

**WARRICK COUNTY, INDIANA
Instruction Sheet
2015 S-15 Supplement**

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WARRICK COUNTY, INDIANA

CODE OF ORDINANCES

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elected office holder may be closed during a lunch break not exceeding 12:00 noon until 1:00 p.m. of each day providing notice of such closing is posted in a conspicuous place near the public entrance to said office.

(4) It shall be the duty of the elected office holder in elected offices and the appointed superior in appointed offices to ensure compliance with this section.

(B) *County offices excluded from this section.*

(1) The County Circuit Court; The County Superior Court; the County Prosecuting Attorney and those offices funded through the budgets of those respective offices; the County Department of Public Welfare; the County Emergency Medical Service; the County Sheriff's office; the County Landfill; the County Highway Department; and the County Agriculture Stabilization Conservation Service are excluded from the provisions of this section.

(2) Commissioners may by resolution exempt other offices from the terms of this section or establish different hours of operation in accordance with the individual needs of those respective offices.

(C) *Injunction proceedings.*

(1) The Board of Commissioners may institute a suit for injunction in the circuit or superior courts of the county to restrain an individual from violating the provisions of this section.

(2) In the event the Board of Commissioners is successful in its suit for injunction herein, the defendant shall bear the costs of the action. (BC Ord. CO-1982-1, passed 10-15-82; Am. BC Ord. 2009-01, passed 1-1-09; Am. BC Ord. 2009-30, passed 12-28-09) Penalty, see § 31.99

§ 31.01 REGULAR BUSINESS HOURS FOR COUNTY OFFICES.

(A) *Establishment of regular business hours.*

(1) Each county office maintained for the transaction of business with the public or with other county offices shall be kept open for the transaction of such business at least each week, Monday through Friday, inclusive, between the hours of 8:00 a.m. and 4:00 p.m., prevailing local time.

(2) The Board of Commissioners shall annually establish a schedule of holidays during which each county office may be closed.

(3) Those offices with only one full time, regular employee or no employees in addition to the

§ 31.02 MEMBERSHIP IN STATE-WIDE ASSOCIATIONS.

(A) The County Auditor, County Assessor, County Treasurer, County Recorder, County Circuit and Superior Courts Clerk, County Surveyor, County Council, Board of Commissioners, County Area Planning Commission members and employees, the Director and employees of the County Department of Public Welfare and the County Prosecuting Attorney and his employees are authorized to join state-wide associations of like elected officials and public servants.

(B) Said office holders and public servants are hereby authorized to submit claims to the county for the payment of all dues and assessments to offset the costs of operation of said association upon a proper appropriation of funds for the payment of the same in the respective budgets.

(BC Ord. 1985-7, passed 2-4-85)

§ 31.03 MILEAGE REIMBURSEMENT FOR COUNTY EMPLOYEES.

County employees who have been authorized to use their personal vehicles for county business shall be reimbursed at a rate of \$0.44 per mile.

(CC Ord. 1988-1, passed 2-11-88; CC Ord. 2001-04, passed 9-6-01; CC Ord. 2004-02, passed 2-5-04; CC Ord. 2005-01, passed 11-3-05; CC Ord. 2008-04, passed 9-4-08)

§ 31.04 PER DIEM RATES FOR MEALS AND LODGING FOR COUNTY EMPLOYEES.

(A) Approved business for the county shall mean that those trips that are taken by the elected office holder as in his or her discretion would deem appropriate and necessary for the conduct of his business and travel by any other employee approved by the elected office holders by whom said employee is employed.

(B) The county shall reimburse any employee or elected official on approved county business the single room government rate or a less costly rate for the

establishment at which the individual spends the night not to exceed \$150 per night. Receipts must be provided to process room or hotel reimbursement requests.

(C) When an employee or elected official stays overnight on travel for approved county business, that employee shall be reimbursed for actual meal expenses not to exceed \$45 per day. Receipts for meal expenses must be submitted for meal reimbursement claims. Provided, however, that no meal reimbursement shall be allowed unless the employee or elected official's travel includes an overnight stay.

(CC Ord. 1989-7, passed 11-7-89; Am. BC Ord. 2009-27, passed 11-23-09; Am. BC Ord. 2011-06, passed 2-14-11)

§ 31.05 MONEY FOR TRAVEL AND ENTERTAINMENT IN CERTAIN CIRCUMSTANCES.

(A) Upon prior express approval of the Board of Commissioners, employees of the county may incur expenses for transportation, meals and lodging of individuals who are not county employees for purposes as set forth hereinabove or related purposes.

(B) In order to obtain approval of the Board of Commissioners, said employee requesting authority to incur such expenditures shall first present said request to the Board of Commissioners in open meeting, either regular or special called meeting, for review and determination.

(BC Ord. 1989-21, passed 11-6-89)

§ 31.06 PUBLIC EMPLOYEES RETIREMENT FUND.

(A) The County Council elects to become a participant in the Public Employees Retirement Fund as established by I.C. 5-10.3-1 et seq.

(B) The County Council agrees to make the required contributions under the Public Employees Retirement Fund Act, I.C. 5-10.1-1-1 et seq.

(C) The following are declared to be covered by the Fund: elected officials, all salaried and full time hourly employees.

(D) None of the classifications or positions specified in division (C) above are compensated on a fee basis or of an emergency nature, or in a part-time category.

(CC Res. passed 6-10-75)

§ 31.07 MEDICAL INSURANCE FOR RETIRED COUNTY EMPLOYEES.

(A) Any person, who has qualified for and obtained retirement status for service rendered to the county, and shall have been a full-time employee of the county for a minimum of 15 years shall be entitled to obtain and extend coverage from medical insurance policies which are in effect with the county, for the retiree and spouse so long as the retiree or spouse shall pay 50% of the COBRA premiums for coverage of the retiree and spouse.

(B) Any person, who has qualified for and obtained retirement status for service rendered to the county, and shall have been a full-time employee of the county for a minimum of 20 years shall be entitled to obtain and extend coverage from medical insurance policies which are in effect with the county, for the retiree and spouse so long as the retiree or spouse shall pay 25% of the COBRA premiums for coverage of the retiree and/or spouse.

(C) Any person, who has qualified for and obtained retirement status for service rendered to the county, and shall have been a full-time employee of the county for a minimum of 25 years shall be entitled to obtain and extend coverage from medical insurance policies which are in effect with the county, for the retiree and spouse so long as the retiree or spouse shall pay 15% of the COBRA premiums incurred by the county for coverage of the retiree and/or spouse.

(D) Any person, who has qualified for and obtained retirement status for service rendered to the county, and shall have been a full-time employee of the county for a minimum of 30 years shall be entitled to obtain and extend coverage from medical insurance

policies which are in effect with the county, for the retiree and spouse so long as the retiree or spouse shall pay 10% of the COBRA premiums for coverage of the retiree and spouse.

(E) For the purposes of division (A) through (D), the phrase "COBRA premiums" shall be defined as the COBRA premium as established by the third party administrator or the county's insurance agent; for example, if the total cost or COBRA premium for the county to provide insurance to a retiree and/or his or her qualified dependents under division (A) is \$500 per month following the retiree's retirement, the retiree shall pay \$250 per month to extend the insurance coverage.

(F) (1) A person is qualified for retirement status under divisions (A) through (E) of this section if, on the date of retirement, such person is at least 55 years of age, is not eligible for Medicare, and is an active, full-time employee of the county as of the date of the retirement.

(2) A person is qualified for retirement status under divisions (A) through (E) of this section if, on the date of retirement, the person is at least 50 years of age, is not eligible for Medicare, and is an active, full-time law enforcement merit employee of the county as of the date of retirement.

(G) When the retiree attains the age of 65 years or the spouse, if applicable, attains the age of 65 years, the medical insurance coverage shall be converted to a Medicare supplement plan which is in effect between the county, and a private insurer. The portion of the premium paid by the retiree, spouse and the county shall remain the same as provided in divisions (A) through (E) of this section.

(H) In the event that a retiree from the county, is divorced, then the spouse will no longer be eligible for any benefits pursuant to this section.

(I) In the event that a retiree marries after retirement the spouse shall not be eligible for any benefits pursuant to this section.

(J) In the event that the retiree dies, the surviving spouse who otherwise qualifies to receive insurance coverage with the county shall be eligible to retain health insurance benefits pursuant to this section so long as the surviving spouse does not:

(1) Remarry; or

(2) Obtain employment through an employer that provides group health insurance.

(K) To obtain retirement status under this section, a person who is qualified for retirement status shall notify the Warrick County Auditor of his or her intent to retire 60 days prior to retirement from the county.

(L) Within 15 days of receipt of notice under division (K), the Warrick County Auditor shall notify the prospective retiree as to whether he or she is qualified for retirement status as defined herein, and if such person is qualified for retirement status, shall notify that person of his or her rights relating to such coverage.

(M) Within 30 days of receipt of notice under division (L), the prospective retiree shall make application for such coverage.

(N) A spouse of a retiree who otherwise is qualified for and has obtained retirement status, shall be ineligible for continued coverage under this section if, after the retiree's retirement from the county, said spouse of a retiree obtains employment through an employer that provides group health insurance.

(O) Any retiree who shall hereafter terminate his or her insurance coverage with the county for whatever reason shall thereafter be forever ineligible to return to the county's health insurance program as provided in this section. Additionally, any spouse of a retiree who shall hereafter terminate his or her insurance coverage with the county for whatever reason including, but not limited to, obtaining group health insurance with a subsequent employer, shall thereafter be forever ineligible to return to the county's health insurance program as provided in this section.

(P) The term **WARRICK COUNTY AUDITOR** as identified under divisions (K) and (L) shall mean the Warrick County Human Resources Director so long as the position is in existence at the time of the prospective retiree's retirement date.

(CC Ord. 1998-15, passed 11-23-98; Am. BC Ord. 2002-13, passed 11-20-02; Am. BC Ord. 2009-07, passed 8-10-09; Am. BC Ord. 2012-21, passed 6-25-12; Am. BC Ord. 2014-09, passed 3-24-14; Am. BC Ord. 2014-13, passed 5-12-14)

§ 31.08 PURCHASING.

(A) The Board of Commissioners hereby determines that it is the purchasing agency for the county.

(B) The Board hereby designates the County Administrator to serve as the purchasing agent for the county.

(C) The following are the required purchasing rules for the county:

(1) Supplies manufactured in the United States shall be specified for all county purchases and shall be purchased unless the county determines that:

(a) The supplies are not manufactured in the United States in reasonably available quantities;

(b) The prices of the supplies manufactured in the United States exceeds by an unreasonable amount the price of available and comparable supplies manufactured elsewhere;

(c) The quality of the supplies manufactured in the United States is substantially less than the quality of comparably priced available supplies manufactured elsewhere; or

(d) The purchase of supplies manufactured in the United States is not in the public interest.

(CC Ord. 1998-6 and 1998-7, passed 6-22-98)

§ 31.09 EMPLOYEE HANDBOOK AMENDMENTS.

The county shall charge any person who qualifies under § 4.14 of the *Employee Handbook to Benefits Continuation* following termination, resignation, death, reduction in the employees hours or a leave of absence, an employee's death or legal separation and a dependent child who no longer meets eligibility requirements or any other qualifying event which permits such a person to continue health coverage to pay in addition to the employer's group rate an administration fee of 2% of the group rate for the continued coverage.

(CC Res. 2001-08, passed 9-12-01)

§ 31.10 DISCLOSURE OF CONTRACTS WITH RELATIVES.

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

ELECTED OFFICIAL. A County Commissioner or County Council member.

RELATIVE. Any of the following: spouse, parent or stepparent, a child or stepchild, brother, sister, stepbrother or stepsister, a niece or nephew, an aunt or uncle, or a daughter-in-law or son-in-law. An adopted child of an individual is treated as a natural child of the individual. The terms brother and sister shall include a brother or sister by half blood (a common parent).

(B) *Application to certain contracts.*

(1) The county may enter into a contract or renew a contract for the procurement of goods and services or a contract for public works with an individual who is a relative of an elected official or a business entity that is wholly or partially owned by a relative of an elected official only if disclosure requirements under this section are satisfied.

(2) Contracts in existence at the time the term of office of the elected official begins are not affected until those contracts are renewed.

(C) *Disclosure of contracts with relatives.*

(1) An elected official whose relative enters into a contract with the county shall file a full disclosure of that contract.

(2) Disclosure statement must be in writing, describe the contract or purchase to be made by the county, describe the relationship that the elected official has to the individual or business entity that contracts or purchases, and be affirmed under penalty of perjury.

(3) Disclosure statement must be submitted to the Board of County Commissioners (County Council in Lake, St. Joseph and Marion Counties) and be accepted by the Board (Council) in a public meeting prior to final action on the contract or purchase.

(4) Disclosure statement must be filed not later than 15 days after final action on the contract or purchase with the State Board of Accounts, and the Warrick County Clerk of the Circuit Court.

(D) *Actions by Board of Commissioners or appropriate agency.* The Board of County Commissioners or an appropriate agency of the county designated by the Board of County Commissioners shall make a certified statement that the contract amount or purchase price was the lowest amount or price bid or offered or make a certified statement of the reasons why the vendor or contractor was selected.

(E) *Certification by elected officers of the county.* Each elected officer of the county shall annually certify in writing, subject to the penalties for perjury, that the officer has not violated this section. An elected officer shall submit the certification to the Board of County Commissioners not later than December 31 of each year.

(BC Res. 2012-08, passed 6-11-12)

§ 31.11 NEPOTISM PROHIBITED.

(A) *Definitions.* The following definitions shall apply in the interpretation and the enforcement of this section.

DIRECT LINE OF SUPERVISION. An elected officer or employee who is in a position to affect the terms and conditions of another individual's employment, including making decisions about work assignments, compensation, grievances, advancement or performance evaluation. The term does not include the responsibilities of the County Council or Board of County Commissioners to make decisions regarding salary ordinances, budgets or personnel policies of the county.

EMPLOYED. An individual who is employed by the county on a full time, part time, temporary, intermittent or hourly basis. The term does not include an individual who holds only an elected office. The term includes an individual who is a party to an employment contract with the county. The performance of the duties of a precinct election officer (as defined in I.C. 3-5-2-40.1) shall not be considered employment by the county.

RELATIVE.

(a) Any of the following:

1. Spouse;
2. Parent or step parent;
3. A child or step child;
4. Brother, sister, step brother or step sister;
5. A niece or nephew;
6. An aunt or uncle; or
7. A daughter-in-law or son-in-law.

(b) An adopted child of an individual shall be treated as a natural child of the individual. The terms ***BROTHER*** and ***SISTER*** shall include a brother or sister by half blood (a common parent).

