropriate rates.

(D) In the event a lot, parcel of real estate, or building discharging sanitary sewage, industrial waste, water, or other liquids into the town's sanitary sewer system, either directly or indirectly, is not a user of water supplied by the town's waterworks and the water used thereon or therein is not measured by a meter, or is measured by a meter not acceptable to the town, then the amount of water used shall be otherwise measured or determined by the town, in order to ascertain the rates of charge, or the owner or other interested party, at his or her expense, may install and maintain meters, weirs, volumetric measuring devices, or any adequate and approved method of measurement acceptable to the town for the determination of the sewage discharge.

(E) In the event a lot, parcel of real estate, or building discharging sanitary sewage, industrial waste, water, or other liquids into the town's sanitary sewer system, either directly or indirectly, is a user of water supplied by the town's waterworks and, in addition, uses water from another source which is not measured by a water meter, or is measured by a water meter not acceptable to the town, then the amount of water used shall be otherwise measured or determined by the town in order to ascertain the rates of charge, or the owner or other interested party, at his or her expense, may install and maintain meters, weirs, volumetric measuring devices, or any adequate and approved method of measurement acceptable to the town for the determination of sewage discharge.

(F) In the event a lot, parcel of real estate, or building discharges sanitary sewage, industrial waste, water, or other liquids into the town's sanitary sewer system, either directly or indirectly, and uses water in excess of 10,000 gallons per month, and it can be shown to the satisfaction of the town that a portion of water as measured by the water meter or meters does not and cannot enter the sanitary sewer system, then the owner or other interested party shall install and

maintain meters, weirs, volumetric measuring devices, or any adequate and approved method of measurement acceptable to the town for the determination of sewage discharge.

(G) In the event two or more residential lots, parcels of real estate, or buildings discharging sanitary sewage, water, or other liquids into the town's sanitary sewer system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in each such case, for billing purposes, the quantity of water used shall be averaged for each user and the minimum charge and the sewage rates and charges shall apply to each of the number of residential lots, parcels of real estate, or buildings served through the single water meter.

(H) In the event two or more dwelling units such as trailers, apartments, or housekeeping rooms discharging sanitary sewage, water, or other liquids into the town's sanitary sewer system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in such case, billing shall be for a single service in the manner set out elsewhere herein, except that the charge shall be not less than the number of dwelling units times the minimum charge per month for a single dwelling unit. In the case of trailer parks, the number of dwelling units shall be computed and interpreted as the total number of trailers located and installed in the park plus any other dwelling units served through the meter. A dwelling unit shall be interpreted as a room or rooms or any other space or spaces in which cooking facilities are provided.

(I) In order that domestic and residential users of sewage services shall not be penalized for the sprinkling of lawns during the months of June, July, August, and September, the billing for sewage service for residences and/or domestic users for the months of June, July, August, and September shall be based on the water usage for the previous months of January, February, March, and April, or for four consecutive months. In the event the water usage for the previous months of January, February, March, and April, or for four consecutive months, is greater than the water usage for the months of June, July, August, and September, then the billing for sewage service shall be computed on the actual water used in the month for which the sewage service bill is being rendered. Domestic and/or residential sewage service, as applicable to the sprinkling rate, shall apply to each lot, parcel of real estate, or building which is occupied and used as a residence. The sprinkling rate shall not apply to any premises which are partially or wholly used for industrial or commercial purposes. In the event a portion of the premises shall be used for commercial or industrial purposes, the owner shall have the privilege of separating the water service so that the residential portion of the premises is served through a separate meter, and in such case, the water usage as registered by the water meter serving such portion of the premises used for residential purposes would qualify under the sprinkling rate.

(J) Where a metered water supply is used for fire protection as well as for other uses, the town may, in its discretion, make adjustments in the minimum charge and in the use charge as may be equitable.

(K) For the service rendered to the town, the town shall be subject to the same rates and charges herein above provided or to rates and charges established in harmony therewith.

(L) No lot, parcel of real estate, or building located outside the corporate limits of the town shall discharge sanitary sewage, industrial waste, water, or other liquids into the town's sanitary sewer system, either directly or indirectly without the prior consent of the Council. In the event such permission is granted, the rates and charges applying to the lot, parcel of real estate, or building located outside the corporate limits shall be 140% of the rates and charges provided for herein.

(M) In order that the rates and charges may be justly and equitably adjusted to the services rendered, the town shall have the right to base its charges not

only on volume but also on the strength and character of the sewage and waste which it is required to dispose of. The town shall have the right to measure and determine the strength and content of all sewage and waste discharged, either directly or indirectly, into the town's sanitary sewer system in such manner and by such method as may be deemed practical in the light of the conditions and attending circumstances of the case in order to determine the proper charge. Any and all commercial and industrial installations shall be so controlled and/or treated as to the sewage strength that their effluent discharge to the town's sewers shall have a B.O.D. (biochemical oxygen demand) not to exceed 300 parts per million at any time. The Council is authorized to prohibit the dumping of wastes into the town's sewer system which, in its discretion, are deemed harmful.

(N) The terms ***SANITARY SEWAGE*** and ***INDUSTRIAL WASTES*** shall be defined as follows.

(1) ***SANITARY SEWAGE*** is waste from water closets, urinals, lavatories, sinks, bathtubs, showers, household laundries, basement drains, garage floor drains, bars, soda fountains, cuspidors, refrigerator drips, drinking fountains, stable floor drains, and all other water-carried wastes except industrial wastes.

(2) ***INDUSTRIAL WASTES*** are liquid wastes or liquid-borne wastes resulting from any commercial, manufacturing, or industrial operation or process.

(O) The town shall make and enforce such bylaws and regulations as may be deemed necessary for the safe, economic, and efficient management of the town sewer system and for the construction and use of house sewers and connections to the sewer system, and for the regulation, collection, rebating, and refunding of rates and charges.

(P) Except as otherwise provided, the rates and charges as herein set forth shall become effective on the date that sanitary sewers of the sewer system are made available for connection to any lot, parcel of real estate, or building.

(Q) The town is hereby authorized to prohibit dumping of wastes into the town's sewer system which, in its discretion, are harmful to the operation of the sewage works, or to require methods effecting pretreatment of wastes to reduce the characteristics of the waste satisfactory to the town.
(Prior Code, § 51.20) (Ord. 2013-4, passed 6-17-2013; Ord. 2018-0514, passed 5-14-2018)

§ 51.16 CONNECTION AND INSTALLATION TO AND USE OF SEWERS.

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

B.O.D. (BIOCHEMICAL OXYGEN DEMAND). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C, expressed in parts per million by weight.

BUILDING DRAIN. The part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

BUILDING SEWER. The extension from the building drain to the public sewer or other place of disposal.

COMBINED SEWER. Only a sewer receiving both surface runoff and sewage, which sewage however is later diverted to the municipal sewage treatment plant for treatment.

GARBAGE. Solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

INDUSTRIAL WASTES. The liquid wastes from industrial processes as distinguished from sanitary sewage.

INSPECTOR. The person or persons duly authorized by the town, through its Council, to inspect and approve the installation of building sewers and their connection to the public sewer system.

NATURAL OUTLET. Any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

pH. The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

PROPERLY SHREDDED GARBAGE. The wastes from the preparation, cooking, and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-twelfth inch in any dimension.

PUBLIC SEWER. A sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

SEWAGE. A combination of the water carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground surface and storm waters as may be present.

SEWAGE TREATMENT PLANT. Any arrangement of devices and structures used for treating sewage.

SEWAGE WORKS. All facilities for collecting, pumping, treating, and disposing of sewage.

SEWER. A pipe or conduit for carrying sewage.

STORM SEWER or ***STORM DRAIN.*** A sewer which carries storm and surface waters and drainage, only and excludes sewage and polluted industrial wastes.

SUPERINTENDENT. The Superintendent of the municipal sewage works of the town or his or her authorized deputy, agent, or representative.

SUSPENDED SOLIDS. Solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

WATERCOURSE. A channel in which a flow of water occurs, either continuously or intermittently.

(B) (1) It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the town, or in any area under the jurisdiction of the town, any human or animal excrement, garbage, or other objectionable waste.

(2) It shall be unlawful to discharge to any natural outlet within the town, or in any area under the jurisdiction of the town, any sanitary sewage, industrial waste, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this section.

(3) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facilities intended or used for the disposal of sewage.

(4) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the town, and abutting any street, alley, or right-of-way in which there is now located or may in the future be located a public sewer or combined sewer, is hereby required at his or her expense to install suitable toilet

facilities therein, and to connect the facilities directly with the proper public sewer in accordance with the provisions of this section, within 90 days after date of official notice to do so, provided that the public sewer is within 100 feet of the property line.

(C) (1) Where a public sanitary or combined sewer is not available under the provisions of division (B)(4) above, the building sewer shall be connected to a private sewage disposal system complying with all recommendations of the state Board of Health.

(2) At such time as a public sewer becomes available to a property served by a private sewage disposal system as provided in division (B)(4) above, a direct connection shall be made to the public sewer in compliance with this section, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned.

(3) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the town.

(4) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the local Health Officer.

(D) (1) No unauthorized person shall uncover, make any connections with, or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Clerk-Treasurer.

(2) There shall be two classes of building sewer permits: for residential and commercial service; and for service to establishments producing industrial waste. In either case, the owner or his or her agent shall make application on a special form furnished by the town. The permit applications shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the inspector. A permit and inspection fee for a residential or commercial building sewer permit and a fee for an industrial building sewer permit shall be as set by the Town Council from time to time and paid to the Clerk-Treasurer at the time the application is filed.

(3) All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner or the person installing the building sewer for the owner shall indemnify the town from any loss or damage that may directly or indirectly be occasioned by the installation.

(4) A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

(5) Old building sewers may be used in connection with new buildings only when they are found on examination and test by the inspector to meet all requirements of this section.

(6) The building sewer shall be cast iron soil pipe, ASTM specification or equal; vitrified clay sewer pipe, ASTM specification or equal; or other suitable material approved by the inspector. Joints shall be tight and water-proof. Any part of the building sewer that is located within ten feet of a water service pipe shall be constructed of cast iron soil pipe with leaded joints. Cast iron pipes with leaded joints may be required by the inspector where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that non-metallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the inspector.

(7) The size and slope of the building sewers shall be subject to the approval of the

inspector, but in no event shall the diameter be less than six inches. The slope of the six-inch pipe shall not be less than one-eighth-inch per foot.

(8) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at a uniform grade and in straight alignment in so far as possible. Changes in direction shall be made only with properly curved pipes and fittings.

(9) (a) In all buildings in which any building drain is too low to permit gravity flow to the sewer, sanitary sewage carried by such drains shall be lifted by approved artificial means and discharged to the building sewer.

(b) No water-operated sewage ejector shall be used.

(10) All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the inspector. Pipe laying and backfill shall be performed in accordance with ASTM specifications except that no backfill shall be placed until the work has been inspected by the inspector or his or her representative.

