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ORDINANCE 2018- 7

AN ORDINANCE OF THE COMMON COUNCIL AMENDING THE MUNICIPAL CODE OF  
THE CITY OF COLUMBIA CITY, INDIANA

WHEREAS, the Indiana State Legislature has provided for the codification and publication of the permanent and general ordinances of cities and towns in IC 36-1-5-1 through IC 36-1-5-6; and

WHEREAS, there are several updates within the City of Columbia City Municipal Code that are needed to provide for to remove outdated and unenforced policies.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Columbia City, Indiana that the following sections of the City of Columbia Municipal Code are hereby updated or removed (with emphasis added to identify changes):

Section 1. Chapter 73: Bicycles, Unicycles and Three Wheeled Cycles.

(a) Sections 73.03-73.08 are deleted in their entirety.

(b) Section 73.99 is hereby amended in its entirety to state:

Every person who is found to have violated any provision of this Chapter shall be assessed a penalty of \$25.00 for the first offense and \$50.00 for each and every subsequent offense, without consideration for the timing of the subsequent offense/s.

Section 2. Chapter 95: Public Nuisances; Weeds, Debris and Rank Vegetation; Abandoned Vehicles; Miscellaneous Regulations.

(a) Under Section 95.037, Storage Prohibited, the reference to Penalty, see §10.99, shall be deleted.

Section 3. Chapter 117: Yard Sales.

(a) Section 117.02, Permit Fee; Period of Validity, (A) is amended in its entirety to state:

(A) The Clerk-Treasurer's office shall issue such permit upon the payment of \$1. However, no charge shall be made if the applicant is a charitable, religious, or educational organization as determined by the Clerk-Treasurer.

(b) Section 117.99, Penalty, is hereby amended in its entirety to state:

Any person, firm or corporation who shall hold or conduct any such sale or event without having first obtained a permit or who is found to have violated any other provision of this Chapter shall be assessed a penalty of \$25.00 for each violation.

Section 4. Chapter 130: Miscellaneous Offenses.

(a) Section 130.01, Weapons, sub-section C shall be amended in its entirety to state:

Any person who shall violate any provision of this Section shall be assessed a penalty of \$100.00 for the first offense and \$250.00 for each and every subsequent offense, without consideration for the timing of the subsequent offense/s.

(b) Section 130.18, Violations (of the Loitering provisions) shall be amended in its entirety to state:

Any person who shall violate any provision of this Section shall be assessed a penalty of \$25.00 for each violation.

Section 5. Chapter 90: Animals.

(a) Section 90.99, Penalty, shall be amended as set forth below:

(1) 90.99(B)(1): Any person who violates any of the following sections shall be subject to a fine of \$100.00 for the first offense and \$200.00 for any subsequent offense, which shall be payable through the Ordinance Violations Bureau, and without consideration for the timing of the subsequent offense/s:

(2) 90.99(B)(1)(a): Section 90.03, General animal care requirements, excepting 90.03(E);

(3) 90.99(B)(2): Any person who violates any section of §90.25, Dangerous animal/attack dog permit, shall be subject to a fine of \$250.00 for the first offense and \$500.00 for each and every subsequent offense, without consideration for the timing of the subsequent offense/s.

(4) 90.99(B)(3): Only to the extent the violation is not otherwise covered by state law, any person who violates §90.03(e) shall be fined \$1,500 for the first offense and \$2,500 for each and every subsequent offense, without consideration for the timing of the subsequent offense/s.

(5) 90.99(B)(4): Any person who violates any of the following sections shall be fined \$250.00 for the first offense and \$500.00 for each and every subsequent offense, without consideration for the timing of the subsequent offense/s:

(6) 90.99(B)(5) is removed in its entirety and the remaining sections numbers (6) and (7) shall be renumbered accordingly as (5) and (6).

Section 6. Chapter 10: General Provisions.

(a) Section 10.98, Ordinance Violations Bureau, shall be amended as follows:

(1) Subsection (D) shall be amended in its entirety to state:

(D) Violations of provisions of the Code of Ordinances pertaining to animals, bicycles, unicycles, three wheeled vehicles and golf carts, curfews, fire prevention and safety, garbage and rubbish, nuisances, parking, parking or loitering, parks, solicitation and panhandling, solicitation, peddlers, street businesses, itinerant merchants and mobile-vendors, weapons, yard sales and other matters set forth under general and business regulations shall be subject to admission before the Ordinance Violations Bureau.

(2) Subsection (E) is deleted.

(3) Subsections (F) and (G) shall be re-lettered as (E) and (F).

Section 7. Chapter 71: Parking Regulations.

(a) Section 71.22, Uncontrolled Parking of Vehicles (D)(2), shall be amended to state the following:

(D)(2) An officer may issue a citation for a violation of this Section in the amount of \$50.00 per violation. The citation shall be placed in a prominent place upon the vehicle.

(b) Section 71.99, Penalty, provisions (C) and (D), shall be amended as follows:

(C) Any persons violating the provisions of Section § 71.18 shall be guilty of the commission of an infraction and may be fined \$100 and such shall be enforceable in any court of law duly authorized by state law and, in addition to such fine, the court shall be authorized to direct the violator to repay the City any monetary losses or expenses incurred as a result of the violation.

(D) Any person who shall park or cause a vehicle to remain on any emergency route in violation of § 71.11 shall be deemed guilty of an ordinance violation and may be fined \$100. Such fine shall be enforceable in any court of law duly authorized by state law and, in addition to such fine, the court shall be authorized to direct the violator to repay the city any monetary losses or expenses incurred as a result of the violation. Each day a violation continues shall constitute a separate and distinct offense.

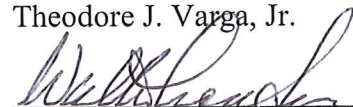
Section 8. This Ordinance shall be in full force and effect from and after the date of passage and its approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Columbia City,  
Indiana, this 24 day of April, 2018.

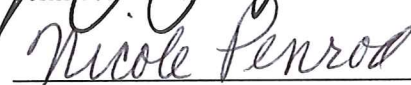
COMMON COUNCIL OF THE CITY OF  
COLUMBIA CITY, INDIANA, BY:

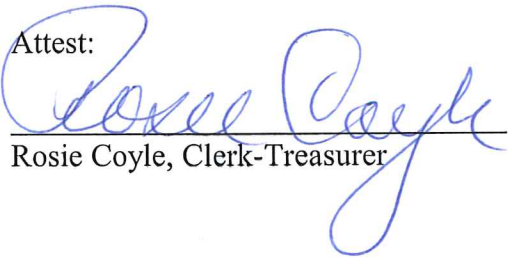
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Daniel L. Weigold

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Walter C. Crowder

  
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Jennifer B. Zartman-Romano

  
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Nicole Penrod

Attest:  
  
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Rosie Coyle, Clerk-Treasurer

Approved this 24 day of April, 2018.

  
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Ryan L. Daniel, Mayor City of Columbia City