(B) *Nepotism prohibited.*

(1) Individuals who are relatives shall not be employed by the county in a position that results in one relative being in the direct line of supervision of the other relative.

(2) An individual shall not be promoted to a position if the new position would cause their relative to be in the direct line of supervision of that individual, unless that individual is otherwise exempt under I.C. 36-1-20.2 *et seq.*

(3) This section does not abrogate or affect an employment contract with the county that an individual is a party to and is in effect on the date the individual's relative begins serving a term of an elected office of the county.

(4) This section does not apply to individuals who are employed by the county on the date the individual's relative begins serving a term of an elected office in the county and the individual is in the direct line of supervision of the newly elected official.

(5) This section does not apply to a spouse of the County Sheriff employed by the county as prison matron for the county under I.C. 36-8-10-5.

(6) This section does not apply to an individual who served as County Coroner, is currently ineligible to serve due to term limits under Article 6, § 2(b) of the State Constitution, has received certification under I.C. 36-2-14-22.3, and whose successor in the office of County Coroner is a relative.

(C) *Impact of section on those individuals employed by county on July 1, 2012.* An individual who is employed by the county on July 1, 2012, is not subject to this section unless the individual has a break

in employment with the county. The following are not considered a break in employment with the county:

(1) The individual is absent from the workplace while on paid or unpaid leave, including vacation, sick, or family medical leave, or worker's compensation.

(2) The individual's employment with the unit is terminated followed by immediate reemployment by the unit, without loss of payroll time.

(D) *Certification by elected officers of the county.* Each elected officer of the county, exclusive of judges and the County Prosecutor, shall annually certify in writing, subject to the penalties for perjury, that the officer has not violated this section. An elected officer shall submit the certification to the Board of County Commissioners not later than December 31 of each year.
(BC Res. 2012-07, passed 6-11-12; Am. BC Res. 2014-04, passed 2-10-14)

(B) (1) Any elected official in elected offices or appointed superior in appointed offices who violates § 31.01 shall, upon conviction thereof, have imposed a civil fine and be required to pay the costs of the action. The fine for the first violation shall be \$500. The fine for the second or any subsequent violation shall be \$2,500. Said penalties shall not be suspended.

(2) Each day's violation of § 31.01 shall constitute a separate offense.

(3) Jurisdiction for the enforcement of § 31.01 shall lie either with the circuit or superior courts.

(4) Actions to enforce the penalties of § 31.01 shall be brought in the name of the county and prosecuted by either the County Prosecuting Attorney or the County Attorney as directed by the Board of Commissioners.
(BC Ord. CO-1982-1, passed 10-15-82)

§ 31.12 CELL PHONE USAGE.

Cell phones, service contracts and certain usage of said cell phones shall be provided and paid for by the Commissioners for those county departments, office holders and staff that the Commissioners may approve from time to time. Basic equipment charges and cell phone services that are contracted for by the Commissioners shall be paid by the Commissioners from their annual budget. Any charges for equipment, services or other upgrades in addition to the contracted for amount shall be the sole responsibility of the department or office holder who elects such additional equipment or services.
(BC Res. 2014-10, passed 12-8-14)

§ 31.99 PENALTY.

(A) Any person who violates any provision of this chapter for which no specific penalty is provided shall be subject to the provisions of § 10.99.



CHAPTER 32: SHERIFF'S DEPARTMENT

Section

- 32.01 Police reserves
- 32.02 Vehicle inspection fees
- 32.03 Sheriff's Sale Program and service fee
- 32.04 Sex and Violent Offender Administration Fund

§ 32.01 POLICE RESERVES.

(A) There is hereby established, pursuant to I.C. 36-8-3-20, the County Sheriff's Reserves, which shall be known as the Sheriff's Reserve Unit.

(B) The maximum members of said reserve unit shall be 25.

(C) The Sheriff's Department shall establish rules defining the authority of said police reserves prior to the appointment of any members to said unit. (BC Ord. CO-1982-2, passed 12-6-82; Am. BC Ord. 2011-21, passed 9-12-11)

§ 32.02 VEHICLE INSPECTION FEES.

(A) There is hereby imposed a fee for any vehicle inspection made by the Sheriff's Department, or any member thereof, pursuant to I.C. 9-29-4-2. Such fee shall be payable by the person requesting such inspection, and it shall be paid at the time the inspection is made. Upon payment of such fee, the person making an inspection shall issue a receipt therefor.

(B) The amount of the fee established in division (A) above shall be \$5. In addition, in the event that arrangements are made for an inspection other than at the Sheriff's Department, and in the event that either the vehicle to be inspected or the person requesting such inspection is unavailable at the time and place

agreed for the inspection, then the fee shall nonetheless be payable whether or not the inspection is completed. An additional fee shall be payable at any subsequent time at which the inspection is actually made.

(C) Nothing herein shall be construed to require the County Sheriff or any member of the County Sheriff's Department to travel to any location out of the county to make any such inspection.

(D) All fees collected pursuant to this section shall be payable to the county; shall be delivered forthwith upon receipt to the office of the County Auditor; and shall be deposited by the Auditor in the County Sheriff's Department Vehicle Inspection Fund to be expended therefrom for equipment for the Sheriff's Department or Sheriff's Department personnel.

(BC Ord. 1988-10, passed 4-25-88)

§ 32.03 SHERIFF'S SALE PROGRAM AND SERVICE FEE.

(A) The Sheriff's Sale Program is approved and established to provide the procedure for the Sheriff to contract for those administrative, technical, clerical and related services that are reasonable and appropriate for the Sheriff to effectively prepare for, manage and implement foreclosure sales.

(B) The Commissioners hereby establish a fund to be titled the Sheriff's Sale Fund into which all collections of Foreclosure Costs Fees, as hereafter defined, shall be deposited and from which the appropriate expenses of the Sheriff's Sale Program shall be appropriated and paid. In consideration of the substantial amount of travel and vehicle expenses incurred by the Sheriff as part of the administration of the program, appropriate expenses of the Sheriff's Sale Program shall include expenses related to vehicle

purchase and maintenance and fuel. The Sheriff's Sale Fund shall be a non-reverting fund to be used only for the purposes set forth herein and shall not revert to the County General Fund at year end.

(C) The Sheriff is authorized to negotiate and execute a contract with a provider to obtain such administrative, technical, clerical and related services (the "Sheriff's Sale Program Agreement") in order for the Sheriff to conduct the Sheriff's Sale Program.

(D) The Sheriff's Sale Program Agreement shall provide for the delivery of such services by a contractor in compliance with all applicable statutory provisions for the conduct of foreclosure sale proceedings and the Sheriff's Sale Program. The Sheriff's Sale Program Agreement shall also provide for the payment of an administrative fee pursuant to I.C. 32-29-7-3(c) and (h), not to exceed \$200 per parcel for each parcel scheduled in the Sheriff's Sale Program, to the contractor for such services.

(E) The Sheriff is hereby authorized to charge a fee of \$200 per parcel of property in the Sheriff's Sale Program and to deposit such foreclosure costs fees collected by or on behalf of the Sheriff in the Sheriff's Sale Fund.

(F) The foreclosure costs fee shall be payable at the time of filing the praecipe under I.C. 32-29-7-3(h), which shall be a charge for the Sheriff's Sale in addition to other statutory costs and fees.

(G) The Sheriff's Sale Program Agreement shall provide for a complete and accurate accounting of all Sheriff's Sale Program proceeds and compliance with any reporting or record requirements as set forth by the Indiana State Board of Accounts.
(BC Ord. 2005-17, passed 8-24-05; Am. BC Ord. 2012-29, passed 9-24-12)

§ 32.04 SEX AND VIOLENT OFFENDER ADMINISTRATION FUND.

(A) *Established.* Pursuant to I.C. 36-2-13-5.6, the County Board of Commissioners hereby

establishes the "Warrick County Sex and Violent Offender Administration Fund." The purpose of the fund is to defray the expense of administering and/or enforcing compliance with the laws concerning the Indiana Sex and Violent Offender Registry.

(B) Fees.

(1) *Registration fee.* The annual fee for sex or violent offenders registering in the county shall be \$50. Payment of the fee shall be made upon the offender's initial registration in the county and subsequently on or before each annual registration date.

(2) *Change of address fee.* A fee of \$5 shall be charged and collected each time a sex or violent offender registers an address change with the County Sheriff's Office.

(C) *Payment of fees.* All fees collected under this section shall be collected by the County Sheriff's Office when a sex or violent offender registers and/or changes an address with the County Sheriff's Office.

(D) *Procedures.* All fees collected under this section by the County Sheriff's Office shall be transferred to the County Auditor in a timely manner. On a monthly basis, the County Auditor shall:

(1) Transfer and deposit 90% of any fees collected under this section into the County Sex and Violent Administration Fund; and

(2) Transfer 10% of any fees collected under this section to the state for deposit in the State Sex and Violent Offender Administration Fund under I.C. 11-8-8-21.
(BC Ord. 2015-10, passed 4-13-15)

Cross-reference:

Funds and fees, see Ch. 37

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35.31	Principal executive officer: declaration of local disaster emergency		The purpose of this chapter is to establish in Warrick County a Department of Emergency Management, and to provide for the exercise of necessary powers during disaster emergencies. (BC Ord. 2007-06, passed 6-20-07)
35.32	County Board of Commissioners: convention of special emergency meeting		§ 35.02 DEFINITIONS.
35.33	Principal executive officer: special emergency powers and duties		As used in this chapter hereinafter the following words and terms have the meanings indicated.
35.34	County Board of Commissioners: special emergency powers and duties		<i>ADVISORY COUNCIL.</i> The Warrick County Emergency Management Advisory Council, as established under this chapter pursuant to I.C. 10-14-3-17.
35.35	Designation of travel advisory		<i>BOARD.</i> The Board of County Commissioners, as elected pursuant to I.C. 36-2-2.
35.36	Officers and employees of incorporated and unincorporated areas of the county: general duties during emergency		

CHAIRMAN. The Chairman of the Warrick County Emergency Management Advisory Council, as established under this chapter pursuant to I.C. 10-14-3-17.

COUNTY. Warrick County, Indiana.

DEPARTMENT. The County Department of Emergency Management, as established under this chapter pursuant to I.C. 10-14-3-17.

DIRECTOR. The County Emergency Management Director, as established and appointed pursuant to this chapter in accordance with I.C. 10-14-3-17.

DISASTER. Has the meaning established in I.C. 10-14-3-1, which at the time this chapter was adopted means:

(1) An occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural phenomenon or human act.

(2) The term includes any of the following:

- (a) Fire.
- (b) Flood.
- (c) Earthquake.
- (d) Windstorm.
- (e) Snowstorm.
- (f) Ice storm.
- (g) Tornado.
- (h) Wave action.
- (i) Oil spill.

(j) Other water contamination requiring emergency action to avert danger or damage.

- (k) Air contamination.
- (l) Drought.
- (m) Explosion.
- (n) Technological emergency.
- (o) Utility failure.
- (p) Critical shortages of essential fuels or energy.
- (q) Major transportation accident.
- (r) Hazardous material or chemical incident.
- (s) Radiological incident.
- (t) Nuclear incident.
- (u) Biological incident.
- (v) Epidemic.
- (w) Public health emergency.
- (x) Animal disease event requiring emergency action.
- (y) Blight.
- (z) Infestation.
- (aa) Riot.
- (bb) Hostile military or paramilitary action.
- (cc) Act of terrorism.
- (dd) Any other public calamity requiring emergency action.

EMERGENCY MANAGEMENT. Has the meaning established in I.C. 10-14-3-2, which at the

time this chapter was adopted means the preparation for, and the coordination of, all emergency functions, other than functions for which military forces or other federal agencies are primarily responsible, to prevent, minimize, and repair injury and damage resulting from disasters. These functions include the following:

- (1) Firefighting services.
- (2) Police services.
- (3) Medical and health services.
- (4) Rescue.
- (5) Engineering.
- (6) Warning services.
- (7) Communications.
- (8) Radiological, chemical, and other special weapons defense.
- (9) Evacuation of persons from stricken areas.
- (10) Emergency welfare services.
- (11) Emergency transportation.
- (12) Plant protection.
- (13) Temporary restoration of public utility services.
- (14) Other functions related to civilian protection.
- (15) All other activities necessary or incidental to the preparation for, and coordination of, the functions described in divisions (1) through (14).

EMERGENCY MANAGEMENT VOLUNTEER.

Any person who serves without compensation in the Department of Emergency Management, being first duly given the loyalty oath mandated by

I.C. 10-14-3-27 and rostered and appointed by the Director, including persons and private agencies or governmental units offering services to the county during emergency situations or mutual aid to other emergency services that request assistance.

PARTICIPATING EMERGENCY SERVICE.

(1) Any county department or agency designated in the emergency operations plan to participate in emergency management activities; and

(2) Any department or agency of the state, another county, a municipal corporation, or a volunteer organization designated to participate in the county's emergency management programs and activities pursuant to a cooperative and mutual aid agreement entered into pursuant to I.C. 10-14-3-17.

PERSONNEL. County officers and employees and emergency management volunteers, unless otherwise indicated.

PLAN or EMERGENCY PLAN. The current local comprehensive emergency management plan whose preparation and updating are mandated by I.C. 10-14-3-17(h).

IDHS. The Indiana Department of Homeland Security established under I.C. 10-19-2-1.

PRINCIPAL EXECUTIVE OFFICER. As referred to in I.C. 10-14-3-29(a) for purposes of declaring a local disaster emergency, and as referred to hereinafter, means the Warrick County Board of Commissioners established under I.C. 36-2-2.

(1) If a quorum of the County Board of Commissioners (two of the three Commissioners as established under I.C. 36-2-4-3) is unavailable or incapacitated, then the following establishes the line of succession for the principal executive officer:

(a) The regularly designated President of the Board of Commissioners. If a quorum of the Board of Commissioners is unavailable or incapacitated, then the regularly designated President

of the Board of Commissioners shall serve as the principal executive officer for the purposes of this chapter until such time that a quorum of the Board of Commissioners is no longer unavailable or incapacitated.

(b) The Vice President of the Board of Commissioners. If both a quorum of the Board of Commissioners and the regularly designated President of the Board of Commissioners are unavailable or are incapacitated, then the Vice President of the Board of Commissioners shall serve as the principal executive officer for the purposes of this chapter until such time that either the regularly designated President or a quorum of the Board of Commissioners is no longer unavailable or incapacitated.

(c) The remaining Commissioner of the Board of Commissioners. If a quorum of the Board of Commissioners, the regularly designated President of the Board of County Commissioners, and the Vice President of the Board of Commissioners are all unavailable or are incapacitated, then the remaining Commissioner of the Board of Commissioners shall serve as the principal executive officer for the purposes of this chapter until such time that the Vice President, the regularly designated President, or a quorum of the Board of Commissioners is no longer unavailable or incapacitated.