(11) (a) All joints and connections shall be made gas-tight and water-tight. Cast iron pipe joints shall be firmly packed with oakum or hemp and filled with molten lead, Federal Specification QQ-L-156, not less than one-inch deep. Lead shall be run in one pouring and calked tight. No paint, varnish, or other coatings shall be permitted on the jointing material until after the joint has been tested and approved.

(b) All joints in vitrified clay pipe or between such pipe and metals shall be made with approved jointing material in accordance with the latest edition on Volume III, Plumbing Rules and Regulations of the Administrative Building Council of the state.

(12) The connection of the building sewer into the public sewer shall be made at the "Y" branch, if such branch is available at a suitable location. If the public sewer is 12 inches in diameter or less and no properly located "Y" branch is available, the owner shall at his or her expense install a "Y" branch in the public sewer at the location specified by the inspector.

(13) The applicant for the building sewer permit shall notify the inspector when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the inspector or his or her representative.

(14) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the town.

(E) (1) No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, sub-surface drainage, cooling water, or unpolluted industrial process waters to any sanitary sewer.

(2) Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged upon approval of the Superintendent, to a storm sewer, combined sewer, or natural outlet.

(3) Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

(a) Any liquid or vapor having a temperature higher than 150°F;

(b) Any water or waste which may contain more than 100 parts per million, by weights, of fat, oil, or grease;

(c) Any water or waste which may contain more than 25 parts per million, by weight, of soluble oils;

(d) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas;

(e) Any garbage that has not been properly shredded;

(f) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works;

(g) Any waters or wastes having a pH lower then 5.0 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works;

(h) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving water of the sewage treatment plant;

(i) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage disposal plant; and/or

(j) Any noxious or malodorous gas or substance capable of creating a public nuisance.

(4) (a) Grease, oil, and sand interceptors shall be provided when, in the opinion of the inspector, they are necessary for the proper handling of liquid wastes containing grease in excessive amount, or any flammable wastes, sand, and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent and shall be located as to be readily and easily accessible for cleaning and inspection.

(b) Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, water-tight, and equipped with easily removable covers which when bolted in place shall be gas-tight and water-tight.

(5) Where installed, all grease, oil, and sand interceptors shall be maintained by the owner, at his or her expense, in continuously efficient operation at all times.

(6) The admission into the public sewers of any waters or wastes, having a five-day biochemical oxygen demand greater than 400 parts per million by weight, or containing more than 450 parts per million by weight of suspended solids, or containing any quantity of substances having the characteristics described in division (E)(3) above, or having an average daily sewage flow greater than 2% of the average daily sewage flow of the town, shall be subject to the review and approval of the Superintendent. Where necessary, in the opinion of the Superintendent, the owner shall provide at his or her expense such preliminary treatment as may be necessary to reduce the biochemical oxygen demand to 400 parts per million and the suspended solids to 500 parts per million by weight, or reduce objectionable characteristics or constituents to within the maximum limits provided for in division (E)(3) above, or control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and

any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and of the State Board of Health, and no construction of facilities shall be commenced until the approval is obtained in writing.

(7) Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation, by the owner at his or her expense.

(8) When required by the Superintendent, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. The manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his or her expense, and shall be maintained by him or her so as to be safe and accessible at all times.

(9) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in divisions (E)(3) and (E)(6) above shall be determined in accordance with *Standard Methods for the Examination of Water and Sewage* and shall be determined at the control manhole provided for in division (E)(8) above or upon suitable samples taken at the control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

(10) No statement contained in this section shall be construed as preventing any special agreement or arrangement between the town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the town for treatment, subject to payment therefor by the industrial concern.

(F) No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the municipal sewage works.

(G) The Superintendent, inspector, and other duly authorized employees of the town bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling, and testing, in accordance with the provisions of this section.

(H) The permittee's sewer use ordinance must contain provisions which: (1) prohibit introduction of inflow sources to any sanitary sewer; (2) prohibit construction of new combined sewers outside the existing combined sewer service area; and (3) provide that, for any new building, the inflow/clear water connection to a combined sewer shall be made separate and distinct from sanitary waste connection to facilitate disconnection of the former if a separate storm sewer subsequently becomes available. The permittee shall continuously enforce these provisions. (Prior Code, § 51.21) Penalty, see § 10.99

WATER

§ 51.30 SCHEDULE OF RATES.

(A) (1) *Rates and changes, based upon the use of water supplied by the waterworks system.*

Metered Water Service	*Rate Per 1,000 Gallons*
First 2,000 gallons per month	$16.91
Next 3,000 gallons per month	$6.28
Next 245,000 gallons per month	$4.97
Over 250,000 gallons per month	$3.83

Minimum Charges	*Minimum*
5/8- and 3/4-inch meter (2,000 gallons of water allowed)	$33.82
1-inch meter (8,000 gallons of water allowed)	$67.57
2-inch meter (14,850 gallons of water allowed)	$101.61
3-inch meter (35,220 gallons of water allowed)	$202.85
4-inch meter (48,825 gallons of water allowed)	$270.47
Over 4-inch meter (76,040 gallons of water allowed)	$405.73

(2) *Metered consumption per month per 1,000 gallons when annual consumption exceeds 3,000,000 gallons.*

Minimum Charges	*Minimum*
First 2,000 gallons	$13.96
Next 3,000 gallons	$5.19
Next 245,000 gallons	$4.09
Over 250,000 gallons	$3.16

(3) *Minimum water charges when annual consumption exceeds 3,000,000 gallons.*

Minimum Charges	*Minimum*
5/8- and 3/4-inch meter (2,000 gallons of water allowed)	$27.92
1-inch meter (8,000 gallons of water allowed)	$55.67
2-inch meter (14,850 gallons of water allowed)	$83.66
3-inch meter (35,220 gallons of water allowed)	$166.77
4-inch meter (48,825 gallons of water allowed)	$222.32
Over 4-inch meter (76,040 gallons of water allowed)	$333.42

(4) *Other charges.*

Hydrant Rental Per Annum	
Private hydrants	$695
Public hydrants	$556

Main Connection Charges	
3/4-inch tap	$250
In excess of 3/4-inch tap, charge based on times and materials, but not less than	$350

Reconnection Charges	$25

Meter Deposit	$90

(B) No water meter will be installed for any property having a delinquent bill charged to it until the amount owing is paid in full either by the property owner, or the renter, or the purchaser.

(C) Owners who do not occupy the housing shall be responsible to the town for unpaid water, sewage, sanitation, storm water, and mowing bills.

(D) In the event that the property owner, or other responsible party, shall damage an installed water meter, the property owner or the responsible party shall pay for the cost of the replacement water meter to the town.

(E) In the event that the property owner, or other responsible party, shall damage an installed antenna lid, the property owner or the responsible party shall pay $250 to the town for labor and equipment to replace a damaged antenna lid.
(Prior Code, § 51.35) (Ord. 2018-0702B, passed 7-2-2018; Ord. 2022-1219, passed 12- -2022; Ord. 2023-0109, passed 1-9-2023) Penalty, see § 10.99

TITLE VII: TRAFFIC CODE

Chapter

70. GENERAL PROVISIONS

71. RECREATIONAL VEHICLES

72. SCHEDULES

CHAPTER 70: GENERAL PROVISIONS

Section

General Provisions

70.01 Use of skateboards and rollerblades
70.02 Compression release engine brakes prohibited
70.03 Parking after snow has fallen

Traffic-Control Devices

70.15 Establishment and maintenance of traffic control devices
70.16 Obedience to signals
70.17 Interference with signals
70.18 Unauthorized signals or markings

GENERAL PROVISIONS

§ 70.01 USE OF SKATEBOARDS AND ROLLERBLADES.

(A) No person may use a skateboard or rollerblades on the private property of another within the town without the permission of the property owner upon whose property the persons intend to use a skateboard or rollerblades.

(B) No person may use a skateboard or rollerblades on property owned by the town, including but not limited to the Town Square.
(Prior Code, § 70.01) Penalty, see § 10.99

§ 70.02 COMPRESSION RELEASE ENGINE BRAKES PROHIBITED.

The use of compression release engine brakes, by motor vehicles which are not equipped with a muffler in good working condition which suppresses excess noise within the town limits, except in emergencies, are prohibited except in the case of emergency and when necessary to protect persons or property from possible injury.
(Ord. 2019-1216B, passed 12-16-2019) Penalty, see §10.99

§ 70.03 PARKING AFTER SNOW HAS FALLEN.

(A) Whenever there shall be a measurable snowfall, certain streets, as hereinafter designated, shall be known as snow emergency routes.

(B) The streets shall be clearly marked by the posting of signs designating the street as a snow removal zone, snow emergency route, or other similar language indicating that the street is to be a snow removal route.

(C) Streets designated as provided in division (B) above shall be those as follows. Snow removal on streets encompassing the Town Square, on which signs will be posted:

(1) Justus Street;

(2) Howard Street;

(3) McConnell Street; and

(4) Smith Street.

(D) (1) On any day when any measurable amount of snow has fallen, the streets designated in division (C) above, and posted, shall be tow away zones, from the hours of 9:00 p.m. to 6:00 a.m. local time.

(2) Any motorized vehicle parked along or on the street in the public right-of-way shall be towed away by the town or any agent designated by either the Council or the Town Marshal.
(Prior Code, § 70.02) Penalty, see § 10.99

TRAFFIC-CONTROL DEVICES

§ 70.15 ESTABLISHMENT AND MAINTENANCE OF TRAFFIC CONTROL DEVICES.

The town may establish and maintain official traffic-control devices necessary within the town. All traffic-control devices, including signs, shall be employed to indicate one particular warning or regulation, shall be uniform, and as far as possible shall be placed uniformly. All traffic-control devices and signs shall conform to required state specifications.
(Prior Code, § 70.20)

§ 70.16 OBEDIENCE TO SIGNALS.

(A) It shall be unlawful for the driver of any vehicle to disobey the signal of any official traffic-control device placed in accordance with the provisions of this traffic code or of a traffic barrier or sign erected by any of the public departments or public utilities of the town, or any electric signal, gate, or watchman at railroad crossings, unless otherwise directed by a police officer. However, the type and the right to or necessity for the barrier or sign must be approved by the town.

(B) The sign, signal, marking, or barrier shall have the same authority as the personal direction of a police officer.
(Prior Code, § 70.21) Penalty, see § 10.99

§ 70.17 INTERFERENCE WITH SIGNALS.

It shall be unlawful for any person without authority to attempt to or in fact alter, deface, injure, knock down, or remove any official control device or any railroad sign or signal, or any inscription, shield, or insignia thereon, or any part thereof.
(Prior Code, § 70.22) Penalty see § 10.99

§ 70.18 UNAUTHORIZED SIGNALS OR MARKINGS.

(A) (1) It shall be unlawful for any person to place, maintain, or display on or in view of any street any unauthorized sign, signal, marking, or device which purports to be, is an imitation of, or resembles an official traffic device, railroad sign, or signal which attempts or purports to direct the movement of traffic, or which conceals or hides from view or interferes with the effectiveness of any official control device or any railroad sign or signal.

(2) No person shall place or maintain, nor shall any public authority permit on any street, any traffic sign, or signal containing any commercial advertising.

