

ORDINANCE # 23-2008

AN ORDINANCE ENACTING A CODE OF ORDINANCES FOR THE CITY OF BATESVILLE, INDIANA, REVISING, AMENDING, RESTATING, CODIFYING AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE POLITICAL SUBDIVISION DEALING WITH SUBJECTS EMBRACED IN SUCH CODE OF ORDINANCES, AND DECLARING AN EMERGENCY.

WHEREAS, the present general and permanent ordinances of the political subdivision are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety and general welfare of the municipality and for the proper conduct of its affairs; and

WHEREAS, the Acts of the Legislature of the State of Indiana empower and authorize the political subdivision to revise, amend, restate, codify and compile any existing ordinances and all new ordinances not heretofore adopted or published and to incorporate such ordinances into one ordinance in book form; and

WHEREAS, the Legislative Authority of the Political Subdivision has authorized a general compilation, revision and codification of the ordinances of the Political Subdivision of a general and permanent nature and publication of such ordinance in book form; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF BATESVILLE, INDIANA:

Section 1. The general ordinances of the Political Subdivision as revised, amended, restated, codified, and compiled in book form are hereby adopted as and shall constitute the “Code of Ordinances of the City of Batesville, Indiana.”

Section 2. Such Code of Ordinances as adopted in Section 1 shall consist of the following Titles:

[See Table of Contents, attached as Exhibit A and hereby incorporated by reference]

Section 3. All prior ordinances pertaining to the subjects treated in such Code of Ordinances shall be deemed repealed from and after the effective date of this ordinance except as they are included and reordained in whole or in part in such Code; provided, such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of this ordinance, nor shall such repeal affect the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory, establishing franchises, or granting special rights to certain persons, authorizing public improvements, authorizing the issuance of bonds or borrowing of money, authorizing the purchase or sale of real or personal property, granting or accepting easements, plat or dedication of land to public use, vacating or setting the boundaries of streets or other public places; nor shall such repeal affect any other ordinance of a temporary or special nature or pertaining to subjects not contained in or covered by the Code.

Batesville - Adopting Ordinance

Further, adoption of said Code of Ordinances shall not affect any ordinances passed by the Common Council of the City of Batesville on and beginning September 1, 2007 (when said Code of Ordinances was initially drafted) until present. The intent of this provision is to reaffirm any ordinances adopted after the drafting of the Code of Ordinances in September 2007 so that the adoption of this ordinance does not affect the validity of those provisions.

Section 4. Such Code shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Political Subdivision is hereby authorized and ordered to file a copy of such Code of Ordinances in the Office of the Clerk.

Section 5. Such Code shall be in full force and effect as provided in Section 6, and such Code shall be presumptive evidence in all courts and places of the ordinance and all provisions, sections, penalties and regulations therein contained and of the date of passage, and that the same is properly signed, attested, recorded, and approved and that any public hearings and notices thereof as required by law have been given.

Section 6. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

Unanimously adopted by Council under suspension of the rules this 30th day of December, 2008.

First reading:

Ayes: Lambert, Hunter, Dreyer
Nays: None
Absent: Struewing, Narwold
Whole number of Council being five.

Second reading:

Ayes: Lambert, Hunter, Dreyer
Nays: None
Absent: Struewing, Narwold
Whole number of Council being five.

Passed and adopted by the Common Council of the City of Batesville this 30th day of December, 2008.

Whereupon, the Mayor declared said ordinance finally and legally adopted.