(d) Director of Emergency Management. If all of the County Commissioners are unavailable or incapacitated, then the Director of Emergency Management shall serve as the principal executive officer for the purposes of this chapter until such time that a County Commissioner is no longer unavailable or incapacitated.

(e) Sheriff. If the all of the County Commissioners and the Director of Emergency Management are unavailable or incapacitated, then the County Sheriff shall serve as the principal executive officer for the purposes of this chapter until such time that a County Commissioner or the Director of Emergency Management is no longer unavailable or incapacitated.

(f) President of the County Council. If the Sheriff is unavailable or incapacitated, then the President of the County Council shall serve as the principal executive officer for the purposes of this chapter until such time that a County Commissioner, the Director of Emergency Management, or the County Sheriff is no longer unavailable or incapacitated.

(g) Coroner. If the President of the County Council is unavailable or incapacitated, then the County Coroner shall serve as the principal executive officer for the purposes of this chapter until such time that a County Commissioner, the Director of Emergency Management, the Sheriff, or the President of the County Council is no longer unavailable or incapacitated.

(BC Ord. 1995-6, passed 2-22-95; Am. BC Ord. 2007-06, passed 6-20-07; Am. BC Ord. 2015-08, passed 3-23-15)

§ 35.03 GENERAL SCOPE AND INTENT: LIBERAL CONSTRUCTION OF POWERS.

The general intent of this chapter is to provide for all necessary and indispensable powers and procedures reasonably needed to mitigate, prepare for, respond to and recover from emergency conditions. To this end, all powers, both ministerial and discretionary, as conferred herein shall be liberally construed to supplement and augment, not to limit, any other powers or reasonable exercise of discretion that may ordinarily pertain to county officers, employees, departments and agencies.

(BC Ord. 1995-6, passed 2-22-95; Am. BC Ord. 2007-06, passed 6-20-07)

§ 35.04 LIMITATIONS.

(A) Nothing in this chapter is intended to supersede or delimit any statutory powers of the County Sheriff.

(B) Nothing in this chapter is intended to supersede or delimit the powers granted under

I.C. 10-14-3-17 to any political subdivision, to adopt and implement emergency plans and promulgate and enforce emergency management rules and regulations in the advent of an actual emergency affecting such political subdivision. However, pursuant to I.C. 10-14-3-22, such regulations and procedures as promulgated by the political subdivision may not be inconsistent with the county emergency management program and emergency plan established in accordance with this chapter.

(BC Ord. 1995-6, passed 2-22-95; Am. BC Ord. 2007-06, passed 6-20-07)

ADMINISTRATION

**§ 35.15 COUNTY EMERGENCY
MANAGEMENT ADVISORY COUNCIL.**

(A) *Establishment and membership.* The County Emergency Management Advisory Council is established by I.C. 10-14-3-17(c), and under this statute consist of the following individuals or their designees.

(1) The President of the Board of County Commissioners or, if the Board of County

- (b) Modes and transportation; and
- (c) Evacuation destinations.

- (1) Offices;
- (2) Departments; and
- (3) Agencies.

(7) Making provision for the availability and use of temporary emergency housing, which housing need not necessarily comply with any minimum housing standards, building or zoning regulations, and the like, which would govern the use and location of premises for housing purposes during normal times.

(F) Any unexpended and unencumbered monies budgeted and appropriated but not otherwise dedicated by law to different purposes may, within the scope of each major budget and appropriation category (major object classification), be utilized and expended for the purpose of carrying out such special emergency duties and functions.

(C) Except in accordance with division (D) below, the County Board of Commissioners shall not suspend any provisions of ordinances or procedures that are mandated by statute.

(G) Pursuant to I.C. 10-14-3-22, the County Board of Commissioners may make, amend and rescind such orders, rules and regulations as may be necessary for emergency management purposes, and to supplement the carrying out of the provisions of this chapter. Such orders, rules and regulations:

(D) In the event of a disaster emergency that has been declared by the Governor, the County Board of Commissioners, in accordance with I.C. 10-14-3-17(j)(5), may waive any procedures or requirements of statute, or of county ordinances reflecting statutory requirements and mandates, pertaining to the:

(1) Cannot be inconsistent with any orders, rules or regulations promulgated by the Governor or by any state agency exercising a power delegated to it by the Governor;

- (1) Performance of public works;
- (2) Entering into contract;
- (3) Incurring of obligations;
- (4) Employment of permanent and temporary workers;
- (5) Utilization of volunteer works;
- (6) Rental of equipment;

(2) Cannot be inconsistent with the county's emergency management program or Emergency Plan;

(3) Shall have full force or effect of law when filed in the office of the County Clerk;

(4) Purchase and distribution of supplies, materials and facilities; and

(4) Are enforceable by any local or state law enforcing authority in accordance with I.C. 10-14-3-24.

- (7) Purchase and distribution of supplies, materials and facilities; and
- (8) Appropriation and expenditure of public funds.

(H) In accordance with the emergency plan, the County Board of Commissioners may request the State of Indiana or the United States, or their agencies and political subdivisions, to send aid (including financial assistance) if the situation is beyond the control of the county's regular and emergency forces and resources.

(E) The County Board of Commissioners may assign any special emergency duties and functions to county:

(I) All actions taken by the County Board of Commissioners under this section shall be:

(1) Adopted by ordinance or resolution pursuant to I.C. 10-14-3-22;

(2) Consistent with, subordinate to, any actions, orders or regulations made by the Governor or a state agency implementing the state comprehensive emergency management plan. (BC Ord. 1995-6, passed 2-22-95; Am. BC Ord. 2007-06, passed 6-20-07)

3. Cooperate with public officials and disaster services forces in executing emergency operations plans; and

4. Obey and comply with the lawful directions of properly identified officers.

(b) Further and more specific restrictions, including parking restrictions, may be included in a "warning" local travel advisory.

§ 35.35 DESIGNATION OF TRAVEL ADVISORY.

(A) If the principal executive officer of a political subdivision issues a local travel advisory as part of an emergency declaration under I.C. 10-14-3-29, the principal executive officer shall designate the travel advisory as falling into one of the following categories:

(1) **ADVISORY**, the lowest level of local travel advisory, means that routine travel or activities may be restricted in areas because of a hazardous situation, and individuals should use caution or avoid those areas.

(2) **WATCH** means that conditions are threatening to the safety of the public. During a "watch" local travel advisory, only essential travel, such as to and from work or in emergency situations, is recommended, and emergency action plans should be implemented by businesses, schools, government agencies, and other organizations.

(3) **WARNING**, the highest level of local travel advisory, means that travel may be restricted to emergency management workers only.

(a) During a "warning" local travel advisory, individuals are directed to:

1. Refrain from all travel;
2. Comply with necessary emergency measures;

(B) If the emergency management agency director or the principal executive officer of a political subdivision determines that conditions within the political subdivision have created the need for travel advisory restrictions without a local disaster emergency declaration under I.C. 10-14-3-29, the emergency management agency director or the principal executive officer may issue an "advisory" or a "watch" level travel advisory.

(C) A "warning" level travel advisory may be issued only after a local disaster emergency is declared under I.C. 10-14-3-29. (BC Ord. 2015-08, passed 3-23-15)

§ 35.36 OFFICERS AND EMPLOYEES OF INCORPORATED AND UNINCORPORATED AREAS OF THE COUNTY: GENERAL DUTIES DURING EMERGENCY.

During a declared disaster emergency, all officers and employees of incorporated and unincorporated areas of the county shall:

(A) Cooperate with and give active support to the County Board of Commissioners and the County Emergency Management Director.

(B) Comply with all orders, rules and regulations issued pursuant to this chapter by the County Board of Commissioners or the County Emergency Management Director. (BC Ord. 1995-6, passed 2-22-95; Am. BC Ord. 2007-06, passed 6-20-07)

§ 35.37 LIMITATION OF LIABILITY DURING DISASTER EMERGENCY OR EMERGENCY MANAGEMENT TESTS.

During an emergency management test or declared disaster emergency, the county, the county's assigned personnel, participating emergency services, and rostered emergency management volunteers shall be immune from liability to the full extent provided by I.C. 10-14-3 and any other applicable law. (BC Ord. 1995-6, passed 2-22-95; Am. BC Ord. 2007-06, passed 6-20-07)

§ 35.38 COMPENSATION FOR PROPERTY COMMANDEERED OR USED DURING DISASTER EMERGENCY.

(A) Pursuant to I.C. 10-14-3-31, compensation for property shall be paid only if the property was commandeered or otherwise used in coping with a disaster emergency, and its use or destruction was ordered by the Governor or a member of the disaster emergency forces of Indiana.

(B) Any person claiming compensation for the use, damage, loss or destruction of such property shall make a claim for it. This claim shall be filed and adjudicated as provided in I.C. 32-24. (BC Ord. 1995-6, passed 2-22-95; Am. BC Ord. 2007-06, passed 6-20-07)

§ 35.39 MULTI-HAZARD MITIGATION PLAN.

The County of Warrick does hereby adopt the Multi-Hazard Mitigation Plan for Warrick County. (BC Res. 2009-3, passed 1-26-09)

ENFORCEMENT AND PENALTY

§ 35.97 VIOLATIONS.

Whenever this chapter applies it shall be unlawful and a penal ordinance violation for any person to:

(A) Willfully obstruct, hinder or delay the County Board of Commissioners, the Director of Emergency Management, participating emergency services, authorized emergency management volunteers or other authorities from implementing, carrying out and enforcing the emergency plan;

(B) Fail to observe, abide by, and comply with any emergency management duties, orders, regulations and procedures as made applicable to such person by the appropriate authorities; or

(C) Falsely wear or carry identification as a member of the County Department of Emergency Management, or to otherwise falsely identify or purport to be a county emergency management authority. (BC Ord. 1995-6, passed 2-22-95; Am. BC Ord. 2007-06, passed 6-20-07)

§ 35.98 ENFORCEMENT.

Any regular or reserve police officer of Indiana or any of its political subdivisions is hereby empowered to issue and serve a civil citation against any person found to be committing an offense described above in § 35.97. (BC Ord. 1995-6, passed 2-22-95; Am. BC Ord. 2007-06, passed 6-20-07)

§ 35.99 PENALTY.

Any person who commits an offense as described above in § 35.97 shall be liable to a fine or \$2,500. However, such fine to be subject to the discretion of the court of jurisdiction. (BC Ord. 1995-6, passed 2-22-95; Am. BC Ord. 2007-06, passed 6-20-07)

CHAPTER 37: FUNDS AND FEES

Section

FUNDS

Funds

- 37.01 Bridge Fund
- 37.02 County Corrections Fund
- 37.03 County Drug Free Community Fund
- 37.04 Sheriff's Department Enforcement Aid Fund
- 37.05 Solid Waste Disposal Fund
- 37.06 Building Construction, Rehabilitation, and Maintenance Fund
- 37.07 Parks and Recreation Non-Reverting Capital Fund
- 37.08 Parks and Recreation Non-Reverting Operating Fund
- 37.09 Sales Disclosure Fund
- 37.10 Commissioners Meeting Room Fund
- 37.11 Rainy Day Fund
- 37.12 Recorder's Enhanced Access Fund
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Miscellaneous Fees

- 37.15 Supplemental document recording fee
- 37.16 Service charge for insufficient funds checks
- 37.17 Real property endorsement fees
- 37.18 Vital records fees
- 37.19 Fees for accident reports
- 37.20 Fees for electronic map data
- 37.21 Additional felony and misdemeanor fees
- 37.22 Recorder's Office fees

Cross-reference:

Drug and Alcohol User Fee Fund, see § 37.21
Sex and Violent Offender Administration Fund, see § 32.04
Stormwater Revenue Fund, see § 55.08

§ 37.01 BRIDGE FUND.

(A) There is established a cumulative Bridge Fund to provide funds for the cost of construction, maintenance and repair of bridges, approaches and grade separations. Additionally, said funds may be utilized for making county wide bridge inspection and safety ratings of all bridges in the county not on the state highway system.

(B) There is levied an additional tax of \$.10 on each \$100 of taxable real and personal property within the county to provide monies for the fund, the tax to be levied in 1993, payable in 1994, and annually thereafter for the next succeeding four consecutive years or until reduced or rescinded as provided by I.C. 8-16-3.
(BC Res. 1993-8, passed 6-28-93)

§ 37.02 COUNTY CORRECTIONS FUND.

(A) The Board of Commissioners, as the county legislative body, hereby elects to receive deposits from the Department of Corrections in accordance with Indiana Code.

(B) The Board of Commissioners hereby elects to receive such deposits at Level 3 funding.

(C) There is hereby created a County Corrections Fund to be administered by the Common Council. The funds shall consist of deposits received from the Department of Corrections in accordance with I.C. 11-12-6.

(D) The County Corrections Fund may be used only for funding the operation of county jail, jail

programs, or other local correctional facilities. Any money remaining in a County Corrections Fund at the end of the year does not revert to any other fund, but remains in the County Corrections Fund.

(BC Ord. 1997-2, passed 1-27-97; Am. BC Ord. 2000-1, passed 1-10-00)

§ 37.03 COUNTY DRUG FREE COMMUNITY FUND.

(A) The office of the Prosecuting Attorney for the Second Judicial District, commonly known as the County Prosecutor's office qualifies hereunder as an agency.

(B) The County Prosecutor's office is hereby designated as the agency to which funds shall be allocated from the County Drug Free Community Fund on the following basis:

(1) Twenty-five percent to provide prevention, and education services in the county.

(2) Twenty-five percent to provide criminal justice services in the county.

(3) Twenty-five percent being the uncommitted funds, to be used for purposes accepted under the act.

(C) The designated Prosecuting Attorney's Office for the Second Judicial District, shall make application to the county Fiscal Body, being the County Council for the appropriation of the funds, that from time to time, are needed to carry out the designation herein.

(D) The designation in the ordinance herein specifically excludes designation of any agency to receive the 25% of the money in the funds to provide treatment.

(BC Ord. 1990-22, passed 7-23-90)

§ 37.04 SHERIFF'S DEPARTMENT ENFORCEMENT AID FUND.

(A) There is hereby created within the county a Sheriff's Department Enforcement Aid Fund.

(1) The fund shall consist of deposit in the form of cash assets obtained pursuant to forfeiture proceedings and other law enforcement related seizures recovered by the Sheriff's Department which are not required to be deposited into the County General Fund. No criminal defendant shall be given a reduced sentence as a result of the forfeiture of any assets.

(2) The fund shall also consist of any monies that may be appropriated from time to time by the County Council to be utilized by the Sheriff's Department, in its enforcement of the laws of the state.