(3) Nothing in this section shall be construed as restricting any public department or public utility of the town in any emergency or temporarily from marking or erecting any traffic barrier or sign whose placing has been approved by the town.

(B) Every such prohibited sign, signal, or marking is declared to be a public nuisance and the town is empowered forthwith to remove it or cause it to be removed.

(Prior Code, § 70.23) Penalty, see § 10.99

CHAPTER 71: RECREATIONAL VEHICLES

Section

Golf Carts

71.01 Definitions
71.02 Operation requirements
71.03 Financial responsibility
71.04 Traffic rules
71.05 Wrecked or damaged golf carts

71.99 Penalty

GOLF CARTS

§ 71.01 DEFINITIONS.

For the purposes of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DRIVER'S LICENSE. Any type of license or privilege to operate a motor vehicle issued under the laws of a jurisdiction.

GOLF CART. A four-wheeled motor vehicle originally and specifically designed and intended to transport one or more individuals and golf clubs for the purpose of playing the game of golf on a golf course, as that term is defined in I.C. 9-13-2-69.7, as amended from time to time.

PROOF OF FINANCIAL RESPONSIBILITY. As that term is defined in I.C. 9-25-2-3, as amended from time to time, means proof of ability to respond in damages for each motor vehicle registered by a person for liability that arises out of the ownership, maintenance, or use of the motor vehicle in the following amounts:

(1) Twenty-five thousand dollars because of bodily injury to or death of any one person;

(2) Subject to the limit in division (1) above, $50,000 because of bodily injury to or death of two or more persons in any one accident; and/or

(3) Ten thousand dollars because of injury to or destruction of property in any one accident. (Ord. 2011-2, passed 3-7-2011)

§ 71.02 OPERATION REQUIREMENTS.

(A) *Operation of golf carts.* The operation of a golf cart within the town is strictly prohibited unless the golf cart is operated and equipped in full compliance of this subchapter.

(B) *Operator.* A golf cart may only be operated by an individual who holds a valid driver's license.

(C) *Occupants.* The number of occupants in a golf cart shall be limited to the number of persons for whom factory seating is installed and provided on the golf cart. The operator and all occupants shall be seated in the golf cart and no part of the body of the operator or occupant shall extend outside the perimeter of the golf cart while the golf cart is being operated.

(D) *Time of operation.* Golf carts shall not be operated on town streets during one-half hour after sunset to one-half hour before sunrise unless the golf cart is equipped with two operating headlights (one on each side of the front of the golf cart) and two operating taillights with brake lights (one on each side of the rear of the golf cart) which are visible from a distance of 500 feet, as well as at least two red reflectors visible from of 100 feet to 600 feet to the rear when illuminated by the upper beams of head lamps.

(E) *Place of operation.* Golf carts may be operated on town streets which have a posted speed limit of 30 mph or less. Golf carts may not be operated on sidewalks. Golf carts may not be operated on the following national or state highways except to cross said highways at intersections in a path 90 degrees to said highways: State Road 55 or State Road 352.
(Ord. 2011-2, passed 3-7-2011) Penalty, see § 71.99

§ 71.03 FINANCIAL RESPONSIBILITY.

The financial ability of the operator or owner notwithstanding, the operator of a golf cart must be able to show proof of financial responsibility when operating a golf cart. Written proof of financial responsibility must be available on the golf cart or carried by the operator at all times.
(Ord. 2011-2, passed 3-7-2011)

§ 71.04 TRAFFIC RULES.

(A) *Traffic rules.* The operator of the golf cart shall comply with all traffic rules and regulations adopted by the state and the town which govern the operation of motor vehicles.

(B) *Slow moving vehicle sign.* All golf carts must display on the back of the golf cart a "slow moving vehicle emblem" as described in I.C. 9-21-9-3, or a red or amber flashing lamp as described in I.C. 9-21-9-4, as those sections may be amended from time to time.
(Ord. 2011-2, passed 3-7-2011) Penalty, see § 71.99

§ 71.05 WRECKED OR DAMAGED GOLF CARTS.

A person removing a wrecked or damaged golf cart from a street or highway also must remove any glass or other foreign material dropped upon the street or highway from the golf cart, as described in I.C. 9-26-6-1, as amended from time to time.
(Ord. 2011-2, passed 3-7-2011) Penalty, see § 71.99

§ 71.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) A person who violates §§ 71.01 through 71.05 commits a Class C infraction, as provided by I.C. 9-21-1-3.3. An owner, lessee, or operator may be cited to appear in a court of competent jurisdiction by issuance of a state Uniform Traffic Ticket. Upon a finding by such court that an owner, lessee, or operator of a golf cart has violated any provision of §§ 71.01 through 71.05, such person shall be subject to a fine for violation of Class C infractions, along with court costs. A fine assessed for a violation of §§ 71.01 through 71.05 shall be deposited in the general fund of the town.
(Ord. 2011-2, passed 3-7-2011)

CHAPTER 72: SCHEDULES

Schedule

I. Stop signs and yield signs erected
II. Parking restrictions

SCHEDULE I. STOP SIGNS AND YIELD SIGNS ERECTED.

Location	*Direction*	*Ord. No.*	*Date Passed*
Nickel Plate Road at Howard Street		2003-8	11-17-2003
Nickel Plate Road at Michigan Street		2003-8	11-17-2003
Northeast corner of the intersection of Justus Street and Benton Street	East on Justus Street	2015-	- -2015
Northwest corner of the intersection of Justus Street and Enota Street	North on Justus Street	2003-5	7-21-2003
Northwest corner of Whip-Poor-Will Trail and Cardinal Way intersection		2004-6	10-18-2004
Oak Street at Nickel Plate Road		2003-8	11-17-2003
Pheasant Run at the intersection of Dan Patch Road		2004-6	10-18-2004
Southeast corner of the intersection of Justus Street and Enota Street	South on Justus Street	2003-5	7-21-2003
Southeast corner of Whip-Poor-Will Trail and Cardinal Way intersection		2004-6	10-18-2004
Trina Lane at the intersection with Dan Patch Drive to stop traffic on Trina Lane		2003-6	11-17-2003
Yield sign on the southeast corner of the intersection of Justus Street and Benton Street	South on Justus Street	2015-	- -2015

(Prior Code, Ch. 72, Schd. 1)

SCHEDULE II. PARKING RESTRICTIONS.

"No parking on street" signs shall be installed at the following locations.

Street	*Directions(s)*	*Location*	*Ord. No.*	*Date Passed*
Darcy Drive	East/west	Between the intersection of Dan Patch Drive and Trina Lane	1998-4	7-21-1998
Michigan Street	East	Between the intersection of Michigan Street and State Road 352 and the railroad crossing on Michigan Street	1998-4	7-21-1998
Michigan Street	West	Between the intersection of Michigan Street and Benton Street and the railroad crossing on Michigan Street	1998-4	7-21-1998
Michigan Street	West	North of the intersection of Michigan Street and Benton Street	1998-4	7-21-1998

(Prior Code, Ch. 72, Schd. 2)

TITLE IX: GENERAL REGULATIONS

Chapter

90. ANIMALS

91. FAIR HOUSING

92. STREETS AND SIDEWALKS

93. TREES

94. NUISANCES

CHAPTER 90: ANIMALS

Section

Dogs and Cats

90.01 Definitions
90.02 Limitation on numbering
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DOGS AND CATS

§ 90.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDON. To forsake entirely, or to neglect, or refuse to provide or perform the legal obligations for care and support of an animal by its owner, or its agent. The ***ABANDONMENT*** shall constitute the relinquishment of all rights and claims by the owner to the animal.

AT LARGE. Off the premises of the owner, and not under the control of the owner or a member of his or her immediate family either by leash, cord, chain, or otherwise.

HARBOR. To suffer or permit any animal to frequent or remain on or within one's house, building, enclosure, or premises, and to feed, lodge, or otherwise care for the animal.

OWNER. Every person who owns, harbors, or keeps a dog or cat.
(Prior Code, § 90.01)

§ 90.02 LIMITATION ON NUMBERING.

Not more than two dogs or two cats shall be allowed in the residence or on the property of the owner of a dog or cat.
(Prior Code, § 90.02) Penalty, see § 90.99

§ 90.03 EXCEPTIONS.

(A) The owner of a dog or cat may retain the puppies born of the dog or kittens born of the cat exceeding the permissible number set forth in § 90.02 for 12 weeks after birth of the animals.

(B) If, after that time, there are more than two dogs or two cats in the residence or on the property of the owner, it will be deemed a violation.
(Prior Code, § 90.03) Penalty, see § 90.99

§ 90.04 DOGS AND CATS CREATING NUISANCE.

(A) No person shall own, keep, have in his or her possession, or harbor any dog, which, by frequent or habitual howling, yelping, or barking, shall cause a nuisance by creating a serious annoyance or disturbance to any individual or to the neighborhood.

(B) Dogs are not allowed in the public park except on leash. The owner must pick up after his or her dog. No dog of the age that requires immunizations shall be brought into the park unless the immunizations required of the dog by law, have been received by the dog and so indicated by tags attached to the collar of the dog.
(Prior Code, § 90.04) Penalty, see § 90.99

§ 90.05 RABIES INOCULATION REQUIRED.

It shall be the duty of every owner of a dog harbored in the town to have the dog inoculated against rabies. The owner of the dog shall, at all times, keep in his or her possession evidence of rabies inoculation consisting of a certificate signed by the licensed veterinarian administering the vaccine.
(Prior Code, § 90.05) Penalty, see § 90.99

VICIOUS AND CERTAIN OTHER ANIMALS

§ 90.20 DEFINITION.

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

VICIOUS ANIMAL.

(1) Any dog or any other animal, domesticated or wild, or bird, that has a previously displayed belligerent behavior toward any person in a manner such as to threaten bodily injury to the person, whether the animal or bird was bred, used, or trained for fighting or attack.

(2) Additionally, the following breeds commonly referred to as "pit bulls" are determined to be inherently ***VICIOUS*** as the term vicious is defined herein, specifically:

(a) American Staffordshire Terrier;

(b) America Pit Bull Terrier and the Staffordshire bull terrier; or

(c) Any mixed breed thereof.
(Prior Code, § 90.20)

§ 90.21 UNLAWFUL TO POSSESS.

It shall be unlawful and a nuisance to possess, maintain, or house within the limits of the town:

(A) Any vicious animal; or

(B) Cattle, calves, buffalo, horses, ponies, mules, donkeys, swine, sheep, or goats.
(Prior Code, § 90.21) Penalty, see § 90.99

§ 90.22 REMOVAL BY EFFECTIVE DATE.

(A) Persons possessing or keeping such an animal shall have seven days to remove the animal from within the town limits after notice, written or oral, by the Council, its representatives, or the Town Marshal.

(B) The animal shall be confined behind a secure wall or fencing until removed.

(C) Any failure to keep the animal so secured, or to possess or to maintain the animal more than seven days after the notice shall constitute a violation of this chapter.
(Prior Code, § 90.22) Penalty, see § 90.99

§ 90.23 WILD AND/OR EXOTIC ANIMALS.