Richard Fledderman /s/
Richard Fledderman, Mayor

Attest:

Ronald C. Weigel /s/
Ronald C. Weigel, Clerk Treasurer

2010 S-1

Exhibit A

**BATESVILLE, INDIANA
TABLE OF CONTENTS**

Chapter

TITLE I: GENERAL PROVISIONS

- 10. General Provisions
- 11. City Standards

TITLE III: ADMINISTRATION

- 30. General Provisions
- 31. Legislative Authority
- 32. Executive Authority
- 33. Police Department
- 34. Fire Department
- 35. Departments and Boards
- 36. Officers and Officials
- 37. City Court
- 38. Personnel Policy

TITLE V: PUBLIC WORKS

- 50. General Sewer Use and Wastewater Pretreatment
- 51. Reserved
- 52. Water
- 53. Natural Gas Service

TITLE VII: TRAFFIC CODE

- 70. General Provisions
- 71. Traffic Rules
- 72. Pedestrians
- 73. Bicycles
- 74. Parking
- 75. Equipment and Loads
- 76. Abandoned Vehicles
- 77. Snow Emergency
- 78. Traffic Schedules
- 79. Parking Schedules

TITLE IX: GENERAL REGULATIONS

- 90. Animals
- 91. Civil Emergencies
- 92. Fire Prevention Code
- 93. Garbage and Trash; Landfill
- 94. Lake Bischoff Regulations
- 95. Nuisances
- 96. Parks

- 97. Streets and Sidewalks
- 98. Tree Advisory Committee; Tree Regulations

2010 S-1

Chapter

TITLE XI: BUSINESS REGULATIONS

- 110. Taxicabs
- 111. Itinerant Merchants, Vendors and Solicitors
- 112. Cable Television

TITLE XIII: GENERAL OFFENSES

- 130. General Offenses

TITLE XV: LAND USAGE

- 150. Comprehensive Plan Code
- 151. Zoning Code
- 152. Subdivision Control Plan
- 153. Dwelling Code
- 154. Building Code
- 155. House Numbering Plan
- 156. Swimming Pools
- 157. Communications Facilities
- 158. Definitions

TABLE OF SPECIAL ORDINANCES

- I. Annexations
- II. Leases; Easements; Licenses
- III. Purchase of Real Estate
- IV. Sale of Real Estate
- V. Economic Revitalization Areas
- VI. Vacation of Streets and Alleys
- VII. Variances
- IX. Accepting Streets
- X. Agreements
- XI. Fiscal Matters, Money and Funds
- XII. Tax Abatements

PARALLEL REFERENCES

- References to Indiana Code
- References to Resolutions
- References to Ordinances

INDEX

ORDINANCE # 9-2010
CITY OF BATESVILLE, INDIANA

AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE
CODE OF ORDINANCES FOR THE CITY OF BATESVILLE, INDIANA.

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

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

WHEREAS, it is the intent of the Legislative Authority to accept these updated sections in accordance with the changes of the law of the State of Indiana; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF BATESVILLE, INDIANA:

Section 1. That the 2010 S-1 supplement to the Code of Ordinances of the Political Subdivision as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Political Subdivision is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk.

Primarily adopted by the Common Council of the City of Batesville, under suspension of rules this 12th day of July, 2010.

Ayes: Struewing, Lambert, Hunter, Narwold, Dreyer
Nays: None

Whole number of Council being five.

Whereupon, the Mayor declared said Ordinance primarily adopted.

Richard C. Fledderman, Mayor

Attest:

Ronald C. Weigel, Clerk-Treasurer

ORDINANCE # 15-2011
CITY OF BATESVILLE, INDIANA

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

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the 2011 S-2 supplement to the code of Ordinances of the Political Subdivision, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this Political Subdivision; and

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

WHEREAS, it is the intent of the Legislative Authority to accept these updated sections in accordance with the changes of the law of the State of Indiana; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF BATESVILLE, INDIANA:

Section 1. That the 2011 S-2 supplement to the Code of Ordinances of the Political Subdivision as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Political Subdivision is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk.

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

Passed and adopted by the Legislative Authority of the Political Subdivision on this 29th day of December, 2011, under suspension of rules.

Richard C. Fledderman, Mayor

Attest:

Ronald C. Weigel, Clerk-Treasurer

2012 S-3