(3) The fund shall also consist of any orders of restitution of "buy money" as might be expended by the Sheriff's Department in the enforcement of the narcotics and controlled substances laws of the state.

(B) Monies in the Sheriff's Department Enforcement Aid Fund shall be subject to appropriation in accordance with I.C. 36-2-5-2.

(C) It is the stated intent of the Board of Commissioners in creating this fund, that the Sheriff's Department shall have the right to utilize the funds contained within the Sheriff's Department Enforcement Aid Fund in the pursuit of all lawful law enforcement activities including but necessarily limited to the payment of money to informants; the utilization of funds to purchase controlled substances as a part of a law enforcement investigation; the payment of legitimate expenses incurred in confidential controlled substance investigation and similar type expenditures, and the purchase of enforcement and/or office equipment, or related expenses that will aid in the investigative process as deemed necessary by the Sheriff.

§ 37.13 ANIMAL CONTROL CHARITABLE FUND.

(A) *Creation of County Animal Control Charitable Fund.* County Animal Control is hereby authorized to create a new charitable fund (“Charitable Fund”), whereby monetary charitable donations made payable to “Warrick County Animal Control” shall be placed in the Charitable Fund. The purpose of this Charitable Fund is to provide residents of the county with the ability to make donations to the County Animal Control Department, to support and maintain its services which it provides to the residents of the county.

(B) *Duration.* The Charitable Fund shall be perpetual until terminated by another subsequent ordinance enacted by the Board of County Commissioners. In the event the Charitable Fund is terminated for any reason, then all proceeds from the terminated fund shall be distributed to the County Humane Society.
(BC Ord. 2014-10, passed 3-24-14)

MISCELLANEOUS FEES

§ 37.15 SUPPLEMENTAL DOCUMENT RECORDING FEE.

(A) A supplemental fee for recording a document in the amount of \$3 per document shall be charged by the County Recorder's Office which shall be paid at the time of recording.

(B) The supplemental recording fee is in addition to all other recording fees required by law for services rendered by the County Recorder's Office.

(C) Pursuant to I.C. 36-2-7-10(c) the supplemental recording fee shall be placed in the Recorder's Records Perpetuation Fund, along with the fees collected per I.C. 36-2-7-10(b)(5), 36-2-7-10(b)(6), and 36-2-7-10(b)(9), to be used by

the County Recorder without appropriation, for the preservation of records and the improvement of recordkeeping systems and equipment.

(D) The County Recorder shall post the fee set forth in this section in a prominent place within the Recorder's Office where the fee schedule is readily accessible to the public.
(BC Ord. 1995-18, passed 9-11-95)

§ 37.16 SERVICE CHARGE FOR INSUFFICIENT FUNDS CHECKS.

(A) For all checks payable to the county or one of its offices returned for insufficient funds the county shall charge an insufficient fund check charge in an amount not to exceed the greater of \$20 or 5% of the amount of any insufficient fund check, but in no event shall said service charge exceed the sum of \$250 for any one check.

(B) All insufficient fund check charges received by the county or one of its officers shall be deposited in the General Fund of the county.
(BC Ord. 1992-21, passed 8-3-92)

§ 37.17 REAL PROPERTY ENDORSEMENT FEES.

(A) The County Auditor is hereby authorized to collect a fee of \$5 for each real property endorsement made by the Auditor in accordance with Indiana law.

(B) The fee herein authorized shall be in addition to any other fee provided by law.

(C) The County Auditor shall place all revenues received in accordance with the fee herein authorized in a dedicated fund for use of maintaining the county plat books.
(BC Ord. 1989-15, passed 8-7-89; Am. BC Ord. 2006-19, passed 12-20-06)

§ 37.18 VITAL RECORDS FEES.

(A) *Birth record fees.* A fee of \$15 for the first certified copy of a birth record shall be required per order with all subsequent copies within the same order being \$10 per copy. All funds hereunder shall be collected by the Health Officer and shall become a part of the Warrick County Health Fund.

(B) *Death record fees.* A fee of \$15 for the first certified copy of a death record shall be required per order with all subsequent copies within the same order being \$10 per copy. The funds shall be collected by the Health Officer with the first \$2 of the funds received from each copy hereunder being deposited in accordance with I.C. 16-37-1-9(b) (coroners continuing education fees) and the balance of the funds collected by the Health Officer shall become a part of the Warrick County Health Fund.

(C) *Paternity affidavit fees.*

(1) A fee of \$10 shall be required for each certified copy of a requested paternity affidavit that does not involve its completion or execution at the Health Department.

(2) For each paternity affidavit completed or executed at the Health Department, a fee of \$50 shall be required. The fee of \$50 described in this division is separate and independent from the \$10 fee established in division (1) above.

(3) All funds assessed hereunder shall be collected by the Health Officer and shall become a part of the Warrick County Health Fund.

(D) *Computer generated reports.* A fee of \$1 per information page printed on the computer for genealogy purposes shall be required. All funds hereunder shall be collected by the Health Officer and shall become a part of the Warrick County Health Fund.

(BC Ord. 1991-14, passed 7-22-91; Am. BC Ord. 1997-13, passed 9-8-97; Am. BC Ord. 2005-04, passed 4-20-05; Am. BC Ord. 2010-09, passed 7-26-10; Am. BC Ord. 2013-19, passed 7-22-13)

§ 37.19 FEES FOR ACCIDENT REPORTS.

The office of the County Sheriff is authorized to institute a charge of \$5 for each request for a copy of an accident report pursuant to I.C. 9-29-11-1.

(CC Ord. 2006-1, passed 4-13-06)

§ 37.20 FEES FOR ELECTRONIC MAP DATA.

(A) *Title and definitions.*

(1) This section and any parts herein shall be known as the Warrick County Electronic Map Ordinance.

(2) In accordance with I.C. 5-14-3-2, **PERSON** as used in this section is defined as an individual, a corporation, a limited liability company, a partnership, an unincorporated association, or a governmental entity, and **ELECTRONIC MAP DATA** as used in this section is defined as copyrighted data created and provided by a public agency from an electronic geographic information system.

(B) *Fee schedule.*

(1) Pursuant to I.C. 5-14-3-8(j) the county may charge a fee, uniform to all persons, for providing electronic map data that is based upon a reasonable percentage of the county's direct cost of maintaining, upgrading and enhancing the electronic map and for the direct cost of supplying the electronic map in the form requested by the person(s).

(2) In the case where disclosable and nondisclosable electronic map data are combined, I.C. 5-14-3-6 provides that the county may charge a reasonable fee for the county's direct cost of computer programming to separate disclosable from nondisclosable electronic map data.

(3) It is hereby established by the County Commissioners and County Council that the initial fee schedule for the transmission of electronic map data is as set forth in an attached fee schedule that is incorporated by reference herein.

(4) If the county contracts with a third party contractor to handle the transmission of county electronic map data, the third party contractor shall receive two-thirds, and the county one-third of the fees charged the person for electronic map data. This fee schedule shall be reviewed on an annual basis and may be changed on an annual basis to reflect the change in the cost in providing the electronic map data.

(C) *Exceptions to fee schedule.*

(1) Pursuant to I.C. 5-14-3-8(k) any public agency, as defined by I.C. 5-14-3-2, located within the county or within adjacent counties that agrees to share with the county any electronic map information that that public agency might have, if any, that is of the same type as is being shared by the county, the county will agree to automatically approve a data sharing application with that public agency and waive that portion of the electronic map fee that would otherwise be retained by the county.

(2) Pursuant to I.C. 5-14-3-8(k) the county's retained portion of the electronic map fee shall be waived at the county's discretion if the use of the electronic map data will be used for a noncommercial purpose, including the following: public agencies that do not agree to share with county the same type of electronic map data being provided by the county, nonprofit activities, journalism, and/or academic research.

(D) *Third party contractor.*

(1) In accordance with I.C. 5-14-3-3.6, electronic map information may be provided to person(s) through the county's own computer gateway, or by agreement through a computer gateway of a third party contractor. Indiana Code 5-14-3-3.6(e) provides that a contract entered into under this section may require the payment of a reasonable fee to either the third party contractor, the county, or both.

(2) In accordance with I.C. 5-14-3-4, neither the county nor the third party contractor shall

disclose electronic map data that is specifically excepted from disclosure requirements.

(E) *Payment.* Where the county is using its own computer gateway for the provision to person(s) of electronic map data, payment shall be made by the person(s) at the time of delivery. Where the county has entered into an agreement with a third party contractor to provide electronic map data through the third party contractor's computer gateway, the third party contractor shall handle the billing and invoicing of the fees charged and shall agree to send by U.S. mail that portion of the fee due the county to the county's Electronic Map Generation Fund within ten business days of the receipt of payment of fees to the third party contractor by the person(s) making the purchase.

(F) *Compliance with state statutes.* Nothing herein shall compel any office or their contracted third party contractor to charge a fee for copies if the fee imposed by this section is contrary to state law. In the event the fees in this section are contrary to any charges established by state statute, the state statute shall apply.

(G) *Use restrictions and notice.*

(1) Pursuant to the provisions of I.C. 5-14-3-3(e), no person, other than those authorized in writing by the Board of Commissioners, may use the electronic map data provided by the county 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 request to any other person for these purposes. This includes the repackaging or assimilation of electronic map data for a commercial purpose in paper or electronic media.

(2) A person who uses information in a manner contrary to this section or a rule or ordinance adopted under I.C. 5-14-3-3 may be prohibited by the county from obtaining any electronic map data.

(3) The following notice regarding data ownership, restrictions, and qualifications shall be

provided to every person that receives a copy of the county's electronic map data.

“Warrick County electronic map data is the property of Warrick County, Indiana. All electronic map data supplied by Warrick County has been derived from public records that are constantly undergoing change and is not warranted for content or accuracy. The County does not guarantee the positional or thematic accuracy of the data. The cartographic digital file server is not a legal representation of any of the features depicted, and the County disclaims any assumption of the legal status they represent. Any implied warranties, including warranties of merchantability or fitness for a particular purpose, shall be and/or expressly excluded. The data represents an actual reproduction of data contained in the County's computer files. This data may be incomplete or inaccurate, and is subject to modifications and changes. Therefore, the County cannot be held liable for errors or omissions in the data. The recipient's uses and reliance upon such data is at the recipient's risk. By using this data, the recipient agrees to protect, hold harmless and indemnify Warrick County and its employees and officers. This indemnity covers reasonable attorney's fees and all court costs associated with the defense of Warrick County arising out of this disclaimer. The recipient may copy this data into computer memory or onto computer storage devices and prepare derivative works from it for the recipient's own use.

Pursuant to the provisions of Indiana Code 5-14-3-3(e), no person, other than those authorized in writing by the Board of Commissioners may use the electronic map data provided by the County 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 request to any other person for these purposes. A person who uses information in a manner contrary to a rule or ordinance adopted under Indiana Code 5-14-3-3(e) may be prohibited by the Board of Commissioners from obtaining any electronic map data.

Please refer to Warrick County Ordinance 200_ - ____ for any other restrictions on the use of electronic map data or penalties for the misuse electronic map data.”

(4) A copy of the language contained in this section shall be conspicuously posted in all offices where electronic map data is sold in the county, and shall be provided to any person(s) (as defined by I.C. 5-14-3-2) who desires to purchase electronic map data from the county.

(H) *Use violation penalty.*

(1) Any person(s) who violates the terms and conditions of this section by failing to pay for purchased electronic map data shall be liable for total fee charged for the electronic map data plus attorney's fees and the cost of collection.

(2) Any person(s) who violates the restrictions on the use of electronic map data as set forth in division (G) of this section shall be guilty of an infraction and may be fined by the county up to \$2,500, and each violation shall be deemed a separate offence. Also, in the event that there is an improper use of electronic map data as set forth in division (G) of this section or in violation of state or federal law, the county may prohibit the person(s) (as defined by I.C. 5-14-3-2) from obtaining any electronic map data and seek injunctive relief from any misuse of electronic map data by the person(s) who originally purchased the electronic map data or any other person(s) who has received a copy of the electronic map data.

(I) *Electronic Map Generation Fund.* Pursuant to I.C. 5-14-3-8.5, the County Council hereby establishes the Electronic Map Generation Fund. The Electronic Map Generation Fund shall consist of fees charged for providing electronic map data to person(s) in accordance with I.C. 5-14-3-8(j) and be subject to the appropriation by the County Council. In accordance with I.C. 5-14-3-8.5(b), all funds collected in the Electronic Map Generation Fund shall be specifically dedicated to the following purposes:

(1) The maintenance, upgrading, and enhancement of the electronic map.

(2) The reimbursement of expenses incurred by a public agency in supplying an electronic map in the form requested by the person(s).

(J) *Dispute resolution.* Any person who has a dispute, or seeks relief from the terms of this section may seek resolution of that dispute or relief from the Board of Commissioners.

(BC Ord. 2006-18, passed 1-4-07; CC Ord. 2007-1, passed 1-4-07)

§ 37.21 ADDITIONAL FELONY AND MISDEMEANOR FEES.

(A) The Board of Commissioners, pursuant to the Indiana Home Rule Act and other authority, now establishes a local fee of \$10, which shall be added as a part of the costs in all felony and misdemeanor cases in which a defendant is found guilty of one or more offenses EXCEPT in those cases in which a defendant has been found guilty of one or more offenses under I.C. 35-48-4 (Controlled Substances), I.C. 16-42-19 (Legend Drug Act), I.C. 9-30-5 (OVWI), I.C. 9-30-6-8.7 (violation of Ignition Interlock), and I.C. 7.1-5 (Alcoholic Beverages).

(B) The Board of Commissioners, pursuant to the Indiana Home Rule Act and other authority, now establishes a local fee of \$50, which shall be added as a part of the costs in all felony and misdemeanor cases in which a defendant is found guilty of one or more offenses under I.C. 35-48-4 (Controlled Substances), I.C. 16-42-19 (Legend Drug Act), I.C. 9-30-5 (OVWI), I.C. 9-30-6-8.7 (violation of Ignition Interlock), and I.C. 7.1-5 (Alcoholic Beverages).

(C) The Clerk of the Warrick Circuit and Superior Courts shall assess and collect the \$10 fee and the \$50 fee, in addition to other local and statutory fees, and shall deposit the fee in the Drug

and Alcohol User Fee Fund (which at present, is Fund 379 in the County Auditor's Office).

(BC Ord. 2011-18, passed 7-25-11)

Editor's note:

BC Ord. 2012-30, passed 9-19-12, suspends § 37.21 pending final determination of the validity of the same.

§ 37.22 RECORDER'S OFFICE FEES.