(A) It shall be unlawful for any person to keep, maintain, or have in his or her possession or under his or her control within the town any poisonous or venomous reptile or any other dangerous or carnivorous wild animal or reptile, or any other animal or reptile with wild, vicious, or dangerous propensities, including, but not limited to the following: all poisonous and venomous animals; baboons; bears; bison; cheetahs; crocodilians; constrictor snakes, including, but not limited to boas, pythons, and anacondas; coyotes; deer, including all members of the deer family; elephants; game cocks and other fighting birds; hyenas; jaguars; leopards; lions; lynxes; pumas (also known as cougars, mountain lions, and panthers); tigers; snow leopards; apes, including chimpanzees, gibbons, gorillas, orangutans and siamangs; monkeys; ostriches; rodents, including rats, mice, beavers, groundhogs, and muskrats; and, wolves.

(B) The provisions in this section shall not apply to zoological parks, licensed educational institutions and programs, and circuses.
(Ord. 2020-0507, passed 5-7-2020) Penalty, see § 90.99

GENERAL REGULATIONS

§ 90.35 ABANDONING ANIMALS.

No owner of an animal shall abandon the animal. The penalty and enforcement provisions described at the end of this chapter shall govern all of its sections.
(Prior Code, § 90.35) Penalty, see § 90.99

§ 90.36 CRUELTY TO ANIMALS.

(A) Except as authorized by law, no person shall intentionally or wantonly:

(1) Subject any animal to or cause cruel or injurious mistreatment through abandonment, causing it to fight for pleasure or profit, mutilation, beating, torturing, tormenting, failing to provide adequate food, drink, space, or health care, or by any other means;

(2) Subject any animal in his or her custody to cruel neglect; or

(3) Kill any animal.

(B) Nothing in this section shall apply to the killing of animals:

(1) Pursuant to a license to hunt, fish, or trap;

(2) Incident to the processing as food or for other commercial purposes;

(3) For humane purposes; or

(4) For any other purpose authorized by law.
(Prior Code, § 90.36) Penalty, see § 90.99

§ 90.37 POULTRY.

It shall be lawful for residents of the town to keep chickens and/or poultry on residential lots within the town, under the following conditions:

(A) No more than six hens at any time;

(B) No roosters are permitted;

(C) The hens shall be kept in a chicken coop or other similar structure, which shall include, at a

minimum, a fenced enclosure situated or located behind the residence and setback from the property boundaries by no fewer than three feet; and

(D) Any other reasonable conditions imposed by the Council, after any neighbors have had an opportunity to express any concerns they may have to the Council.

(Ord. 2019-1216A, passed 12-16-2019) Penalty, see § 90.99

§ 90.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) Upon violation of § 90.37, the owner will be thereafter prohibited from having chickens and poultry on his, her, or their property in addition to § 10.99.

(Ord. 2019-1216A, passed 12-16-2019; Ord. 2020-0507, passed 5-7-2020)

CHAPTER 91: FAIR HOUSING

Section

91.01 Policy statement
91.02 Definitions
91.03 Unlawful practice
91.04 Discrimination in the sale or rental of housing
91.05 Discrimination in residential real estate-related transactions
91.06 Discrimination in the provision of brokerage service
91.07 Interference, coercion, or intimidation
91.08 Prevention of intimidation in fair housing cases
91.09 Exemptions
91.10 Administrative enforcement

91.99 Penalty

§ 91.01 POLICY STATEMENT.

It shall be the policy of the town to provide, within constitutional limitation, for fair housing throughout its corporate limits as provided for under the federal Civil Rights Act of 1968, as amended, the federal Housing and Community Development Act of 1974, being 42 U.S.C. §§ 5301 et seq., as amended, and I.C. 22-9.5-1 et seq.
(Ord. 2012-5, passed 10-1-2012)

§ 91.02 DEFINITIONS.

For the purpose of this chapter, the following definitions apply unless the context clearly indicates or requires a different meaning.

AGGRIEVED PERSON. Includes any person who (I.C. 22-9.5-2-2):

(1) Claims to have been injured by a discriminatory housing practice; or

(2) Believes that such person will be injured by a discriminatory housing practice that is about to occur.

COMMISSION. The state Civil Rights Commission created pursuant to I.C. 22-9-1-4 et seq. (I.C. 22-9.5-2-3)

COMPLAINANT. A person, including the Commission, who files a complaint under I.C. 22-9.5-6.
(I.C. 22-9.5-2-4)

DISCRIMINATORY HOUSING PRACTICE. An act that is unlawful under §§ 91.04 through 91.08 of this chapter or I.C. 22-9.5-5.

DWELLING. Any building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as, a residence by one or more families; or any vacant land which is offered for sale or lease for the construction or location of a building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as a residence by one or more families (I.C. 22-9.5-2-8).

FAMILIAL STATUS. One or more individuals who have not attained the age of 18 years being domiciled with a parent or another person having legal

custody of such individual or the written permission of such parent or other person. The protections afforded against discrimination on the basis of ***FAMILIAL STATUS*** shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

FAMILY. Includes a single individual (I.C. 22-9.5-2-9), with the status of such family being further defined in ***FAMILIAL STATUS***. Also, pursuant to 24 C.F.R. part 5, the definition of family is revised to include families regardless of the actual or perceived sexual orientation, gender identity, or marital status of its members.

HANDICAP.

(1) With respect to a person:

(a) A physical or mental impairment which substantially limits one or more of such person's major life activities;

(b) A record of having such an impairment;

(c) Being regarded as having such an impairment;

(d) An impairment described or defined pursuant to the federal Americans with Disabilities Act of 1990, being 42 U.S.C. §§ 12101 et seq.; or

(e) Any other impairment defined under I.C. 22-9-5-6.

(2) The term ***HANDICAP*** shall not include current illegal use of or addictions to a controlled substance as defined in 21 U.S.C. § 802 (I.C. 22-9-5-6(b)); nor does the term ***HANDICAP*** include an individual solely because that individual is a transvestite (I.C. 22-9-5-6(d)(3)).

PERSON. Includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, non-incorporated organizations, trustees, trustees in cases under U.S.C. Title 11, receivers, and fiduciaries. (I.C. 22-9.5-2-11)

TO RENT. Includes to lease, to sublease, to let, and otherwise to grant for a consideration the rights to occupy the premises owned by the occupant. (I.C. 22-9.5-2-13)
(Ord. 2012-5, passed 10-1-2012)

§ 91.03 UNLAWFUL PRACTICE.

Subject to the provisions of division (B) below, § 91.09, and I.C. 22-9.5-3, the prohibitions against discrimination in the sale or rental of housing set forth I.C. 22-9.5-5-1 and in § 94.04 shall apply to:

(A) All dwellings except as exempted by division (B) below and I.C. 22-9.5-3;

(B) Other than the provisions of division (C) below, nothing in § 91.04 shall apply to:

(1) Any single-family house sold or rented by an owner where the private individual owner does not own more than three such single-family houses at any one time; provided that in the sale of such single-family house by a private individual owner not residing in the house at the time of sale or exemption shall apply only to one such sale within any 24-month period. The private individual owner may not own any interest in, nor have owned or reserved on his or her behalf, title to or any right to all or a portion of the proceeds from the sale or rental of more than three such single-family houses at any one time. The sale or rental of any such single-family house shall be exempted from application of this section only if such house is sold or rented:

(a) Without the use in any manner of the sales or rental facilities or services of any real estate broker, agent, or salesperson, or any person in the business of selling or renting dwellings, or of any

employee or agent of any such broker, agent, or salesperson, or person; and

(b) Without the publication, posting, or mailing, after notice of advertisement or written notice in violation of § 91.04, but nothing in this provision shall prohibit the use of attorneys, escrow agents, abstracters, title companies, and other such professional assistance as necessary to perfect or transfer this title.

(2) Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his or her residence.

(C) For the purposes of division (B) above, a person shall be deemed to be in the business of selling or renting dwellings if:

(1) They have, within the preceding 12 months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein;

(2) They have, within the preceding 12 months, participated as agent, other than in the sale of his or her own personal residence, in providing sales or rental facilities or services in two or more transactions involving the sale or rental of any dwelling or any interest therein; or

(3) They are the owner of any dwelling unit designed or intended for occupancy by, or occupied by, five or more families.
(Ord. 2012-5, passed 10-1-2012)

§ 91.04 DISCRIMINATION IN THE SALE OR RENTAL OF HOUSING.

As made applicable § 91.03 and except as exempted by § 91.03(B) and § 91.09, it shall be unlawful:

(A) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, handicap, familial status, or national origin;

(B) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling or in the provision of services of facilities in connection therewith, because of race, color, religion, sex, handicap, familial status, or national origin;

(C) To make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin, or an intention to make any such preference, limitation, or discrimination;

(D) To represent to any person because of race, color, religion, sex, handicap, familial status, or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available;

(E) For profit, to induce or attempt to induct any person to sell or rent any dwelling by representations regarding the entry or perspective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, handicap, familial status, or national origin;

(F) To discriminate in the sale or rental, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a handicap of:

(1) The buyer or renter;

(2) A person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or

(3) Any person associated with that person.

(G) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a handicap of:

(1) The person;

(2) A person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or

(3) Any person associated with that person.

(H) (1) For purposes of this section, ***DISCRIMINATION*** includes:

(a) A refusal to permit, at the expense of the handicapped person, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises except that, in the case of a rental, the landlord may where it is reasonable to do so condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modifications, reasonable wear and tear excepted;

(b) A refusal to make reasonable accommodations in rules, policies, practices, or services when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling; or

(c) In connection with the design and construction of covered multi-family dwellings for first occupancy, a failure to design and construct those dwellings in such a manner that:

1. The public use and common use portions of such dwellings are readily accessible to and usable by handicapped persons;

2. All the doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by handicapped persons in wheelchairs; and

3. All premises within such dwellings contain the following features of adaptive design:

a. An accessible route into and through the dwelling;

b. Light switches, electrical outlets, thermostats, and other environmental controls in accessible locations; and

c. Reinforcements in bathrooms such that an individual in a wheelchair can maneuver about the space.

(2) Compliance with the appropriate requirement of Americans with Disabilities Act of 1990, being 42 U.S.C. §§ 12101 et seq., and of the American National Standard for Buildings and Facilities providing accessibility and usability for physically handicapped people (commonly cited as ANSI A117.1) suffices to satisfy the requirements of division (H)(1)(c)3.c. above. Nothing in this section requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.
(Ord. 2012-5, passed 10-1-2012)

§ 91.05 DISCRIMINATION IN RESIDENTIAL REAL ESTATE-RELATED TRANSACTIONS.

(A) It shall be unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available such a transaction, or

in the terms or conditions of such a transaction, because of race, color, religion, sex, handicap, familial status, or national origin.

(B) As used in this section, the term ***RESIDENTIAL REAL ESTATE-RELATED TRANSACTION*** means any of the following:

(1) The making or purchasing of loans or providing other financial assistance:

(a) For purchasing, constructing, improving, repairing, or maintaining a dwelling; or

(b) Secured by residential real estate.

