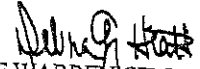


FILED

OCT 27 2011

ORDINANCE 2011- 1

A ORDINANCE ESTABLISHING AN THE
ORDINANCE VIOLATIONS BUREAU FOR CLERK OF WARREN CIRCUIT COURT
THE TOWN OF WEST LEBANON



WHEREAS, the West Lebanon Town Council ("Council") has enacted various ordinances, which provide for the collection of fines for violations thereof; and

WHEREAS, the Town is currently required to collect court costs from violators, together with the appropriate civil penalty; and

WHEREAS, the Council desires to establish an Ordinance Violations Bureau, pursuant to I.C. § 33-36-2, to permit the Town to waive the collection of Court Costs, thereby minimizing the costs to violators.

NOW THEREFORE, BE IT ORDAINED AS FOLLOWS and codified:

Ordinance Violations Bureau

Article 1 - Establishment; Appointment of Administrator

There is now created and established an Ordinance Violations Bureau (the "Bureau"), pursuant to I.C. § 33-36-2, et. seq. and the West Lebanon Clerk-Treasurer is appointed to serve as the Administrator, having all duties set forth herein and as provided by law.

Article 2 - Notice of Violation; Schedule of Violations

1. The Council hereby adopts the Schedule of Violations and civil penalties, attached to this Ordinance as Exhibit A and incorporated by reference (the "Schedule").
2. Any of the following, in their absolute discretion, may issue a written Notice of Ordinance Violation (a "Notice") to a person or entity (the "Violator") alleged to have violated a Town Ordinance or code provision: (a) Town Marshall or his designee; (b) any law enforcement officer; (c) the Clerk-Treasurer or her designee; (d) the Council; or (e) the Town Attorney, upon the direction of Council, Clerk-Treasurer, or Marshall.

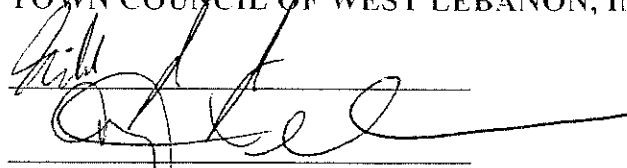
3. A Violator may elect to admit the violation to the Clerk-Treasurer and pay the designated civil penalty, pursuant to the Schedule.
4. A violator issued a Notice is entitled to a trial before a court as provided by law, unless the person waives the right to trial and enters an admission of the violation with the Clerk-Treasurer.
5. The Clerk-Treasurer shall be authorized to modify the amount of the civil penalty listed on the adopted Schedule, if that penalty is later changed by an Ordinance duly adopted by the Council.

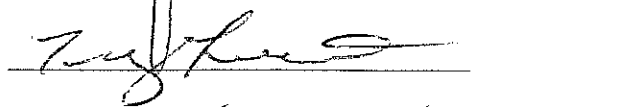
Article 3 - Duty of Violators

1. A violator shall within thirty (30) days of being issued a Notice:
 - a. If the person denies the violation, appear before the Clerk and enter a written Denial and demand for a trial; or
 - b. If the person does not wish to deny the violation, enter an Admission of the violation and pay the civil penalty assessed.
2. Upon either, the filing of a Denial, or, the failure to otherwise comply with either provision under Section 1, then the Clerk shall notify the Council or the Town Attorney of the Ordinance Violation and what, if any action, has been taken.
3. The Clerk or Council shall then direct the Town Attorney to prosecute ordinance violation cases for the Town in the Circuit Court.

SO ORDAINED, effective this 12th day of September 2011.

TOWN COUNCIL OF WEST LEBANON, INDIANA





ATTEST:



Dana Craft, Clerk-Treasurer

**SCHEDULE OF VIOLATIONS
EXHIBIT A TO ORDINANCE 2011-___**

Ordinance

Penalty

WEST LEBANON, INDIANA
ORDINANCE FINE SCHEDULE
FOR
VIOLATIONS BUREAU
OF
WARREN COUNTY, INDIANA

FIRST OFFENSE: \$25.00

SECOND & SUBSEQUENT OFFENSE: Double amount for same Defendant for violation of same Ordinance for each additional violation up to the maximum limit allowed.

***Copy of Minutes in which above schedule approved by the Town Council of West Lebanon, Indiana is attached.

TOWN OF WEST LEBANON – TOWN BOARD MEETING – OCTOBER 13, 2008

The regular meeting of the Town Board was called to order at 7:00 p.m. Board members present, Mike Jackson, Cindy Williams, Terry Foust, Dana Craft, Clerk Treasurer, Chrissy Best, Depty Clerk, Robert Hall, Attorney.

Employee meeting:

Backhoe needs refurbished

Air compressor – George would like to purchase to help clean out valves and culverts, approx. price \$15,000-\$18,000

George needs another new tool box- Board stated not at this time

Blacktop and patching – ¾ way complete

Well test – Peerless states aquaphor is tied into the river and at least three other water sources. There is an abundance of water. Official report on well should be completed in two weeks.

Reynolds is finished mowing, Scott will resume mowing duties. Sward stated he would like to devote more time to sewage. He would like to inspect all manholes. Water and sewer duties need to be separated.

George wants permission to put antennae on water tower for radio system. Stewart Winland will do the work. This is for George's benefit only and he will pay for all expenses. At this time it will not eliminate the need for phone lines. Board gave permission to put up antennae.

Minutes-Williams motions to approve, Foust seconds, voted on and approved.

Financial Report – Foust motions to approve, Foust seconds, voted on and approved.

Patriot Festival Committee – Carol Harper thanks the town for their help and support. She stated when electrical bills comes in to forward on to them for payment. Jackson states it was a nice event and that there were 91 parade entries. Board gave them permission to use community room for their meetings. They need to make arrangements with Craft for dates.

Schedule of fines for ordinance violations:

\$25.00 for first offense plus court costs

\$50.00 for second offense plus court costs

For each offense fine will double. Board voted on and agreed upon this schedule.

Tina Houchens – states alley situation is not working. Speeding down the alley is still a problem. Tina asked for another bumper and to put stop sign up at Day's. Board agreed to add bumper, restore alley to two way and put stop sign back at Day's. Tina stated she would be willing to pay for signs that were previously purchased for alley. She also stated that Town should fix alley by Lola Hislopes and upgrade to better gravel.

Williams motions to approve contract with TNT for \$240 per year, Foust seconds, voted on and approved.

Halloween hours are set for October 31st from 6:00 p.m. – 8:30 p.m. Party is set for October 24th from 6:00 p.m. – 7:30 p.m.

Web page – Jackson motions to purchase web page through Warren County Community Foundation for \$249, Williams seconds, voted on and approved.

Jackson would like to see ordinance for sprinkler credit. Craft and Best have investigated this and explains their findings. Look into ordinance for watering lawns or construction as well. Board will look into this further.

Town has \$4,000 for sidewalks this year. Jackson will contact George Taylor and Bill Million for estimates. Board would like to start with sidewalks on High Street and avoid the trees if possible.

Street paving – town contacted 3 different businesses for bids, they are as follows:

Dave Cotton \$26,619

A.J. Hetrick \$26,800

Oaks \$38,431

Williams motions to hire Cotton (Bi-State), Foust seconds, voted on and approved.

Electrical cable is being run from one house across the street to another house, there is not an ordinance or law preventing this. Foust states it is not the Town's business, no action will be taken at this time.

Williams motions to adjourn and sign claims.