(A) For the purpose of this section, **DOCUMENT** or **DOCUMENTS** shall include, but not be limited to, any deed, ordinance, resolution, certificate of sale, easement vacations, grants of rights-of-way and easements under condemnation proceedings, street acceptances and vacations, sidewalk acknowledgments, surveyor's affidavits, address affidavits, hold harmless acknowledgments, and any other recordable instrument required to be recorded in the Office of the County Recorder from time to time by the county and any of its departments.

(B) The Office of the County Recorder shall exempt official offices of the county, including the Area Plan Commission, Redevelopment Commission, Board of Commissioners, County Council and any other department or office, from the payment of any fee for recording documents required by law, regulation, rule, or otherwise to be recorded.

(C) County offices and departments shall submit any documents for recording in full compliance with all recording requirements as may be expressed in the Indiana Code or corresponding regulations.

(BC Ord. 2014-23, passed 8-11-14)

CHAPTER 39: COUNTY POLICY

Section

Commissioners in the Board of Commissioners' Meeting Room.

General Provisions

- 39.01 County motto
- 39.02 Mass fatalities plan
- 39.03 No smoking areas
- 39.04 Excessive force policy
- 39.05 Auditor to pay bills prior to approval of Board
- 39.06 Authorizing credit card and debit card transactions
- 39.07 Security of county facilities
- 39.08 Public records requests

(2) The text "In God We Trust" is hereby encouraged to be publicly and prominently displayed in all county buildings.
(BC Ord. 2014-31, passed 12-22-14)

§ 39.02 MASS FATALITIES PLAN.

The County Mass Fatalities Plan, adopted by BC Res. 1996-8, passed 10-28-96, is hereby adopted by reference and made a part of this code the same as if set forth in full herein.
(BC Res. 1996-8, passed 10-28-96)

Judicial Center and Courthouse Square

- 39.15 Certain activities prohibited
- 39.16 Deadly weapons prohibited

§ 39.03 NO SMOKING AREAS.

(A) To protect the health and safety of county employees, patrons, visitors, the general public and pursuant to I.C. 7.1-5-12, the Commissioners have determined that smoking shall be prohibited in, and within 30 feet of any entrance to and exit from, any and all facilities owned, leased, operated or occupied by the County Board of Commissioners or any other county department, agency or office. Smoking shall also be prohibited on all county owned stairways, ramps and sidewalks providing access to the foregoing facilities.

(B) The public official in charge of each facility described in division (A) of this section shall post at each entrance "County Ordinance Prohibits Smoking within 30 Feet of this Entrance."

(C) Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

- 39.99 Penalty

Cross-reference:

Leasing of real property, see Ch. 152

GENERAL PROVISIONS

§ 39.01 COUNTY MOTTO.

(A) *Text of county motto.* It is hereby established that the official motto of the county is "In God We Trust."

(B) *Display of county motto.*

(1) The text "In God We Trust" shall be prominently displayed on the wall behind the

(D) A person who smokes in an area where smoking is prohibited by this section commits prohibited smoking, a Class B infraction. However, a person who smokes in an area where smoking is prohibited by this chapter commits prohibited smoking, a Class A infraction if the person has been adjudged to have committed at least three prior unrelated infractions under this section or I.C. 16-41-37-4 (before its repeal).

(E) The responsibility to enforce this policy lies with the elected officials, department heads, Commissioners, County Administrator and the County Sheriff and his or her deputies.
(BC Res. 1987-6, passed 9-18-87; Am. BC Ord. 1997-18, passed 12-1-97; Am. BC Ord. 2006-04, passed 4-12-06; Am. BC Ord. 2013-18, passed 6-24-13) Penalty, see § 39.99

§ 39.04 EXCESSIVE FORCE POLICY.

It is the policy of the county that no law enforcement agencies within the county may use excessive force against any individuals engaged in non-violent civil rights demonstrations, in accordance with Section 519 of Pub. L. 101-144 (the HUD Appropriation Act).

(BC Res. 1992-1, passed 1-6-92)

§ 39.05 AUDITOR TO PAY BILLS PRIOR TO APPROVAL OF BOARD.

(A) *Utility bills and credit card charges.*

(1) The County Auditor is directed to make payment of utility bills prior to due date upon informal approval by the Board of Commissioners.

(2) The County Auditor is directed to make payment of credit card charges prior to due date upon informal approval by the Board of Commissioners.

(3) Claims for utility bills and for credit card charges so paid shall be advertised in the same manner and at the same time as other claims for payment by the county.

(4) The County Board of Commissioners shall approve claims for payment of utility bills and credit card charges so paid at the same time and in the same manner as they approve payment of other claims.

(5) This section is adopted by virtue of I.C. 36-2-6-4.5 which specifically provides that a county executive may adopt an ordinance allowing money to be disbursed for lawful county purposes under this section and further provides that notwithstanding I.C. 5-11-10 with the prior written approval of the Board having jurisdiction over the allowance of claims, the county auditor may make claim payments in advance of Board allowance for certain kinds of expenses including, but not limited to utility payments or utility connection charges and expenses described in an ordinance provided that such expenses are supported by a fully itemized invoice or bill and certification by the County Auditor and further provided that the county executive or County Board having jurisdiction over the allowance of the claim shall review and allow the claim at its next regular or special meeting following the pre-approved payment of the expense and that such payment of expenses under this section must be published in the manner provided under I.C. 36-2-6-3.

(B) *Other expenses.*

(1) The County Auditor is directed to make claim payments in advance of Board allowance for the following kinds of expenses:

(a) Property or services purchased or leased from the United States government, its agencies or its political subdivisions.

(b) Insurance premiums.

(c) Utility payments or utility connection charges.

(d) General grant programs where advance funding is not prohibited and the contracting party posts sufficient security to cover the amount advanced.

(e) Grant of state funds authorized by statute.

(f) Lease or rental payments.

(g) Bond and coupon payments.

(h) Payroll.

(i) State or federal taxes.

(j) Expenses that must be paid because of emergency circumstances.

(k) Expenses described in an ordinance.

(l) Contract payments.

(2) Each payment of expense must be supported by a fully itemized invoice or bill and certification by the County Auditor.

(3) The County Executive or the County Board having jurisdiction over the allowance of the claim shall review and allow the claim at its next regular or special meeting following the pre-approved payment of the expense.

(4) A payment of expenses under this section must be published in the manner provided under I.C. 36-2-6-3. (BC Ord. 2002-07, passed 8-7-02; Am. BC Ord. 2002-08, passed 8-7-02)

§ 39.06 AUTHORIZING CREDIT CARD AND DEBIT CARD TRANSACTIONS.

(A) The Sheriff of Warrick County is authorized to accept a credit card or debit card for any required payment to the Sheriff of Warrick County; and

(B) The Sheriff of Warrick County is authorized and directed to charge and collect fees for the use of credit card or debit cards.

(CC Ord. 2009-02, passed 5-7-09; Am. CC Ord. 2009-02, passed 6-4-09)

§ 39.07 SECURITY OF COUNTY FACILITIES.

It is the policy of the county that all locks, entry and exit access, surveillance cameras or policies, and any or all other security measures in all county owned buildings or facilities, including building fixtures or other appurtenances within said buildings or facilities (“security measures”) shall be subject to the exclusive authority of the Board of Commissioners. Subject to any exemptions granted by the Board of Commissioners from time to time, any alterations, modifications, or changes to security measures must first receive the approval of the Board of Commissioners by forwarding a request to the County Administrator, who shall thereupon present said request for official action by the Board of Commissioners as soon as reasonably practical. In the case of an emergency, the security measure may be enacted with written consensus of a majority of the Board of Commissioners, but said security measure shall be submitted for formal action by the Board of Commissioners at its next regularly scheduled meeting. The County Administrator may establish administrative rules and procedures for the implementation of this section.

(BC Ord. 2015-03, passed 2-9-15)

§ 39.08 PUBLIC RECORDS REQUESTS.

(A) *Form and content of public records request.*

(1) All requests for inspection or copying of public records must be:

(a) In writing; and

(b) Identify with reasonable particularity the record(s) being requested.

(2) No request complying with the Indiana Access to Public Records Act may be denied for failure to state the purpose of the request.

(B) *Public records request.* Any person making a request that complies with the requirements of division (A) above may inspect and copy the public records during the regular business hours of the county. If the county maintains the requested record in an electronic storage data system, and the county is able to retrieve those records through reasonable efforts, then the county shall provide a copy of all disclosable data via disk or any other method of electronic retrieval.

(C) *Use of information for commercial purpose.*

(1) Notwithstanding the above, if any office holder, department or division of the county believes the request is for any kind of commercial purpose, then all such persons making requests for public records must first verify in writing that they will not use the information for commercial purposes, including a statement that the requesting party shall not 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. The verification shall be in the form prescribed

herein, and the office holder, department or division of the county is under no obligation to comply with the request for records until this verification has been received.

(2) Use of information in connection with the preparation or publication of news, for nonprofit activities, or for academic research shall not be considered as use for commercial purposes and does not require written verification.

(D) *Violations.* A person who uses information in a manner contrary to this section or the verification provided for herein shall be prohibited from obtaining a copy of the requested data or any additional or future data requests from the county.

(E) *Reasonable effort to provide public records.* The county shall make reasonable efforts to provide public records contained within an electronically stored data system to any person complying with the requirements of this section. For purposes of this section, **REASONABLE EFFORTS** shall be determined in the discretion of the office holder, department or division of the county in which the records are kept.

(F) *Form of verification.* The verification provided for in division (C) above shall be in the following form.

VERIFICATION OF NO COMMERCIAL PURPOSE

To:	_____	(Requesting Party)
	_____	(Address)

From:	_____	(County Office)
	_____	(Name)
	_____	(Title)

This office acknowledges receipt of your request pursuant to the Indiana Access to Public Records Act, I.C. 5-14-3 *et seq.*, for certain records to be provided in an electronic format. We have determined your request may be for commercial purposes. Before responding to your request, please date and sign the form below and submit to the office listed above.

I, _____, representing _____, the requesting party, do hereby swear and affirm that the information requested and to be provided to me shall not be sold, advertised, or solicited for purposes of purchasing merchandise, goods or services by any party, nor will the information be sold, loaned, given away or otherwise delivered in any manner to any other person for these purposes. I furthermore acknowledge that any breach of this verification may result in the requesting party being prohibited from any additional or future records requests from Warrick County under Indiana law.

Signed: _____

Printed: _____

Dated: _____

(BC Ord. 2014-11, passed 4-14-14)

**JUDICIAL CENTER AND COURTHOUSE
SQUARE**

Square by anyone with the exception of elected government officials who have been issued and carry a license under I.C. 35-47-2 and duly recognized law enforcement officials.

§ 39.15 CERTAIN ACTIVITIES PROHIBITED.

That no skateboarding, rollerblading, bicycling or use of any other type of recreational wheeled object shall be allowed on or about the County Judicial Center premises, grounds, sidewalks, parking lots, or otherwise within the immediate vicinity of the Judicial Center as well as the premises known as the Courthouse Square and the grounds thereof. (BC Ord. 2000-2, passed 2-28-00) Penalty, see § 39.99

(C) Pursuant to I.C. 35-41-1-8, deadly weapon is hereby defined as follows:

(1) A loaded or unloaded firearm;

(2) A weapon, device, taser (as defined in I.C. 35-47-8-3) or electronic stun weapon (as defined in I.C. 35-47-8-1), equipment, chemical substance, or other material that in the manner it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury; and

§ 39.16 DEADLY WEAPONS PROHIBITED.

(A) Deadly weapons of any kind, as defined by I.C. 35-41-1-8, are prohibited from being carried or maintained within the premises of the County Judicial Center by anyone, with the exception of duly recognized law enforcement officials.

(3) An animal (as defined in I.C. 35-46-3-3) that is:

(a) Readily capable of causing serious bodily injury; and

(b) Used in the commission or attempted commission of a crime.

(B) Deadly weapons of any kind as defined by I.C. 35-41-1-8 are prohibited from being carried or maintained within the premises of the Courthouse

(BC Ord. 2000-3, passed 4-1-00; Am. BC Ord. 2002-02, passed 1-23-02) Penalty, see § 39.99

§ 39.99 PENALTY.

(A) Any person violating § 39.02 or § 39.16 shall be punished by a fine not to exceed \$500 for each violation.

(B) Any person violating § 39.15 shall be punished by a fine not to exceed \$250 for each violation.

(BC Res. 1987-6, passed 9-18-87; Am. BC Ord. 1997-18, passed 12-1-97; Am. BC Ord. 2000-2, passed 2-28-00; Am. BC Ord. 2000-3, passed 4-1-00; Am. BC Ord. 2002-02, passed 1-23-02)

CHAPTER 50: SOLID WASTE

Section

General Provisions

- 50.01 Solid Waste Management District
- 50.02 Sanitary landfill regulations adopted by reference

Use of Landfills; Disposal of Waste

- 50.15 Definitions
- 50.16 Use limited to county citizens
- 50.17 Permit required for landfill
- 50.18 Permit application and hearing; fee
- 50.19 Issuance of permit; conditions
- 50.20 Revocation
- 50.21 Bringing waste into county, depositing in landfill
- 50.22 Private landfills
- 50.23 Enforcement; injunctive relief
- 50.24 Landfill fees

- 50.99 Penalty

Cross-reference:

Collection, delivery and processing, see Ch. 136

GENERAL PROVISIONS

§ 50.01 SOLID WASTE MANAGEMENT DISTRICT.

(A) There is created within the county a Solid Waste Management District encompassing all of the incorporated and unincorporated territory of the county.

(B) The Board of Directors of the Solid Waste Management District shall be comprised of the following:

(1) Two members of the Board of Commissioners appointed from its membership.

(2) One member appointed by the County Council as the county fiscal body from the membership of that body.

(3) The Mayor the City of Boonville, being the municipality having the largest population in the county.

(4) One member of the legislative body of the City of Boonville being the municipality with the largest population of the county, said member being appointed by the legislative body of the City of Boonville.

(5) One member who is a member of the fiscal body of a town other than the City of Boonville, which said member shall be appointed by the Commissioners of Warrick County to represent the municipalities in the county other than the City of Boonville.

(6) One additional member appointed by the Board of Commissioners from its membership. (BC Ord. 1990-20, passed 5-7-90)

§ 50.02 SANITARY LANDFILL REGULATIONS ADOPTED BY REFERENCE.

The regulations for public disposal of garbage and rubbish at county operated sanitary landfill areas and on any land which is situated outside the corporate limits of any city or town, as adopted by Ord. 72-1, are hereby adopted by reference and made a part of this code the same as if set forth in full herein. These regulations shall be in effect until the county ceases to operate the landfill.

(BC Ord. 72-1, passed 5-6-72)

USE OF LANDFILLS; DISPOSAL OF WASTE**§ 50.15 DEFINITIONS.**

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

GARBAGE. All putrescible animal solid, vegetable solid and semi-solid wastes resulting from the processing, handling, preparation, cooking, serving, or consumption of food or food materials.

