

ORDINANCE 2025- 19

AN ORDINANCE AMENDING CHAPTER 97, STREETS AND SIDEWALKS, OF
THE CODE OF ORDINANCES OF THE CITY OF COLUMBIA CITY, INDIANA

WHEREAS, the Common Council of the City of Columbia City, Indiana, after full investigation, deems it in the best interests of the citizens of Columbia City and to preserve their public safety and welfare to modify and amend Chapter 97 of the Code of Ordinances of the City of Columbia City.

NOW, THEREFORE, BE IT ORDAINED, ORDERED, AND ESTABLISHED by the Common Council of the City of Columbia City, Indiana, as follows:

Section 1. Chapter 97 of the City's Code of Ordinances is hereby amended to add Section 97.09:

97.09. Maintenance of Rights of Way Required.

(A) *DEFINITIONS*

1. *Right-of-Way means any platted alley, street, or other public way within the corporate limits that has not been vacated under state law, whether improved or unimproved.*
2. *Improved Right-of-Way means a right-of-way that has been graded, paved with asphalt, concrete, or improved with crushed stone or gravel by the City.*
3. *Unimproved Right-of-Way means a platted right-of-way that has not been graded, paved, or improved with crushed stone or gravel by the City, regardless of whether it was originally designed as an alley, street, or other public way.*

(B) *REQUIREMENTS OF OWNERS OF ABUTTING PROPERTY.*

1. *Maintenance Obligation*

- (a) *Owners of property abutting any right-of-way, whether improved or unimproved, shall maintain all contiguous portions of the right-of-way between the property line and the following limits:*
 - (1) *For unimproved rights-of-way: from the abutting property boundary to the centerline of the right-of-way.*
 - (2) *For improved streets: from the abutting property boundary to the edge of street pavement, curb, or alley stone including:*
 - (i) *Any green space or tree lawn between the sidewalk and curb; and*
 - (ii) *Any area between the property line and sidewalk.*

- (b) *Maintenance shall include, but not be limited to:*
- (1) *Mowing*
 - (2) *Controlling weeds and rank vegetation*
 - (3) *Removal of litter and debris*
2. *Prohibited Structures. Unless a special exception is approved in advance by the City's Board of Public Works and Safety, no buildings, fences, or other structures shall be constructed or maintained within any portion of the right-of-way.*
3. *Personal Property and Landscaping. Personal property, trees, and landscaping placed or maintained within any right-of-way shall be at risk of removal, without compensation, by order of the City's Board of Public Works and Safety, upon fifteen (15) days' written notice by priority mail to the owner of record at the address used for property tax statements and by posting on the premises, or without notice in cases of emergency.*
4. *Penalties for Noncompliance. Failure to maintain a right-of-way as set forth herein shall subject the abutting property owner to a fine of \$50 for each day of violation. In addition, the City shall have the right to pursue other remedies as allowed under Indiana law to ensure the maintenance and upkeep of rights-of-way within the corporate limits.*

Section 2. Section 97.99, Penalties, is hereby amended in its entirety as follows:

97.99. Penalties.

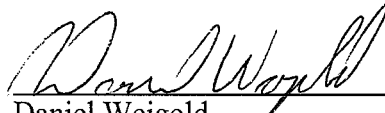
Unless otherwise set forth, the fine for violating any provision of this chapter shall be \$50 for each day of violation.

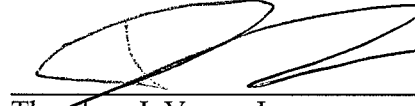
Section 3. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance in which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

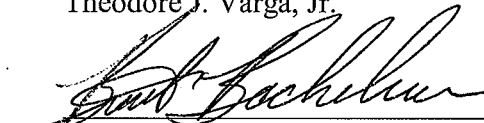
Section 4. This ordinance shall be in full force and effect after its adoption by the Common Council and approval by the Mayor of the City of Columbia City, Indiana.

PASSED AND ADOPTED by the Common Council of the City of Columbia City,
Indiana, this 28th day of October, 2025.

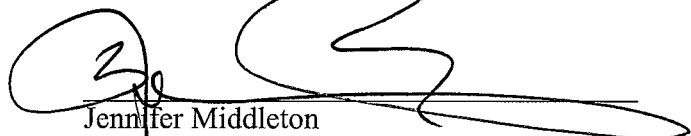
COMMON COUNCIL OF THE CITY OF
COLUMBIA CITY, INDIANA, BY:


Daniel Weigold

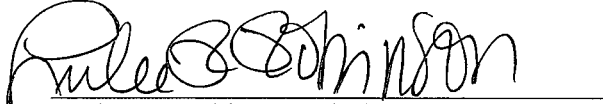

Theodore J. Varga, Jr.


Brent Bockelman

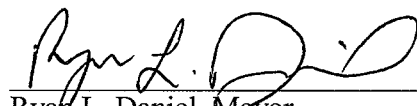
Jennifer B. Zartman-Romano


Jennifer Middleton

Attest:


Leslee R. Robinson, Clerk-Treasurer

Approved this 28th day of October, 2025.


Ryan L. Daniel, Mayor
City of Columbia City