(2) The selling, brokering, or appraising of residential real property.

(C) Nothing in this chapter prohibits a person engaged in the business of furnishing appraisals of real property to take into consideration factors other than race, color, religion, national origin, sex, handicap, or familial status.
(Ord. 2012-5, passed 10-1-2012) Penalty, see § 91.99

§ 91.06 DISCRIMINATION IN THE PROVISION OF BROKERAGE SERVICE.

It shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization, or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him or her in the terms or conditions of such access, membership, or participation, on account of race, color, religion, sex, handicap, familial status, or national origin.
(Ord. 2012-5, passed 10-1-2012) Penalty, see § 91.99

§ 91.07 INTERFERENCE, COERCION, OR INTIMIDATION.

It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by §§ 91.03 through 91.06.
(Ord. 2012-5, passed 10-1-2012) Penalty, see § 91.99

§ 91.08 PREVENTION OF INTIMIDATION IN FAIR HOUSING CASES.

Whoever, whether or not acting under code or law, by force or threat of force willfully injures, intimidates, or interferes with, or attempt to injure, intimidate, or interfere with:

(A) Any person because of his or her race, color, religion, sex, handicap, familial status, or national origin and because he or she is or has been selling, purchasing, renting, financing, occupying, or contracting or negotiating for the sale, purchase, rental, financing, or occupation of any dwelling, or applying for or participating in any service, organization, or facility relating to the business of selling or renting dwellings; or

(B) Any person because he or she is or has been, or in order to intimidate such person or any other person or any class of persons from:

(1) Participating, without discrimination on account of race, color, religion, sex, handicap, familial status, or national origin, in any of the activities, services, organizations, or facilities described in division (A) above; or

(2) Affording another person or class of persons opportunity or protection so to participate. (Ord. 2012-5, passed 10-1-2012) Penalty, see § 91.99

§ 91.09 EXEMPTIONS.

(A) Exemptions defined or set forth under I.C. 22-9.5-3 et seq. shall be exempt from the provisions of § 91.09 to include those activities or organizations set forth under divisions (B) and (C) below;

(B) (1) Nothing in this section shall prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color, or national origin.

(2) Nor shall anything in this section prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental occupancy of such lodging to its members or from giving preference to its members.

(C) Nothing in this section regarding familial status shall apply with respect to housing for older persons. As used in this section, ***HOUSING FOR OLDER PERSONS*** means housing:

(1) Provided under any state or federal program that the Secretary of the Federal Department of Housing and Urban Development or the State Civil Rights Commission determines is specifically designed and operated to assist elderly person (as defined in the state or federal program);

(2) Intended for, and solely occupied by, person 62 years of age or older; or

(3) Intended and operated for occupancy by at least one person 55 years of age or older per unit. (Ord. 2012-5, passed 10-1-2012)

§ 91.10 ADMINISTRATIVE ENFORCEMENT.

(A) The authority and responsibility for properly administering § 91.10 and referral of complaints hereunder to the Commissioner as set forth in division (B) below shall be vested in the chief elected official of the town.

(B) Notwithstanding the provisions of I.C. 22-9.5-4-8, the town, because of lack of financial and other resources necessary to fully administer enforcement proceedings and possible civil actions under I.C. 22-9.5-4-8, herein elects to refer all formal complaints of violation of the articles of § 91.10 by complainants to the state Civil Rights Commission for administrative enforcement actions pursuant to I.C. 22-9.5-6 and the chief elected official of the town, shall refer all said complaints to the Commission as provided for under division (A) above to said Commission for purposes of investigation, resolution, and appropriate relief as provided for under I.C. 22-9.5-6.

(C) All executive departments and agencies of the town shall administer their departments, programs, and activities relating to housing and urban development in a manner affirmatively to further the purposes of this section and shall cooperate with the chief elected official and the Commission to further such purposes.

(D) The chief elected official of the town, or the chief elected official's designee, shall provide information on remedies available to any aggrieved person or complainant requesting such information. (Ord. 2012-5, passed 10-1-2012)

§ 91.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) Any citizen because he or she is or has been, or in order to discourage such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion, sex, handicap, familial status, or national origin, in any of the activities, services, organizations, or facilities described in § 91.08 division (A) above, or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to participate shall be fined according to local, state, and federal law; and if bodily injury results shall be fined not more than as set by the Town Council from time to time or imprisoned not more than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life.
(Ord. 2012-5, passed 10-1-2012)

§ 91.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) Any citizen because he or she is or has been, or in order to discourage such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion, sex, handicap, familial status, or national origin, in any of the activities, services, organizations, or facilities described in § 91.08 division (A) above, or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to participate shall be fined according to local, state, and federal law; and if bodily injury results shall be fined not more than as set by the Town Council from time to time or imprisoned not more than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life.
(Ord. 2012-5, passed 10-1-2012)

CHAPTER 92: STREETS AND SIDEWALKS

Section

92.01 Use of sidewalks
92.02 Alleys
92.03 Basketball goals and standards
92.04 Streets

92.99 Penalty

§ 92.01 USE OF SIDEWALKS.

It shall be permissible within the town for a property owner operating a business to place on the sidewalk in front of that business up to two tables, with up to two chairs at each table, as long as the following conditions are met:

(A) The table(s) and chair(s) are arranged in such a manner so as not to impede pedestrian traffic on the sidewalk;

(B) The table(s) and chair(s) are removed from the sidewalk each night;

(C) The table(s) measures no more than 30 inches in diameter; and

(D) No alcohol is permitted to be consumed on the sidewalk.
(Prior Code, § 92.01) Penalty, see § 92.99

§ 92.02 ALLEYS.

(A) For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

ALLEY. Any public thoroughfare, which affords only secondary means of vehicular access to abutting property, and is less than 30 feet in width, whether the same be covered with pavement, gravel, dirt, or grass.

(B) It shall be unlawful for any person to leave any vehicle or any other thing that may be a nuisance, obstruction, or hindrance in or on any alley within the municipality either during the day or at night. Any obstruction is hereby declared to be a nuisance.
(Prior Code, § 92.02) Penalty, see § 92.99

§ 92.03 BASKETBALL GOALS AND STANDARDS.

No person in the town, shall place a basketball goal or standard in or on the streets or in any way restrict traffic on any street in the town by placing a basketball goal or standard in such a manner that persons using the basketball goal or standard hinder or obstruct traffic.
(Prior Code, § 92.03) Penalty, see § 92.99

§ 92.04 STREETS.

(A) (1) It shall be unlawful for any person to move onto any street, any house, barn, or other building, without first procuring from the Town Marshal, a written permit, signed by the Town Marshal, and attested by the Clerk-Treasurer.

(2) Any person desiring to move any house, barn, or other building along any of the streets, shall first procure a permit therefore, as provided for in

division (A)(1) above. The permit shall designate and name the streets along and on which any such house, barn, or other building shall be moved.

(3) Any expense or damage which may be occasioned by the moving of any such house, barn, or other building along any of the streets of the town, as provided for in divisions (A)(1) and (A)(2) above, which may arise from the outting and removal of electric light wires or the removal of any of the street lamps of the town, shall be paid for by the owner of any house, barn, or other building, as the case may be.

(B) (1) No person shall encumber any street, alley, sidewalk, or other public way, either temporarily or permanently, so as to interfere with the free and unobstructed use thereof.

(2) Any such obstruction may be tagged by any law enforcement officer, and removed and disposed of as abandoned property, if it is not removed within 24 hours of being tagged. The owner of any such obstruction shall be liable for any costs incurred by the town.

(C) Between November 1 and April 30 of each year, no person shall park or place on any town street, alley, sidewalk, or other public way, either temporarily or permanently, any mobile home, recreational vehicle, camper, boat, or trailer containing any recreational equipment (hereinafter referred to as the "obstruction").
(Prior Code, § 92.04) Penalty, see § 92.99

§ 92.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) (1) Whoever shall violate § 92.04(B) shall be fined as set by the Town Council from time to time for each offense, and a separate offense shall be deemed committed on each day that a violation occurs or continues.

(2) Whoever shall violate § 92.04(C) shall have the obstruction tagged, and shall be given a written notice by the Town Marshal or his or her designee, instructing the owner to move the obstruction within 24 hours. If the obstruction is not moved within 24 hours as requested, the obstruction will be towed at the owner's expense.
(Prior Code, § 92.04)

CHAPTER 93: TREES

Section

93.01 Unlawful practices

§ 93.01 UNLAWFUL PRACTICES.

(A) It shall be unlawful for any person to trim, top, or fell any trees within the corporate limits of the town on town property without first procuring from the Clerk-Treasurer a permit signed by the Clerk-Treasurer.

(B) A permit shall be signed by the Clerk-Treasurer and issued upon payment of a fee as set by the Town Council from time to time.
(Prior Code, § 93.01) Penalty, see § 10.99

CHAPTER 94: NUISANCES

Section

Nuisances Prohibited

94.01 Dumping of trash and debris
94.02 Unsafe buildings
94.03 Accumulation of trash, junk, or refuse
94.04 Tall grass
94.05 Abandoned vehicles
94.06 Visual nuisances
94.07 Other nuisances

94.99 Penalty

Cross-reference:

Burial of construction debris and/or demolished buildings, see § 150.02

NUISANCES PROHIBITED

§ 94.01 DUMPING OF TRASH AND DEBRIS.

It shall be unlawful for any resident or non-resident persons or businesses to place or deposit any garbage, debris, or refuse, including, but not limited to construction material or structural debris, rock, earth or sod, grass clippings, shrub clippings, leaves, vines, small trees, brush, limbs, bum barrels, tires, animal carcasses or parts thereof, appliances, and hazardous waste, whether generated by households or business; in or around Academy Park, Rommel Park, in or around the facilities near the town utility buildings, including the recycling area and the town property dumpster, in or around the town waste water lagoons or premises, or at any other location in or around the town.
(Ord. 2017-1106-1, passed 11-6-2017) Penalty, see § 94.99

§ 94.02 UNSAFE BUILDINGS.

(A) The town hereby adopts the provisions of I.C. 36-7-9, as that law may be amended from time to time, as the Town Unsafe Building Law, I.C. 36-7-9, is hereby incorporated by reference in this, the Town Unsafe Building Law. All proceedings within the town for the inspection, repair, and removal of unsafe buildings shall be governed by the law and the provisions of this section. In the event that the provisions of this section conflict with the provisions of I.C. 36-7-9, as that chapter may be amended from time to time, the provisions of the state statute shall control. Further, the town specifically adopts by reference the definition of ***SUBSTANTIAL PROPERTY INTEREST***, as defined at I.C. 36-7-9-2, as that section may be amended from time to time.

(B) The town building inspector shall be authorized to administer and to proceed under the provisions of the law in ordering the repair or removal of any buildings found to be "unsafe," as that specified in I.C. 36-7-9. The Council now designates the County building inspector to be the town building inspector for purposes of enforcing the State Unsafe Building Law. The Council is hereby designated to be the ***HEARING AUTHORITY***, as that term is used in I.C. 36-7-9-2.
(Prior Code, § 94.01)

§ 94.03 ACCUMULATION OF TRASH, JUNK, OR REFUSE.