GOVERNMENTAL UNIT. Any county, city or town or any subdivision thereof.

LANDFILL. A tract of land on which a landfill operation is conducted and which has been approved by the State Board of Health.

PERSON. Any individual, partnership, corporation, firm or association.

REFUSE. All putrescible and non-putrescible solid and semi-solid wastes, except human excreta, but including garbage, rubbish, ashes, street cleanings, dead animals, offal and solid commercial, industrial and institutional wastes.

RUBBISH. All non-putrescible solid waste, excluding ashes, such as cardboard, paper, plastic, metal or glass food containers, rags, waste metal, yard clippings, small pieces of wood, excelsior, rubber, leather, crockery, and other waste materials that ordinarily accumulate around a home, business or industry. It shall not include garbage, ashes, bulk refuse, dead animals, hazardous refuse, industrial waste or building waste resulting from the operations of a contractor.

(BC Ord. 1978-11, passed 11-6-78)

§ 50.16 USE LIMITED TO COUNTY CITIZENS.

(A) It shall be unlawful for any person other than the citizens of the county to use the landfill operated by the County Commissioners. This section shall not affect any existing contracts, until their termination.

(B) It shall be unlawful for any person other than county citizens to deposit refuse, garbage, or rubbish in containers used by the county in its landfill operation.

(BC Ord. 1978-11, passed 11-6-78) Penalty, see § 50.99

§ 50.17 PERMIT REQUIRED FOR LANDFILL.

It shall be unlawful for any person or governmental unit to operate a landfill in the county except the Board of Commissioners without having first obtained a permit from the Board of Commissioners and having had the site approved by the State Board of Health for a proper landfill.

(BC Ord. 1978-11, passed 11-6-78) Penalty, see § 50.99

§ 50.18 PERMIT APPLICATION AND HEARING; FEE.

(A) Any permit issued by the Board of Commissioners will be granted only after application by the proposed operator and the owner of the real estate to be used. The application shall describe the real estate to be used, along with a description, ownership and usage of all real estate within one half mile of the proposed landfill. It shall also contain a map showing the route or routes to be used coming to and from such landfill. The application shall also designate any governmental units or units the operator intends to serve. It shall also describe the type and volume of refuse to be handled.

(B) On the receipt of an application for a landfill, the Board of Commissioners shall assign the same for hearing, which hearing shall not be less than two weeks from the date of filing. Notice shall be given by publication in two newspapers of opposite political faith published in the county, plus notice by certified mail to all persons listed as living or owning real estate within one half-mile of the proposed landfill.

(C) It shall be the burden of the applicant to introduce proof that the landfill will be environmentally safe, that the routes to the landfill will not be an excessive burden on county roads, that

Traffic Schedules

<i>Street</i>	<i>Location</i>	<i>Speed Limit</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Kaiser Road (S 500)	From State Road 61 to County Road (W 250)	30 m.p.h.	BC Res. 2009-9	4-27-09
Lincoln Trail Road (North 600)	From the intersection of State Road 161 East to the intersection of East 1000 Road	35 m.p.h.	BC Ord. 1992-20	7-27-92
Mansfield Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Marble Court	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Marble Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Merimac Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Midway Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Miranda Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
North Road	From the northern city limits of the Town of Elberfeld to State Road 68	40 m.p.h.	BC Ord. 1995-23	12-11-95
Oak Grove Road	From the intersection of Libbert Road westerly to the intersection of Epworth Road	50 m.p.h.	BC Res. 2014-08	10-13-14
Outer Lincoln Avenue	From Bell Road westerly to the Warrick/Vanverburgh County line	35 m.p.h.	BC Res. 2014-07	5-27-14
Overland Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Pelzer Road	From County Road N/S 0 (Maple Grove Road) to County Road S 300 (New Hope Road)	40 m.p.h.	BC Res. 2011-09	10-10-11
Pelzer Road	Where not otherwise specified in this schedule	30 m.p.h.	BC Ord. 1985-6; Am. BC Res. 2011-09	2-4-85; 10-10-11

Warrick County - Traffic Code

<i>Street</i>	<i>Location</i>	<i>Speed Limit</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Penrose Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Ridgeview Avenue	Greer Township	20 m.p.h.	BC Res. 2013-03	1-28-13
Tecumseh Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Telephone Road (S 200)	From Bell Road (W 850) to State Road 62	40 m.p.h.	BC Ord. 1990-28	12-26-90
Telephone Road (S 200)	From County Road (W 1050) to County Road (W 900)	50 m.p.h.	BC Res. 2009-12	6-8-09
Titan Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Treemont Drive	From the intersection with Vann Road to the intersection with Kingston Drive	20 m.p.h.	BC Res. 2014-09	10-27-14
Vanada Road (West 550)	From the intersection of Vanada Road (West 550) and State Highway 66 to the intersection of Vanada Road (West 550) and Ferstel Road (South 600)	35 m.p.h.	BC Ord. 1992-20	7-27-92
Yankeetown Road	From County Road S 75 (Rudolph Road) to State Road 66	45 m.p.h.	BC Res. 2011-09	10-10-11
Yankeetown Road (W 200, 250)	From the Boonville city limits to Red Brush Road (S 650) except as otherwise specified in this schedule	40 m.p.h.	BC Ord. 1990-28; Am. BC Res. 2011-09	12-26-90; 10-10-11
Yorkridge Drive		20 m.p.h.	BC Ord. 1990-24	8-27-90

(B) Any person violating the provisions of this schedule shall be fined in any amount not to exceed \$500.

CHAPTER 110: GENERAL BUSINESS REGULATIONS

Section

- 110.01 Regulations for cable TV rates
- 110.02 Permit required for solicitation
- 110.03 Peddling and solicitation

§ 110.01 REGULATIONS FOR CABLE TV RATES.

(A) All regulations promulgated by the Federal Communications Commission, as they relate to the regulation of cable television rates, are hereby adopted by reference in this section.

(B) The County Commissioners are hereby authorized to appoint a hearing officer whose duty it shall be to conduct and hold public hearings on local cable rate regulations, to report his or her findings to the County Commissioners and make recommendations to the County Commissioners concerning basic cable regulation.

(C) The hearing officer shall conduct the public cable rate hearings on all cable rate regulation hearings in accordance with the rules and regulations issued and promulgated by the Federal Communications Commission found at 47 CFR 76.

(D) All regulation cable rates by the county shall be undertaken in accordance with and following the rate regulations promulgated by the Federal Communications Commission.
(BC Ord. 1994-12, passed 6-27-94)

§ 110.02 PERMIT REQUIRED FOR SOLICITATION.

(A) Any and all individuals, entities, and/or organizations of any type who wish to solicit in any

manner on or about any street or intersection of streets must first obtain a permit to be issued by the County Commissioners.

(B) An application for such permit must be filed with the County Commissioners Office no less than 30 days prior to the proposed solicitation date.

(C) A public hearing with regard to the application shall take place at the next regular session of the Board of County Commissioners or special session if so called by the Commissioners.

(D) If the application is granted, a permit designating the specific time, place and manner of the solicitations must be carried at all solicitation times on the person of the individuals performing the solicitations.

(E) Each violation of this section may be punished by a fine not exceeding \$2,500 per violation.

(F) An applicant must provide a certificate of insurance proving comprehensive general liability insurance coverage for the activities applied for in the sum of no less than \$500,000.
(BC Ord. 1999-9, passed 9-13-99; Am. BC Ord. 2014-16, passed 6-9-14)

§ 110.03 PEDDLING AND SOLICITATION.

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

ADMINISTRATOR. Administrator of the Warrick County Board of Commissioners.

PEDDLER. Any person or persons, firm, limited liability company, corporation or organization,

either principal or agent, employer or employee who engages in the business of traveling from place to place, house to house, or in or along the streets within the county, carrying, conveying, or transporting goods, wares, merchandise, or personal property of any nature, or for services to be performed offering and exposing them for sale, or making sales and delivering articles to purchasers.

PERSON. Any human being, partnership, limited liability company, organization, association, or corporation.

SOLICITOR. Any person or persons, firm, limited liability company, corporation, or organization, either principal or agent, employer or employee who engages in the business of traveling from place to place, house to house, or in or along the streets within the county, taking or attempting to take orders for the sale of goods, wares, merchants, or personal property of any nature, for future delivery, or for services to be performed, whether or not such individual carries or exposes for sale a sample of the subject of the sale, or whether or not the vendor is collecting advance payment on the sales.

(B) *Peddlers and solicitors; license required.*

(1) It is unlawful for any person to engage in business as a peddler or solicitor within the county, without having an unrevoked license issued by the county to do so, valid and in effect at the time.

(2) No license shall be transferable or shall authorize any person other than the one named therein to engage in the business of peddler or solicitor.

(3) Registration and licensing shall not be construed to be a permit to enter neighborhoods, areas, properties, or premises that have conspicuously posted non-solicitation notices.

(4) The peddler or solicitor shall have his stamped application in his possession at all times while peddling and/or soliciting and shall exhibit it

upon request by any law enforcement officer or any purchaser or prospective purchaser.

(C) *Exemptions.* This section shall not apply to:

(1) Any person selling goods exclusively to retail or wholesale stores for resale.

(2) Any person, or an employee or agent thereof, who has, and has had for the preceding 12 months a regular place of business within the county.

(3) Any person engaged in peddling or solicitation activities on behalf of a religious group, school, political group, or other not-for-profit entity registered to do business in the state.

(4) The delivery of mail order, online, or catalog sales to residents.

(5) Any farmer, gardener, or fruit or vegetable grower engaged in selling the produce of his own farm, orchard, or vineyard, located in the county, or such a person who sells or takes orders for goods to be sold and delivered to merchants, traders, or dealers who purchase the goods for the purpose of resale.

(6) News carriers.

(D) *Application.* An applicant for permission to peddle goods or solicit orders hereunder shall complete an application provided by the Administrator. The application shall contain the following information:

(1) The name, home address, telephone number, and any local address of the applicant.

(2) A physical description of the applicant, and every agent of the applicant that will be peddling or soliciting, setting forth the age, height, weight, and color of hair and eyes (Example: driver's license and/or other picture ID).

(3) The name and address of the person, firm, or corporation for whom or through whom orders are to be solicited or cleared, including both the main office's address and the address of the office or branch out of which the applicant works.

(4) The nature of the goods, wares, merchandise, or services to be sold or for which orders are to be solicited.

(5) Written permission from the property owner of the location where peddler will be set up (if applicable).

(6) A statement as to the period during which the applicant intends to solicit orders, which shall be no longer than until December 31 of the calendar year during which the application is made.

(7) A list of all felony and/or misdemeanor convictions of the applicant and every agent of the applicant that will be peddling or soliciting, including the date of conviction and the city and state of all such convictions, if any. If none, it is to be so stated on the application.

(8) The name, address, and telephone number of the contact person who shall be available for a period of time of not less than 60 days following the last date the applicant sells or offers to sell, or distributes goods, wares, merchandise, food, services, or subscriptions in the county, who will be responsible for consumer complaints.

(9) The applicant must provide the Administrator with a copy of a valid merchant certificate issued by the Indiana Department of Revenue to applicant.

(10) If a vehicle is to be used, a description of the vehicle, together with the license plate number and proof of valid insurance meeting the minimum requirements set by state law, and a copy of a current and valid driver's license.

(11) A statement indicating the applicant has provided with the application a certificate of insurance proving comprehensive general liability coverage for the activities to be performed in the sum of no less than \$500,000.

(12) The applicant, at the time of executing the application, shall also submit identification satisfactory to the Administrator, which shall contain the signature and a photograph of the applicant and any agent of the applicant that will be peddling or soliciting two inches by two inches taken within 60 days prior to the application. The photograph must show the head and shoulders of the applicant and any agent of the applicant that will be peddling or soliciting.

(13) If the applicant will be using, handling, selling, or distributing food, a copy of the County Health Department permit must be attached to the application.

(14) Any other such information the Administrator or his designee deems necessary.

(15) Verification that all of the information provided is truthful.

(E) *Fees.*

(1) The fee for a license which shall accompany any application shall be as follows:

(a) \$30 for a period not to exceed one weekend from Friday through Sunday;

(b) \$50 for a period not to exceed one week from Monday through Sunday;

(c) \$100 for a period not to exceed one month; or

(d) \$1,000 for a period not to exceed one year.

Warrick County - Business Regulations

(2) All licenses shall terminate on December 31, one hour before sunset in the year of issue.

(3) All fees collected under this section shall be deposited in the county's General Fund.

(F) *Approval.* Upon compliance by the applicant with the provisions of this section, the Administrator shall refer the application to the County Board of Commissioners. The County Board of Commissioners shall either approve or deny the application for a license at its next regularly scheduled meeting. Upon approval by the County Board of Commissioners, the Administrator shall stamp approval on the application submitted by the applicant and provide the approved license to the applicant.

(G) *Time of day permitted.* No person may engage in the business of a peddler or solicitor in the county before 9:00 a.m. and must cease all activities one hour prior to sunset each day the license is effective.

(H) *Revocation of license.*

(1) A license issued pursuant to this section may be revoked by the Administrator after a hearing before the County Board of Commissioners, for any of the following causes:

(a) Any fraud, misrepresentation, or false statements contained in the application for the license.

(b) Any fraud, misrepresentation, or false statement made in connection with the peddling or solicitation of sales of goods, wares, or merchandise.

(c) Any other violation of this section.

(d) Conducting the business licensed under this section in an unlawful manner or in such a manner as to constitute a breach of the peace or to

constitute a menace to the health, safety, or general welfare of the public.

(e) The conviction of the license holder of any felony or of any misdemeanor involving a threat to the safety or general welfare of the public.

(2) A license shall be immediately suspended upon reasonable suspicion by the Administrator of any of the above causes while the potential violation is investigated or pending the arrest or filing of charges against the license holder, or any agent thereof, alleging the commission of any felony or a misdemeanor involving a threat to the safety or general welfare of the public. A license holder is not entitled to a refund for the time the license is suspended or revoked.

(I) *Right to appeal following denial or revocation.* Any license having been denied or revoked under this section may be appealed to the County Board of Commissioners. Such appeal shall be taken by filing with the Administrator a written statement of the grounds for appeal within seven days after notice of the denial or revocation. The County Board of Commissioners, whose decision shall be at its sole and absolute discretion, shall grant or deny the appeal at its next regularly scheduled meeting.

(J) *Penalty.*

(1) Any person violating any of the provisions of this section shall be subject to an ordinance violation fee as follows:

(a) \$250 for the first offense; and

(b) \$500 for the second and each subsequent offense.

(2) Each day's continued violation shall constitute a separate offense.

(BC Ord. 2014-16, passed 6-9-14)

TITLE XIII: PUBLIC SAFETY

Chapter

- 130. PRIVATE SEWAGE DISPOSAL SYSTEMS**
- 131. ANIMALS**
- 132. HEALTH AND SAFETY**
- 133. OPEN BURNING**
- 134. FOOD ESTABLISHMENTS**
- 135. TATTOO PARLORS**
- 136. COLLECTION, DELIVERY AND PROCESSING OF SOLID WASTE**

CHAPTER 136: COLLECTION, DELIVERY AND PROCESSING OF SOLID WASTE

Section

136.01 Definitions

136.02 Delivery of acceptable waste

Cross-reference:

Solid waste, see Ch. 50

§ 136.01 DEFINITIONS.

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

ACCEPTABLE WASTE. All “solid waste” as defined in I.C. 36-9-33-2 as may be amended from time to time, including all putrescible and nonputrescible solid and semisolid wastes and recyclables generated by residences, institutions, and commercial businesses situated within the county, other than prohibited waste. **ACCEPTABLE WASTE** expressly includes garbage, rubbish, household appliances, yard waste, demolition and construction debris, and inert fill.

COUNTY. Warrick County, Indiana.

DESIGNATED FACILITY. The transfer station located at 1111 S. Pelzer Road, Boonville, Indiana, to be owned, operated and managed by the District, or such other facility as might be designated from time to time by the District.

DISTRICT. The Warrick County Solid Waste Management District created by Warrick County.

EFFECTIVE DATE. December 1, 2015, which may be extended by a period not to exceed 30 days in the event the facility and/or designated facility are not yet operational and the Board of Commissioners

determines it to be in the county’s best interest, provided notice is given of the change in **EFFECTIVE DATE**.

PERSON. Any individual, group, business, association, proprietorship, partnership, corporation, limited liability company, or other entity.

PROHIBITED WASTE.

- (1) Human excreta, including septic tank sludge;
- (2) Hazardous waste as defined by the Indiana Department of Environmental Management from time to time;
- (3) Industrial waste;
- (4) Agricultural waste;
- (5) Biomedical waste;
- (6) Dead animals;
- (7) Asphalt;
- (8) Automobiles and other vehicles; and
- (9) Other items specified by the District and/or designated facility from time to time. (BC Ord. 2015-21, passed 9-28-15)

§ 136.02 DELIVERY OF ACCEPTABLE WASTE.

(A) Beginning on the effective date, and at all times thereafter, any person may dispose of acceptable waste by delivering or causing the delivery of such

acceptable waste to the District at its designated facility in accordance with this chapter and any applicable laws, rules, procedures, and instructions promulgated by the County Board of Commissioners or the District.

(B) Notwithstanding the foregoing, yard waste may be accumulated on residential property for composting purposes in a manner which will not create odor, harbor rodents, or become a public nuisance. Yard waste may be collected commercially as provided by the District's curbside waste and recycling pickup program.

(BC Ord. 2015-21, passed 9-28-15)

Agreements

4A

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
BC Res. 2000-4	9-13-00	Authorizing execution and delivery of master equipment lease/purchase agreement and related instruments by and between the county and Old National Bank
BC Res. 2001-06	6-13-01	Approving the Southwest Indiana 2000 Comprehensive Economic Development Strategy and supporting the creation of the Southwest Indiana Economic Development District
BC Res. 2002-07	5-1-02	Authorizing an agreement for potholing request at Lockwood Lane and Epworth Road in the Town of Newburgh
BC Res. 2004-04	4-21-04	Authorizing a master equipment lease/purchase agreement
BC Res. 2004-06	9-15-04	Approving an amendment to Evansville Urban Transportation Study (EUTS) Articles of Agreement
BC Ord. 2004-13	10-14-04	Approving an interlocal agreement with the Town of Newburgh regarding the Newburgh Master Lift Station Project
BC Res. 2005-06	3-16-05	Approving the interlocal agreement with Vanderburgh County, Indiana regarding the construction of Lynch Road
CC Res. 2005-02	4-7-05	Approving an interlocal agreement between Warrick County, Indiana and Vanderburgh County, Indiana regarding the financing and construction of the extension of Lynch Road
CC Res. 2006-08	5-4-06	Authorizing the execution of a memorandum of agreement between Warrick County and Southern Indiana Gas and Electric Company
BC Res. 2009-13	8-10-09	Approving and adopting a memorandum of agreement transferring jurisdiction of a roadway between Warrick County and the Town of Newburgh
CC Ord. 2015-02	--15	Authorizing the creation of a Regional Development Authority with Gibson, Posey, and Vanderburgh Counties

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
CC Res. 2010-03	7-8-10	Declaring an economic revitalization area for BC Holdings, LLC, to redevelop and/or rehabilitate real property located at 11744 Blue Bell Road, Elberfield, Indiana
CC Res. 2010-04	7-8-10	Declaring an economic revitalization area for Fibertech, Inc., to redevelop and/or rehabilitate real property located at 11744 Blue Bell Road, Elberfield, Indiana
CC Res. 2010-05	8-5-10	Confirming an economic revitalization area for BC Holdings, LLC, to redevelop and/or rehabilitate real property located at 11744 Blue Bell Road, Elberfield, Indiana
CC Res. 2010-06	8-5-10	Confirming an economic revitalization area for Fibertech, Inc., to redevelop and/or rehabilitate real property located at 11744 Blue Bell Road, Elberfield, Indiana
CC Res. 2010-07	12-2-10	Declaring an economic revitalization area for Leo Brown Group, LLC, to redevelop and/or rehabilitate property and to construct structures to be used for a healthcare facility on Stahl Road in Warrick County, Indiana
CC Res. 2011-01	1-6-11	Confirming an economic revitalization area for Leo Brown Group, LLC, to redevelop and/or rehabilitate real property on Stahl Road in Warrick County, Indiana
CC Res. 2011-03	5-5-11	Declaring an economic revitalization area for Prime Foods, Inc., to redevelop and/or rehabilitate real property in Lot 2B in the Warrick County Industrial Park, Section 2C
CC Res. 2011-04	6-2-11	Confirming an economic revitalization area for Prime Foods, Inc., to redevelop and/or rehabilitate real property in Lot 2B in the Warrick County Industrial Park, Section 2C
CC Res. 2011-05	6-2-11	Declaring an economic revitalization area for real property in the North Warrick County Industrial Park Subdivision Section 1, in Elberfield, Indiana

Warrick County - Table of Special Ordinances

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
CC Res. 2011-06	7-7-11	Confirming an economic revitalization area for real property in the North Warrick County Industrial Park Subdivision Section 1, in Elberfield, Indiana
CC Res. 2011-08	10-6-11	Declaring an economic revitalization area for A-Fab, LLC, to redevelop and/or rehabilitate real property on parcels 87-09-33-100-064, 87-09-33-100-062, and 87-09-33-100-049, in Warrick County, Indiana
CC Res. 2011-09	11-3-11	Confirming an economic revitalization area for A-Fab, LLC, to redevelop and/or rehabilitate real property on parcels 87-09-33-100-064 and 87-09-33-100-062, located at 977 Hyrock Blvd. in Warrick County, Indiana
CC Res. 2012-01	4-12-12	Declaring an economic revitalization area for property tax abatement on parcels 87-12-28-100-090.000-019 and 87-12-28-100-091.000-019, in Warrick County, Indiana
CC Res. 2012-02	5-3-12	Confirming an economic revitalization area for property tax abatement on parcels 87-12-28-100-090.000-019 and 87-12-28-100-091.000-019, in Warrick County, Indiana
CC Res. 2013-01	1-3-13	Declaring an economic revitalization area for property tax abatement on all of parcel 87-12-22-400-077.000-019 and part of 87-12-22-400-076.000.019 and 87-12-22-400-218-000.019, in Warrick County, Indiana
CC Res. 2013-01	1-3-13	Confirming an economic revitalization area for property tax abatement on all of parcel 87-12-22-400-077.000-019 and part of 87-12-22-400-076.000.019 and 87-12-22-400-218-000.019, in Warrick County, Indiana
CC Res. 2015-01	1-8-15	Declaring an economic revitalization area for property tax abatement on real property located at 11744 Blue Bell Road, Elberfield, Indiana

Economic Revitalization Areas

8G

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
CC Res. 2015-02	1-8-15	Declaring an economic revitalization area for property tax abatement on personal property located at 11744 Blue Bell Road, Elberfield, Indiana
CC Res. 2015-05	3-12-15	Confirming an economic revitalization area for property tax abatement (BS Holdings, LLC) for real property located at 11744 Blue Bell Road, Elberfield, Indiana
CC Res. 2015-06	3-12-15	Confirming an economic revitalization area for property tax abatement (Fibertech, Inc.) for personal property located at 11744 Blue Bell Road, Elberfield, Indiana
CC Res. 2015-7	4-2-15	Declaring an economic revitalization area for property tax abatement on personal property located at 612 Grace Way, Chandler, Indiana
CC Res. 2015-8	4-2-15	Declaring an economic revitalization area for property tax abatement on real property located at 612 Grace Way, Chandler, Indiana
CC Res. 2015-09	5-7-15	Confirming an economic revitalization area for property tax abatement (Freedom Ordinance Manufacturing, Inc.) on personal property located at 612 Grace Way, Chandler, Indiana
CC Res. 2015-10	7-9-15	Declaring an economic revitalization area for real and personal property tax phase-in on property located at Lot 2A in the Warrick Industrial Park, Section 2C, parcel 87-09-33-211-001.000-002
CC Res. 2015-11	7-9-15	Declaring an economic revitalization area for real and personal property tax phase-in on property in the Warrick Research and Industrial Center, Tax Code 060-5580-006 and 060-5580-0004
CC Res. 2015-12	8-6-15	Confirming an economic revitalization area for real and personal property tax abatement (PKS Patriot, LLC) for personal property located at 5700 Vann Road, Newburgh, Indiana

Warrick County - Table of Special Ordinances

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
CC Res. 2015-13	8-6-15	Confirming an economic revitalization area for real and personal property tax abatement (Prime Foods, Inc.) for personal property located at Lot 2A in the Warrick County Industrial Park, Section 2C, parcel 87-09-33-211-001.000-002
CC Res. 2015-14	9-3-15	Confirming an economic revitalization area for real property tax phase-in (Freedom Ordinance, LLC) for real property located at 612 Grace Way, Chandler, Indiana

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
BC Ord. 2013-02	2-11-13	Rezoning all of Lots 2 and 3 of Paradise Park from C-1 to PUD/C-1
BC Ord. 2013-03	2-11-13	Rezoning part of Parcel No.5 in Newburgh Plaza South from C-1 to C-4
BC Ord. 2013-04	3-11-13	Rezoning part of the west half of the southeast quarter of Section 35, Township 6 South, Range 9 West, Ohio Township, from R-2 to R-O
BC Ord. 2013-20	7-9-13	Rezoning part of the southeast quarter of Section 8, Township 5 South, Range 9 West from A to C-1
BC Ord. 2013-22	8-12-13	Rezoning part of the northwest quarter of the southwest quarter of Section 20, Township 6 South, Range 9 West from C-1 to R-1A
BC Ord. 2013-23	8-12-13	Rezoning part of the northwest quarter of Section 22, Township 6 South, Range 9 West, Ohio Township, from A to R-1
BC Ord. 2013-28	11-12-13	Rezoning Lot 7 in Warrick Research & Industrial Center #6 from M-2 to C-4
BC Ord. 2014-06	2-24-14	Rezoning part of the southeast quarter of the southeast [quarter] of Section 26, Township 6 South, Range 9 West, Ohio Civil Township from R-3 to R-2
BC Ord. 2014-12	4-29-14	Rezoning part of Lot 2 in Jenner & Plank Minor Subdivision from A to R-2
BC Ord. 2014-14	5-13-14	Rezoning part of Lot 16 in the re-plat of Lots 3, 4, 5, 6, and part of Lot 12 in Julian Place from A to R-O
BC Ord. 2014-15	5-13-14	Rezoning part of the southwest quarter of the southwest quarter of Section 26, Township 4 South, Range 7 West, in Owen Township from R-3 to A
BC Ord. 2014-17	6-23-14	Rezoning part of Section 28, Township 5 South, Range 8 West, containing 5.809 acres more or less, from M-1 to CON

Warrick County - Table of Special Ordinances

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
BC Ord. 2014-18	6-23-14	Rezoning part of Section 28, Township 5 South, Range 8 West, containing 3.01 acres more or less, from M-1 to CON
BC Ord. 2014-19	6-23-14	Rezoning part of Section 28, Township 5 South, Range 8 West, containing 0.11 acre more or less, from M-1 to CON
BC Ord. 2014-20	7-14-14	Rezoning Lot 6 in Warrick Research & Industrial Center No. 7, Lot 5 in A Replat of Lots 2 and 5 in Warrick Research & Industrial Center No. 7, and part of the west half of the northwest quarter of Section 19, Township 6 South, Range 8 West, Ohio Township, from C-4 and M-2 to C-4 w/PUD
BC Ord. 2014-21	7-14-14	Rezoning part of Lot 1 in Warrick Research & Industrial Center No. 7 and parts of Lot 2 in A Replat of Lots 2 and 5 in Warrick Research & Industrial Center No. 7, from C-4 to M-2
BC Ord. 2014-22	7-28-14	Rezoning Lots 57, 58, 59, 60, 62, and 65 in Arbor Pointe Section 1 from C-4 to C-4 w/PUD
BC Ord. 2014-24	8-11-14	Rezoning part of the northwest quarter of Section 12, Township 6 South, Range 8 West, Boon Township, from M-2 to CON
BC Ord. 2014-25	10-13-14	Rezoning part of the east half of the east half of the southwest quarter of the northwest quarter of Section 28, Township 6 South, Range 9 West, Ohio Township, from A to R-1
BC Ord. 2014-26	10-13-14	Rezoning certain real estate from A to C-4
BC Ord. 2014-28	1-14-15	Rezoning part of the northwest quarter of the southeast quarter of Section 20, Township 4 South, Range 9 West, Greer Township, containing 1.0 acre more or less, from R-1 to A
BC Ord. 2014-29	1-14-15	Rezoning part of the northwest quarter of the southeast quarter of Section 20, Township 4 South, Range 9 West, Greer Township, containing 0.833 acre more or less, from R-1 to A