(A) It shall be unlawful for any person, firm, or business to allow the accumulation of trash, junk, or refuse on any property under his, her, or its control, except as may be placed in properly controlled containers or enclosures to be picked up by the regular trash collection service operated by the town, and it shall farther be unlawful for any person, firm, or business to allow papers placed out for collection or disposal to blow or be blown onto or about adjacent properties.

(B) No person shall be in violation of this provision until the owner has had seven days from the date of the mailing of the notice by the Town Marshal or his or her designee to cause the nuisance to be brought into compliance with this section.

(C) In the event that the nuisance is not abated within seven days of the mailing of the notice, the Town Marshal shall issue a written ordinance violation against the property owner, and town employees or their designee may enter onto the property containing the nuisance and use town equipment and personnel and/or contractors to abate the violation. The property owner will be billed following the provision of these services in the minimum sum as set by the Town Council from time to time which, depending on the administrative costs and actual hours of labor expended, may be higher.
(Ord. 2017-1106-1, passed 11-6-2017) Penalty, see § 94.99

§ 94.04 TALL GRASS.

(A) (1) It shall be unlawful for any property owner in the town to permit weeds, grasses, plants, and vegetation, other than bushes, trees, flowers, ornamental plants, or garden plants, to grow to a height of more than six inches within the town boundaries (hereinafter, "weeds and rank vegetation" or "tall grass," which terms may be used interchangeably). Any such weeds and rank vegetation or tall grass shall be considered a nuisance.

(2) The Council shall be responsible for the administration of this section, and the Clerk-Treasurer shall be responsible for the provision of all mailings and filings required as set forth below.

(3) When the town becomes aware of the existence of a violation of this section, notice of the violation shall be sent by certified mail, first class mail, or an equivalent service permitted under I.C. 1-1-7-1, by the Clerk-Treasurer to the owner of record of real property with a single owner, or at least one of the owners of real property with multiple owners, at the last address of the owner of the property as indicated in the records of the County Auditor on the date of the notice. If an initial notice of the violation under this section was provided by certified mail, first class mail, or equivalent service under this division (A)(3), a continuous abatement notice may be posted at the property at the time of abatement instead of by certified mail, first class mail, or equivalent service as required under this division (A)(3). A continuous abatement notice serves as notice to the real property owner that each subsequent violation during the same year for which the initial notice of the violation was provided may be abated by the town, or its contractors.

(B) The notice shall inform the owner of the following, which are the procedures hereby adopted for giving the owner notice, abating the nuisance, and billing and collecting any sums due therefrom:

(1) There appears to be vegetation growing on your property exceeding six inches, contrary to this section;

(2) The owner has seven days from the date of the mailing of the notice to cause the property to be brought into compliance with this section;

(3) In the event that the property is not in compliance within seven days of the mailing of the

notice, the town will use town equipment and personnel to mow the property to abate the violation;

(4) The owner will be billed following the provision of these services in the minimum sum as set by the Town Council from time to time which, depending on the administrative costs and actual hours of labor expended, may be higher; and

(5) In the event that the bill is not paid within 30 days of its mailing to the owner, the bill will be deemed delinquent. Delinquent weeds and rank vegetation abatement billings and tall grass billings shall be collected in the manner set forth in § 50.02.

(C) In the event a property owner who received a notice of violation disputes the notice, the property owner must inform the Clerk-Treasurer of this intention within ten days of mailing of the notice and request to be placed on the agenda for the next regularly scheduled Town Council meeting. A majority of any members present at the next meeting shall hear the property owner's objection and vote either for or against the objection, and the majority shall prevail. In the event the Council denies the appeal, the property owner must bring the property into compliance within seven days. In the event the owner fails to comply within that time, the town or its agents shall enter the property and bring it into compliance, and the property owner shall be billed in the manner set forth above.

(D) In the event a property owner objects to the issuance of a bill in the manner described above, the property owner shall notify the Clerk-Treasurer and request to be placed on the agenda of the next Town Council meeting, or at a later meeting at the option of the Clerk-Treasurer. At the meeting, the Council members present shall vote for or against the objection and the majority shall prevail. If the Council denies the appeal, the property owner shall have seven days to make payment. In the event the bill is not paid within seven days of the decision of the town Council, it is delinquent. Delinquent tall grass and weed abatement charges shall be collected in the manner set forth in § 50.02.

(E) It is not a defense to this section that a property is not occupied abandoned or occupied by a tenant other than the owner. In the event the property is the subject of a mortgage or real estate sales contract, certifications to the auditor shall be in the name appearing on the tax duplicate for the property. (Prior Code, § 94.01) (Ord. 2013-4, passed 6-17-2013)

§ 94.05 ABANDONED VEHICLES.

(A) *Public nuisance.* Because of the danger to health from vermin and insects and because of the danger to the safety of children attracted by such vehicles, abandoned motor vehicles are declared to be a nuisance.

(B) *Definition.* ***ABANDONED MOTOR VEHICLES*** are any motor vehicles that are junked, wrecked, disassembled, mechanically inoperable, or not bearing a current license.

(C) *Prohibited storage.* It shall be unlawful for any person owning or having custody of an abandoned motor vehicle to store or permit such vehicle to remain on public property within the town for a period of more than three days following receipt of a notice requiring a removal or on private property within the town for a period of more than seven days following receipt of a notice requiring removal.

(D) *Permitted storage.* This section shall not apply to any motor vehicle stored within an enclosed building, or on the premises of a business enterprise operated in a lawful place and manner when necessary to the operation of such business enterprise, in a storage place or depository maintained in a lawful place and manner, or seasonal use vehicles such as snowmobiles, motorcycles, motor scooters, and non-motorized campers. Such business enterprises

shall include auto junk yards, auto repair and auto body shops, but shall not include automobile service stations or tire, battery, and accessory sales stores.

(E) *Notice of removal.*

(1) Whenever the Town Marshal, or his or her authorized designee, finds any abandoned motor vehicle placed or stored upon public or private property within the town, he or she shall issue an order to the owner of such vehicle, if such owner can be ascertained by the exercise of reasonable diligence and also to the owner of the private property as shown on the tax assessment records of the county, to remove such vehicle if it is situated on public property within three consecutive days and if it is situated on private property within seven consecutive days.

(2) The notice will be placed on the motor vehicle and personally served in person or sent by certified United States mail by the Town Marshal to the owner of the abandoned motor vehicle. The notice will state the nature of the complaint, including the ordinance being violated, a description of the motor vehicle, the date and time of the notice, whether the vehicle must be removed within three days (public property) or seven days (private property) and the potential consequences of failure to remove the abandoned motor vehicle.
(Ord. 2018-0702(A), passed 7-2-2018; Ord. 2018-1015, passed 10-15-2018) Penalty, see § 94.99

§ 94.06 VISUAL NUISANCES.

(A) It shall be unlawful to maintain visual nuisances as explained in this section.

(1) *No commercial purposes permitted.* No property owner in the town may use his or her property in a residentially-zoned area for repairing, restoring, servicing, or painting, or for storing prior to or after repairing, restoring, servicing, or painting, any vehicle when any such activity is being done for a commercial purpose.

(2) *Personally-owned vehicles.* A property owner may use their property in a residentially-zoned area for repairing, restoring, servicing, or painting, or for storing prior to or after repairing, restoring, servicing, or painting, any personally-owned vehicle, so long as such use does not become a visual nuisance.

(B) In making the determination whether the property or its contents constitutes a visual nuisance, the Council shall consider the following factors:

(1) The appearance of the property and/or the vehicles situated thereon;

(2) Visible signs of buying and/or selling vehicles and the rotation of vehicles on the property;

(3) The extent of any such permitted activities and the timeliness of work on the vehicles; and

(4) The level of discontent of the property owner's neighbors and/or the number of complaints.

(C) In the event that a property is deemed to be a visual nuisance, the property owner shall do one of the following:

(1) Immediately remove the vehicles which cause the visual nuisance from the property; or

(2) Place the vehicles which cause the visual nuisance inside a building or structure. Property owners will no longer be able to cover the vehicle with non-transparent covers in lieu of placing the vehicle inside a building or structure.

(D) Property owners shall have 30 days from the date of second publication of this section before being subject to enforcement of this section.
(Prior Code, § 94.01) Penalty, see § 94.99

§ 94.07 OTHER NUISANCES.

It shall further be unlawful to disturb the peace and quiet of the citizens of the town by making any unnecessary, loud, and unusual noises, or to mischievously injure any structure, real estate, or other personal property, or to foul the air with any noise or odor which offends the citizens of the town. (Prior Code, § 94.01) Penalty, see § 94.99

§ 94.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) Violations of § 94.01 shall be punishable by a fine as set by the Town Council from time to time per day of violation, and each day of violation constitutes a separate and distinct violation of this provision.

(C) Violations of § 94.03 shall be punishable by a fine as set by the Town Council from time to time per day of violation, and each day of violation constitutes a separate and distinct violation of § 94.03. In addition, the town may seek a mandatory and/or prohibitory injunction in an appropriate court to abate such nuisance.

(D) In addition to § 10.99, any such abandoned motor vehicle as mentioned in § 94.05 may be removed and stored at the direction of the Town Marshal following the procedures as set out in I.C. 9-22 and the owner thereof shall be liable for the costs of such removal and storage.
(Ord. 2017-1106-1, passed 11-6-2017; Ord. 2018-1015, passed 10-15-2018)

TITLE XI: BUSINESS REGULATIONS

Chapter

110. PEDDLERS, SOLICITORS, AND TRANSIENT MERCHANTS

111. ALCOHOLIC BEVERAGES

CHAPTER 110: PEDDLERS, SOLICITORS, AND TRANSIENT MERCHANTS

Section

110.01 Definitions
110.02 License requirement
110.03 Application procedure
110.04 Standards for issuance
110.05 Revocation procedure
110.06 Standards for revocation
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110.08 Exhibition of identification
110.09 Town policy on soliciting
110.10 Notice regulating soliciting
110.11 Duty of solicitors to ascertain notice
110.12 Prohibited solicitation

§ 110.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BUSINESS. The business carried on by any person who is an itinerant merchant, peddler, or solicitor as defined in this section.

GOODS. Merchandise of any description whatsoever, and includes, but is not restricted to, wares and foodstuffs.

ITINERANT MERCHANT. Any person, whether as owner, agent, or consignee, who engages in a temporary business of selling goods within the town and who, in the furtherance of such business, uses any building, structure, vehicle, or any place within the town.

PEDDLER. Any person, not an itinerant merchant, who:

(1) Travels from place to place by any means carrying goods for sale, or making sales, or making deliveries; or

(2) Without traveling from place to place, sells or offers goods for sale from any public place within the town.

SOLICITOR. Any person who travels by any means from place to place, taking or attempting to take orders for sale of goods to be delivered in the future or for services to be performed in the future. A person who is a ***SOLICITOR*** is not a peddler.

§ 110.02 LICENSE REQUIREMENT.

(A) Any person who is an itinerant merchant, peddler, or solicitor shall obtain a license before engaging in such activity within the town.

(B) The fee for the license required by this chapter shall be as set from time to time by the Town Council.

(C) No license issued under this chapter shall be transferable.

(D) All licenses issued under this chapter shall expire 90 days after the date of issuance thereof.
Penalty, see § 10.99

§ 110.03 APPLICATION PROCEDURE.

(A) All applicants for licenses required by this chapter shall file an application with the Town Administrator. This application shall be signed by the applicant if an individual, or by all partners if a partnership, or by the president if a corporation. The applicant may be requested to provide information concerning the following items:

(1) The name and address of the applicant;

(2) (a) The name of the individual having management authority or supervision of the applicant's business during the time that it is proposed to be carried on in the town;

(b) The local address of such individual;

(c) The permanent address of such individual;

(d) The capacity in which such individual will act;

(3) The name and address of the person, if any, for whose purpose the business will be carried on and, if a corporation, the state of incorporation;

(4) The time period or periods during which it is proposed to carry on applicant's business;

(5) (a) The nature, character, and quality of the goods or services to be offered for sale or delivered;

(b) If goods, their invoice value and whether they are to be sold by sample as well as from stock;

(c) If goods, where and by whom such goods are manufactured or grown, and where such goods are at the time of application;

(6) The nature of the advertising proposed to be done for the business;

(7) Whether or not the applicant, or the individual identified in division (A)(2)(a) above, or the person identified in division (A)(3) has been convicted of any crime or misdemeanor and, if so, the nature of each offense and the penalty assessed for each offense.

(B) Applicants for peddler or solicitor licenses may be required to provide further information concerning the following items, in addition to that requested under division (A) above:

(1) A description of the applicant; and

(2) A description of any vehicle proposed to be used in the business, including its registration number, if any.

(C) All applicants for licenses required by this chapter shall attach to their application, if required by the town, credentials from the person, if any, for which the applicant proposes to do business, authorizing the applicant to act as such representative.

(D) Applicants who propose to handle foodstuffs shall also attach to their application, in addition to any attachments required under division (C) above, a statement from a licensed physician, dated not more than ten days prior to the date of application, certifying the applicant to be free of contagious or communicable disease.
Penalty, see § 10.99

§ 110.04 STANDARDS FOR ISSUANCE.

(A) Upon receipt of an application, an investigation of the applicant's business reputation and moral character shall be made.

(B) The application shall be approved unless such investigation discloses tangible evidence that the

conduct of the applicant's business would pose a substantial threat to the public health, safety, morals, or general welfare. In particular, tangible evidence that the applicant has been any of the following will constitute valid reasons for disapproval of an application:

(1) Has been convicted of a crime of moral turpitude;

(2) Has made willful misstatements in the application;

(3) Has committed prior violations of ordinances pertaining to itinerant merchants, peddlers, solicitors, and the like;

(4) Has committed prior fraudulent acts; or

(5) Has a record of continual breaches of solicited contracts.

§ 110.05 REVOCATION PROCEDURE.

(A) Any license or permit granted under this chapter may be revoked by the Town Administrator after notice and hearing, pursuant to the standards in § 110.06.

(B) Notice of hearing for revocation shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be mailed to the licensee at his or her last known address, at least ten days prior to the date set for the hearing.

§ 110.06 STANDARDS FOR REVOCATION.

A license granted under this chapter may be revoked for any of the following reasons:

(A) Any fraud or misrepresentation contained in the license application;

(B) Any fraud, misrepresentation, or false statement made in connection with the business being conducted under the license;

(C) Any violation of this chapter;

(D) Conviction of the licensee of any felony, or conviction of the licensee of any misdemeanor involving moral turpitude; or

(E) Conducting the business licensed in an unlawful manner or in such a way as to constitute a menace to the health, safety, morals, or general welfare of the public.

§ 110.07 APPEAL PROCEDURE.

(A) Any person aggrieved by a decision under §§ 110.04 or 110.06 shall have the right to appeal to the Town Council. The appeal shall be taken by filing with the Town Council, within 14 days after notice of the decision has been mailed to such person's last known address, a written statement setting forth the grounds for appeal. The Town Council shall set the time and place for a hearing, and notice for such hearing shall be given to such person in the same manner as provided in § 110.05.

(B) The order of the Town Council after the hearing shall be final.

§ 110.08 EXHIBITION OF IDENTIFICATION.

(A) Any license issued to an itinerant merchant under this chapter shall be posted conspicuously in or at the place named therein. In the event more than one place within the town shall be used to conduct the business licensed, separate licenses shall be issued for each place.

(B) The Town Administrator shall issue a license to each peddler or solicitor licensed under this chapter. The license shall contain the words "Licensed

Peddler" or "Licensed Solicitor," the expiration date of the license, and the number of the license. The license shall be kept with the licensee during such time as he is engaged in the business licensed.
Penalty, see § 10.99

§ 110.09 TOWN POLICY ON SOLICITING.

It is hereby declared to be the policy of the town that the occupants of the residences in the town shall make the determination of whether solicitors shall be, or shall not be, invited to their respective residences.

§ 110.10 NOTICE REGULATING SOLICITING.

(A) Notice of the refusal of invitation to solicitors, to any residence, shall be given on a weatherproof card, approximately three inches by four inches in size, exhibited upon or near the main entrance door to the residence, indicating the determination by the occupant, containing the applicable words, as follows:

"NO SOLICITORS INVITED"

(B) The letters shall be at least one-third inch in height. For the purpose of uniformity, the cards shall be provided by the Chief of Police to persons requesting, at the cost thereof.

(C) The card so exhibited shall constitute sufficient notice to any solicitor of the determination by the occupant of the residence of the information contained thereon.

§ 110.11 DUTY OF SOLICITORS TO ASCERTAIN NOTICE.

(A) It shall be the duty of every solicitor upon going onto any premises in the town upon which a residence is located to first examine the notice provided for in § 110.10 if any is attached, and be governed by the statement contained on the notice. If the notice states "NO SOLICITORS INVITED," then the solicitor, whether registered or not, shall immediately and peacefully depart from the premises.

(B) Any solicitor who has gained entrance to any residence, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.
Penalty, see § 10.99

§ 110.12 PROHIBITED SOLICITATION.

It is hereby declared to be unlawful and shall constitute a nuisance for any person to go upon any premises and ring the doorbell upon or near any door, or create any sound in any manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof and engage in soliciting in defiance of the notice exhibited at the residence in accordance with the provisions of § 110.10 above.
Penalty, see § 10.99

CHAPTER 111: ALCOHOLIC BEVERAGES

Section

111.01 Liquor retailer's permit

§ 111.01 LIQUOR RETAILER'S PERMIT.

Liquor retailer's permits may be issued to applicants otherwise duly qualified under the law and regulations of the Alcoholic Beverage Commission, as created and organized by act of the General Assembly of the state for the year 1945, in respect to premises located within the town.
(Prior Code, § 111.01)

TITLE XIII: GENERAL OFFENSES

Chapter

130. GENERAL OFFENSES

CHAPTER 130: GENERAL OFFENSES

Section

130.01 Curfew; loitering
130.02 Leaf burning on paved public roads prohibited
130.03 Discharge of weapons
130.04 Alcoholic beverages
130.05 Dumpsters; unauthorized use

130.99 Penalty

Cross-reference:

Animals, see Chapter 90

§ 130.01 CURFEW; LOITERING.

(A) No person of any age may be in any park located in the town, including Rommel Park, Academy Park, and the Town Square Parkon Sundays, Mondays, Tuesdays, Wednesdays, and Thursdays between the hours of 12:00 a.m. "midnight" and 5:00 a.m. every night of the week.

(B) No person of any age may loiter in any park located in the town including Rommel Park, Academy Park, and the Town Square Park.

(Prior Code, § 130.01) Penalty, see § 130.99

§ 130.02 LEAF BURNING ON PAVED PUBLIC ROADS PROHIBITED.

The burning of leaves, limbs, cut grass, vegetation, or other yard waste on paved public roads within the town limits, is hereby prohibited.

(Prior Code, § 130.02) Penalty, see § 130.99

§ 130.03 DISCHARGE OF WEAPONS.

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CROSSBOW. Any device consisting of a bow attached to a stock, designed to shoot bolts, quarrels, or arrows of any length.

FIREARM. Any weapon designed to shoot bullets or other potentially lethal missiles by means of an explosive charge, or other means or propulsion, including but not limited to handguns, rifles, and shotguns.

HANDGUN. Any firearm designed to be held and fired with one hand.

(B) It shall be unlawful for any person to discharge any firearm, airgun, handgun, BB gun, crossbow, compound bow, any bow designed to shoot arrows, or any other weapon projecting lead or any other missiles or projectile within the town.

(C) This section shall not apply to the possession of a toy bow equipped with rubber-tipped arrows or other soft-tipped arrows.

(Prior Code, § 130.03) Penalty, see § 130.99

§ 130.04 ALCOHOLIC BEVERAGES.

(A) ***ALCOHOLIC BEVERAGES*** is defined as beer, wine, wine cooler, or any spirit containing not less than 3% alcohol content.

(B) It shall be unlawful to consume alcoholic beverages, or any drink mixed with an alcoholic beverage on any public property where signs are posted so stating.

(C) Violation of this section is punishable as a Class C infraction.
(Prior Code, § 130.04) Penalty, see § 130.99

§ 130.05 DUMPSTERS; UNAUTHORIZED USE.

The unauthorized use of town owned and/or operated dumpsters is hereby prohibited and deemed to be trespass.
(Ord. 2018-0115, passed 1-15-2018) Penalty, see § 130.99

§ 130.99 PENALTY.

Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

TITLE XV: LAND USAGE

Chapter

150. BUILDING REGULATIONS; CONSTRUCTION

CHAPTER 150: BUILDING REGULATIONS; CONSTRUCTION

Section

150.01 Building Code
150.02 Burial of construction debris and/or demolished buildings
150.03 Ground-moving equipment
150.04 House numbers on real estate

150.99 Penalty

§ 150.01 BUILDING CODE.

(A) *Title*. This section, and all ordinances supplemental or amendatory hereto, shall be known as the "Building Code of the Town of Oxford Indiana," may be cited as such, and will be referred to herein as "this code."

(B) *Adoption of rules by reference*. The county rules and regulations are hereby adopted by reference and incorporated as part of this code of ordinances as fully as if set out at length herein.
(Prior Code, § 150.01) Penalty, see § 150.99

§ 150.02 BURIAL OF CONSTRUCTION DEBRIS AND/OR DEMOLISHED BUILDINGS.

It shall be unlawful for any resident or non-resident person or business to bury construction debris and/or demolished buildings within the town. All construction debris and/or demolished buildings must be removed immediately after it is torn down or demolished, and disposed of in a legal landfill.
(Prior Code, § 150.02) Penalty, see § 150.99

§ 150.03 GROUND-MOVING EQUIPMENT.

(A) A ***CHISEL PLOW*** is defined as a piece of machinery that is used to break up and stir soil a foot or more beneath the surface without turning it.