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
BC Ord. 2015-02	2-9-15	Rezoning part of Parcel No. 5 in Newburgh Plaza South from C-1 to C-4
BC Ord. 2015-05	3-23-15	Rezoning part of the southwest quarter of Section 28, Township 5 South, Range 6 West, Skelton Township, from R-1A to Ag
BC Ord. 2015-06	3-23-15	Rezoning part of the southwest quarter of Section 1, part of the southeast quarter of Section 2, and part of the northwest quarter of Section 12, all in Township 6 South, Range 8 West, from M-2 to M-3
BC Ord. 2015-07	3-23-15	Rezoning part of the southwest quarter of Section 1, Township 6 South, Range 8 West, from M-2 to M-3
BC Ord. 2015-09	4-13-15	Rezoning part of the northeast quarter of the southeast quarter of Section 21, Township 6 South, Range 9 West, Ohio Civil Township, from A to C-4
BC Ord. 2015-11	4-27-15	Rezoning part of the southwest quarter of the southeast quarter of Section 22, Township 6 South, Range 9 West, Ohio Township; Outlot A, Lots 44, 45, 46, and 47 in High Pointe Centre North Section 2, Phase 2; and Lot 43 in the Replat of Lots 42 and 43 in High Pointe Centre North Section 2, Phase 2; from C-4 and A to C-4 w/PUD
BC Ord. 2015-13	5-11-15	Rezoning part of the east half of the northwest quarter of Section 15, Township 6 South, Range 9 West, Ohio Township, from A to R-1
BC Ord. 2015-14	5-11-15	Rezoning part of the northwest quarter of the northeast quarter of Section 15, Township 5 South, Range 8 West, Boon Township, from C-3 to A
BC Ord. 2015-17	6-8-15	Rezoning part of the west half of the southwest quarter of Section 25, Township 5 South, Range 8 West, from M-1 to R-1A

Warrick County - Table of Special Ordinances

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
BC Ord. 2015-18	8-10-15	Rezoning part of the southwest quarter of the northeast quarter of Section 28, Township 6 South, Range 9 West, Ohio Township, from A to R-3 PUD
BC Ord. 2015-19	8-10-15	Rezoning parts of the northwest quarter of Section 24, Township 6 South, Range 9 West, Ohio Township, from A to R-1

Vacations

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
BC Ord. 2014-05	2-10-14	Vacating a drainage easement on Lot 72 in the corrected plat of the replat of Lakevale Estates, Section B, commonly known as 6255 Pfafflin Lake Blvd., Newburgh, Indiana
BC Ord. 2015-01	2-9-15	Vacating that part of a public way located on real estate commonly known as 5800 Jenner Road, 5811 Jenner Road, and Jenner Road, Newburgh, Indiana
BC Ord. 2015-04	3-23-15	Vacating a portion of Glenview Drive and the public utility and drainage easements within Lot 76 of Lexington Subdivision
BC Ord. 2015-20	8-24-15	Vacating a drainage easement in Englebrecht Place Section 2, Phase 2, now a part of Orchard View Condominium PUD Section 1

REFERENCES TO INDIANA CODE

<i>I.C. Section</i>	<i>Code Section</i>
1-1-1-5	10.04
1-1-1-7	10.12
1-1-1-8	10.06
1-1-4-5	10.05
1-1-5-1	10.11
1-1-6-1	10.08
3-5-2-40.1	31.11
3-7-12-1 <i>et seq.</i>	34.01
3-7-12-10	34.01
3-11-1.5-2	34.02
4-21.5-3 <i>et seq.</i>	135.20
4-21.5-3-7	150.53
5-1.5-2-2.5	33.64
5-3-1	33.86
5-14-1.5-5(d)	35.31, 35.32
5-14-3 <i>et seq.</i>	39.08
5-14-3-2	37.20
5-14-3-3	37.20
5-14-3-3(e)	37.20
5-14-3-3.6	37.20
5-14-3-3.6(e)	37.20
5-14-3-4	37.20
5-14-3-6	37.20
5-14-3-8(b)	37.12
5-14-3-8(h)	37.12
5-14-3-8(i)	37.12
5-14-3-8(j)	37.20
5-14-3-8(k)	37.20
5-14-3-8.3	37.12
5-14-3-8.5	37.20
5-14-3-8.5(b)	37.20
5-10.1-1-1 <i>et seq.</i>	31.06
5-10.3-1 <i>et seq.</i>	31.06
5-11-10	39.05
6-1.1-5.5-4	37.09
6-1.1-5.5-4.5	37.09
6-1.1-12.1 <i>et seq.</i>	36.30
6-1.1-12.1	151.01, 151.02
6-1.1-12.1-1	151.01

Warrick County - Parallel References

<i>I.C. Section</i>	<i>Code Section</i>
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6-9-18-3	36.20
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22-12-1-26	150.03
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22-13-2-6	150.04
22-13-2-7	150.53
22-13-2-7(b)	150.40
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36-7-8-9	150.53
36-7-9	156.02
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36-7-14.3(a)	33.25
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36-9-33-2	136.01
36-10-3-3(A)	33.01
36-10-3-9	33.05
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2015-10	7-9-15	T.S.O. III
2015-11	7-9-15	T.S.O. III
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2015-13	8-6-15	T.S.O. III
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1987-8.2	10-26-87	T.S.O. IV
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1988-7	3-28-88	T.S.O. I
1988-9	3-28-88	T.S.O. I
1988-14	8-22-88	T.S.O. II
1989-12	- -89	T.S.O. I
1990-4	2-5-90	T.S.O. I
1990-8	4-23-90	T.S.O. I
1990-16	12-3-90	33.35 - 33.40
1990-1	12-6-90	33.35 - 33.40
1991-2	1-1-91	33.50 - 33.52
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1992-1	1-6-92	39.04
1992-13	6-22-92	T.S.O. I
1993-7	4-26-93	153.02
1993-8	6-28-93	37.01
1994-3	10-24-94	T.S.O. V
1994-5	11-28-94	T.S.O. IV
1996-4	6-24-96	T.S.O. IV
1996-7	9-9-96	T.S.O. IV
1996-8	10-28-96	39.02
1997-5	5- -97	T.S.O. V
1998-3	1-12-98	33.36
1998-6	6-8-98	T.S.O. III
1998-9	8-24-98	T.S.O. I
1998-11	8-24-98	33.50
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1998-16	- -98	T.S.O. V
1998-18	12-31-98	T.S.O. I
1999-4	3-29-99	T.S.O. IV
1999-5	4-26-99	T.S.O. IV
1999-7	8-23-99	T.S.O. IV
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2000-06	12-18-00	52.01
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2001-08	9-12-01	31.09
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2004-04	4-21-04	T.S.O. I
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2009-10	6-8-09	T.S.O. V
2009-11	6-8-09	Ch. 72, Sch. I
2009-12	6-8-09	Ch. 72, Sch. I
2009-13	8-10-09	T.S.O. I
2009-14	10-19-09	153.02
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2012-07	6-11-12	31.11
2012-08	6-11-12	31.10
2012-11	7-9-12	Ch. 72, Sch. I
2013-03	1-28-13	Ch. 72, Sch. I
2013-05	4-22-13	T.S.O. V
2014-04	2-10-14	31.11
2014-07	5-27-14	Ch. 72, Sch. I
2014-08	10-13-14	Ch. 72, Sch. I
2014-09	10-27-14	Ch. 72, Sch. I
2014-10	12-8-14	31.12

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—	11-18-74	T.S.O. V
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1986-5	7-10-86	37.05
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1989-7	11-7-89	31.04
1992-20	7-21-92	T.S.O. V
1995-4	4-24-95	T.S.O. V
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1998-5	11-5-98	37.07
1999-1	11-4-99	36.20
2000-1	3-3-00	36.11
2000-2	3-2-00	71.01
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2002-01	10-3-02	37.09
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2008-01	5-1-08	37.12
2008-04	9-4-08	31.03
2009-02	5-7-09	39.06
2009-02	6-4-09	39.06
2011-01	4-14-11	T.S.O. V
2013-01	8-1-13	71.02
2015-02	--15	T.S.O. I

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1994-13	6-27-94	152.01 - 152.08
1994-14	6-27-94	132.01
1994-15	6-27-94	132.02
1994-16	7-11-94	38.02
1994-21	12-12-94	T.S.O. IV
—	2-13-95	92.01
1995-3	2-22-95	92.01
1995-4	2-22-95	T.S.O. VII
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1995-9	- 95	T.S.O. IV
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1995-14	9-11-95	36.12
1995-17	9-11-95	T.S.O. VII
1995-18	9-11-95	37.15
1995-19	9-25-95	T.S.O. VII
1995-20	10-23-95	T.S.O. VII
1995-22	11-27-95	T.S.O. VII
1995-23	12-11-95	Ch. 72, Sch. I
—	2-26-96	T.S.O. VI
—	3-25-96	T.S.O. VI
—	4-22-96	T.S.O. VI
—	5-28-96	T.S.O. VI
—	6-24-96	T.S.O. VI
—	7-22-96	T.S.O. VI
—	9-23-96	T.S.O. VI
—	10-28-96	T.S.O. VI
—	11-25-96	T.S.O. VI
—	12-23-96	T.S.O. VI
1997-2	1-27-97	37.02
1997-03	1-27-97	92.01
—	2-24-97	T.S.O. VI
—	3-10-97	T.S.O. VI
—	4-3-97	T.S.O. VI
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—	4-28-97	T.S.O. VI
1997-5	4-28-97	T.S.O. VII
1997-7	7-14-97	T.S.O. VII
1997-8	7-28-97	T.S.O. VII

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1997-11	9-8-97	T.S.O. VII
1997-13	9-8-97	37.18
1997-14	9-8-97	132.02
1997-18	12-1-97	39.03
1997-19	- -97	40.01 - 40.07
1997-21	12-1-97	T.S.O. VII
1997-22	- -97	T.S.O. VII
1998-1	- -98	T.S.O. VII
1998-2	- -98	T.S.O. VII
1998-3	4-27-98	135.01 - 135.20, 135.99
1998-4	5-11-98	51.01, 92.45 - 92.50, 92.99
1998-6	6-22-98	31.07
1998-7	6-22-98	31.08
1998-8	6-27-98	T.S.O. VII
1998-10	- -98	T.S.O. IV
1998-13	10-13-98	37.06
1998-15	11-23-98	31.06
1999-1	- -99	T.S.O. VII
1999-2	2-8-99	37.07
1999-9	9-13-99	110.02
1999-10	6-28-99	T.S.O. VII
1999-12	7-26-99	Adopting Ordinance
1999-31	11-22-99	T.S.O. VII
1999-35	9-27-99	38.02
1999-36	10-25-99	T.S.O. VII
1999-37	10-25-99	51.01, 92.46, 92.49, 92.50
2000-1	1-10-00	37.02
2000-2	4-1-00	39.15
2000-3	4-1-00	39.16
2000-4	2-28-00	T.S.O. VII
2000-5	2-28-00	132.01
2000-6	2-28-00	132.02
2000-7	3-27-00	T.S.O. VII
2000-11	4-10-00	T.S.O. VII
2000-13	7-10-00	T.S.O. VII
2000-14	7-10-00	T.S.O. VII
2000-15	7-10-00	T.S.O. VII
2000-16	7-10-00	T.S.O. VII
2000-19	9-13-00	Adopting Ordinance
2000-20	9-13-00	T.S.O. VII
2000-21	9-13-00	33.41

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2000-24	10-25-00	T.S.O. VII
2001-06	5-9-01	T.S.O. VII
2001-13	5-23-01	T.S.O. VII
2001-18	12-5-01	34.02
2002-01	1-16-02	36.12
2002-02	1-23-02	39.16, 39.99
2002-03	2-13-02	92.10 - 92.15, 92.99
2002-05	4-17-02	37.10
2002-06	7-10-02	T.S.O. VII
2002-07	8-7-02	39.05
2002-08	8-7-02	39.05
2002-10	11-13-02	T.S.O. VII
2002-11	11-20-02	36.12
2002-13	11-20-02	31.07
2003-03	2-19-03	132.03
2003-04	2-19-03	132.02
2003-06	5-14-03	T.S.O. VII
2003-07	5-14-03	T.S.O. VII
2003-08	5-14-03	T.S.O. VII
2003-09	5-14-03	T.S.O. VII
2003-10	5-14-03	T.S.O. VII
2003-11	6-11-03	T.S.O. VII
2003-12	6-11-03	T.S.O. VII
2003-13	7-9-03	T.S.O. VII
2003-14	7-15-03	150.01 - 150.05, 150.15 - 150.23, 150.30, 150.31, 150.40, 150.41, 150.50 - 150.53, 150.99
2003-15	7-16-03	131.38, 131.39, 131.50, 131.52
2003-16	7-23-03	T.S.O. VII
2003-17	9-24-03	T.S.O. VII
2003-18	12-10-03	T.S.O. VII
2004-01	--	T.S.O. VII
2004-03	2-18-04	38.02
2004-04	--	T.S.O. VII
2004-09	5-13-04	T.S.O. VII
2004-10	5-4-04	T.S.O. VII
2004-11	8-25-04	T.S.O. VII
2004-13	10-14-04	T.S.O. I
2004-14	11-10-04	36.12
2004-15	11-17-04	132.04
2004-17	12-15-04	37.04
2005-02	1-12-05	T.S.O. VII

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2005-06	5-11-05	T.S.O. VII
2005-12	6-15-05	132.05
2005-14	8-17-05	33.25
2005-15	8-24-05	T.S.O. VII
2005-16	8-26-05	T.S.O. VII
2005-17	8-24-05	32.03
2005-18	8-21-05	34.03
2005-19	10-12-05	36.12
2005-20	10-12-05	T.S.O. VII
2006-03	3-8-06	T.S.O. VII
2006-04	4-12-06	39.03
2006-05	3-20-06	154.001 - 154.004, 154.010 - 154.024, 154.035 - 154.039, 154.050, 154.060, 154.070 - 154.078, 154.090 - 154.102, 154.120 - 154.123, 154.130 - 154.137, 154.154 - 154.149, Ch. 154, App. A, B
2006-08	6-28-06	156.01, 156.02, 156.03
2006-11	7-26-06	150.18
2006-12	7-26-06	33.80 - 33.87
2006-13	7-26-06	53.01 - 53.19, 53.99
2006-14	7-26-06	54.01 - 54.15, 54.99
2006-17	10-11-06	T.S.O. VII
2006-18	1-4-07	37.20
2006-19	12-20-06	37.17
2007-02	1-10-07	T.S.O. VII
2007-04	2-28-07	T.S.O. VII
2007-06	6-20-07	35.01 - 35.04, 35.15 - 35.19, 35.30 - 35.34, 35.36 - 35.38, 35.97 - 35.99
2007-07	8-8-07	T.S.O. VII
2007-19	9-12-07	154.038
2007-20	9-12-07	154.132
2007-21	9-12-07	154.004
2007-22	9-12-07	154.022
2007-23	9-12-07	154.016
2007-24	9-12-07	154.038
2007-25	9-12-07	154.038
2007-26	9-26-07	T.S.O. VII
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