(B) The use of said chisel plows is hereby restricted within town limits and such chisel plows are not to be used absent permission from the Council and the Water Utility Superintendent.
(Ord. 2019-1118, passed 11-18-2019) Penalty, see § 150.99

§ 150.04 HOUSE NUMBERS ON REAL ESTATE.

(A) (1) In order to effectively provide police and fire protection, as well as emergency medical services to the citizens of the town, it is necessary for all residential and business buildings on real estate located within the town to display on the exterior of all residential or business buildings a clearly discernible house number, consistent with the house numbers assigned to that premises and which is recognized by the County 911 Emergency Response System.

(2) It shall be the obligation of the owner of all real estate within the town that has residential or business buildings to obtain the correct house number from the County Surveyor's office, the County Sheriff's office, or the town Clerk-Treasurer's office.

(B) (1) All owners of residential and business buildings on real estate located within the town shall post the house number of each such property, clearly

discernible from the nearest street, with numbers measuring no less than three inches in height and two inches in width, in a color contrasting to the background to which they are affixed, said house number being consistent with the house number appearing on the most recent town water bill sent to each such address.

(2) Property owners may purchase their own numbers to be posted as long as they meet the criteria described above. The town shall however provide owners with one set of their house number upon the owner's request in order to comply with this section.

(C) The house number shall be displayed in one of the following manners.

(1) If the number is displayed on the structure, the number shall be placed upon the front of the building in such a position as to be plainly visible to all traffic coming to the premises from either direction.

(2) If the building is farther than 50 feet from the roadway or is not clearly visible from the roadway, the number shall be displayed on a post (to include mailboxes) or sign that is adjacent to the street on which the property sits. The post or sign shall be of a height that would be clearly visible to traffic arriving on the premises and that would not be obscured during winter snowplowing.
(Ord. 2021-1206, passed 12-6-2021) Penalty, see § 150.99

§ 150.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) The penalty for a violation of § 150.03 shall be set at $250 and a separate fine shall be assessed for each occurrence of operation such equipment within town limits.

(C) (1) Any owner of residential and business buildings on real estate located within the town who shall fail to comply with § 150.04 shall be fined $25 per day for each day of violation.

(2) The Town Marshal and all other duly authorized law enforcement officers charged with enforcing the town's ordinances may issue an appearance ticket and complaint, stating the date of each violation, the name and address of the person or business violating § 150.04, and ordering that person or business owner to appear on a certain date and time in the Benton Circuit Court in Fowler, Indiana, for the purposes of a trial thereon, if contested. In the event that the owner accused of violating § 150.04 wishes to admit the violation, he or she may pay such fine at the County Clerk's office.
(Ord. 2019-1118, passed 11-18-2019; Ord. 2021-1206, passed 12-6-2021)

TABLE OF SPECIAL ORDINANCES

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I. STREET VACATIONS

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III. STREET NAMING; RENAMING

IV. FINANCE; REAL ESTATE

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TABLE I: STREET VACATIONS

Ord./Res. No.	*Date Passed*	*Description*
1988-1	2-3-1988	Vacating an alley
1988-3	11-2-1988	Vacating an alley
1991-2	6-5-1991	Vacating an alley
1999-5	12-27-1999	Vacating an alley
2001-01	1-8-2001	Vacating portion of unimproved Columbia Street, which lies between Howard and Justus Street
2021-1115	11-15-2021	Vacating an alley
2022-0620	6-20-2022	Vacating part of Darcy Drive
20220906	9- -2022	Vacating an alley

TABLE II: ANNEXATIONS

Ord./Res. No.	*Date Passed*	*Description*
2002-3	3-4-2002	Annexation of 1110 N. Michigan Street, including residence, garage and office building
2004-5	8-2-2004	Annexation of Meadows Subdivision in Oak Grove Township

TABLE III: STREET NAMING; RENAMING

Ord./Res. No.	*Date Passed*	*Description*
2002-7	9-23-2002	Renaming Water Street to Nickel Plate Road
2003-7	11-17-2003	Naming of Country Club Road

TABLE IV: FINANCE; REAL ESTATE

Ord./Res. No.	*Date Passed*	*Description*
–	1-11-1966	Cumulative Capital Improvement Fund developed
–	- -1984	Cumulative Capital Development Fund developed
Res. –	4-4-1994	Stimulation of growth according to Housing and Community Development Act of 1974; owning real estate
Res. 1999-3	7-6-1999	Approval and adoption of Water Treatment Facility and Distribution System Improvement Project report
Res. 1999-4	7-6-1999	Authorizing loan application
Res. 2001-730	7-30-2001	Confirming Economic Revitalization Area and granting abatement
Res. 2002-0909	9-9-2002	Determining tax abatement
2004-3	2-16-2004	Rainy Day Fund established
Res. 2006-4	11-20-2006	Adoption of 20-Year Capital Improvements Plan
Res. 2016-1003	10-3-2016	Tax sale certificate
Res. 2017-03201	3-20-2017	Transfer of police vehicle

TABLE V: COVID-19

Ord./Res. No.	*Date Passed*	*Description*
Res. 2020-0323A	3-23-2020	COVID-19 employment policy
Res. 2020-0323B	3-23-2020	Utility billing
2021-0503	5-3-2021	Recovery grant fund

PARALLEL REFERENCES

References to Indiana Code
References to Prior Code
References to Resolutions
References to Ordinances

REFERENCES TO INDIANA CODE

I.C. Cite	*Code Section*
1-1-7-1	94.04
5-11-1-27	33.55
5-14-3-2	34.02
5-14-3-3	34.02
5-14-3-8	34.02
9-13-2-69.7	71.01
9-21-1-3.3	71.99
9-21-9-3	71.04
9-21-9-4	71.04
9-22	94.99
9-25-2-3	71.01
9-26-6-1	71.05
22-9-1-4 et seq.	91.02
22-9.5-1 et seq.	91.01
22-9.5-2-2	91.02
22-9.5-2-3	91.02
22-9.5-2-4	91.02
22-9.5-2-8	91.02
22-9.5-2-9	91.02
22-9.5-2-11	91.02
22-9.5-2-13	91.02
22-9.5-3	91.03
22-9.5-3 et seq.	91.09
22-9.5-4-8	91.10
22-9.5-5	91.02
22-9.5-5-1	91.03
22-9.5-6	91.02; 91.10
22-9-5-6	91.02
22-9-5-6(b)	91.02
22-9-5-6(d)(3)	91.02
33-36-2 et seq.	32.16
33-36-2-2	32.16
33-36-3	32.16
33-36-3 et seq.	32.16
33-36-3-5	32.16

I.C. Cite	*Code Section*
36-1-3	50.02
36-1-3-8(a)(10)	10.99
36-1-8-11	32.16
36-1-8-11.5	32.16
36-7-9	94.02
36-7-9-2	94.02
36-9-23	50.02
36-9-23-31	50.02
36-9-23-33	50.02

REFERENCES TO PRIOR CODE

Prior Code	*2024 Code*
10.01	10.01
10.02	10.02
10.03	10.03
10.04	10.04
10.05	10.05
10.06	10.06
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10.11	10.11
10.12	10.12
10.13	10.13
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10.15	10.15
10.16	10.16
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30.01	30.01
30.02	30.02
31.01	31.01
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32.01	32.15
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50.01	50.01
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70.20	70.15
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Prior Code	*2024 Code*
70.22	70.17
70.23	70.18
Ch. 72, Schd. 1	Ch. 72, Schd. I
Ch. 72, Schd. 2	Ch. 72, Schd. II
90.01	90.01
90.02	90.02
90.03	90.03
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150.02	150.02

REFERENCES TO RESOLUTIONS

Res. No.	*Date Passed*	*Code Section*
-	4-4-1994	TSO Table IV
1999-3	7-6-1999	TSO Table IV
1999-4	7-6-1999	TSO Table IV
2001-730	7-30-2001	TSO Table IV
2002-0909	9-9-2002	TSO Table IV
2006-4	11-20-2006	TSO Table IV
2009-4	12-21-2009	33.01—33.11
2016-1003	10-3-2016	TSO Table IV
2016-1220	12-20-2016	33.41
2016-122001	12-20-2016	33.55
2017-03201	3-20-2017	TSO Table IV
2019-1216C	12-16-2019	34.03
2019-1216D	12-16-2019	34.04
2020-0323A	3-23-2020	TSO Table V
2020-0323B	3-23-2020	TSO Table V

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Ord. No.	*Date Passed*	*Code Section*
-	- -	34.18
-	1-11-1966	TSO Table IV
-	- -1984	TSO Table IV
1988-1	2-3-1988	TSO Table I
1988-3	11-2-1988	TSO Table I
1991-2	6-5-1991	TSO Table I
1998-4	7-21-1998	Ch. 72, Schd. II
1999-5	12-27-1999	TSO Table I
2001-01	1-8-2001	TSO Table I
2002-3	3-4-2002	TSO Table II
2002-7	9-23-2002	TSO Table III
2003-5	7-21-2003	Ch. 72, Schd. I
2003-6	11-17-2003	Ch. 72, Schd. I
2003-7	11-17-2003	TSO Table III
2003-8	11-17-2003	Ch. 72, Schd. I
2004-3	2-16-2004	TSO Table IV
2004-5	8-2-2004	TSO Table II
2004-6	10-18-2004	Ch. 72, Schd. I
2011-2	3-7-2011	71.01—71.05; 71.99
2-2011	9-26-2011	33.40
2011-4	12-5-2011	32.01
2012-5	10-1-2012	91.01—91.10; 91.99
2013-4	6-17-2013	32.17; 50.01; 50.03; 51.15; 94.04
2015-	- -2015	71.99; Ch. 72, Schd. I
2015-6	1-1-2015	30.01
2015-7	7-6-2015	34.16
-		8-3-2015 50.04
2016-2	3-21-2016	33.25
2017-0220	2-20-2017	33.40
2017-1106-1	11-6-2017	50.03; 94.01; 94.03; 94.99
2017-1106-2	11-6-2017	32.16
2018-0115	1-15-2018	130.05; 130.99
2018-0514	5-14-2018	51.15
2018-0702(A)	7-2-2018	94.05
2018-0702B	7-2-2018	51.30

Ord. No.	*Date Passed*	*Code Section*
2018-1015	10-15-2018	94.05; 94.99
2019-1118	11-18-2019	150.03; 150.99
2019-1216A	12-16-2019	90.37; 90.99
2019-1216B	12-16-2019	70.02
2020-0507	5-7-2020	90.23; 90.99
2021-621	6-21-2021	50.02; 51.02; 51.03
2021-0503	5-3-2021	TSO Table V
2021-0802B	8-2-2021	34.02; 34.99
2021-1115	11-15-2021	TSO Table I
2021-1206	12-6-2021	150.04; 150.99
2022-0620	6-20-2022	TSO Table I
20220906	9- -2022	TSO Table I
2022-1219	12- -2022	51.30
2023-619	6-19-2023	32.16
2023-717	7-17-2023	32.17
2023-0109	1-9-2023	51.30
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