

COMMON COUNCIL OF THE CITY OF AUSTIN, INDIANA

ORDINANCE NO. 2025-OR-8

AN ORDINANCE REPEALING AND REPLACING CHAPTER 35 AND MATTERS

RELATED THERETO

WHEREAS, Indiana Code § 33-36-2-1 et seq. authorizes municipalities to establish an Ordinance Violations Bureau for the enforcement and disposition of certain municipal ordinance violations; and

WHEREAS, the City of Austin previously enacted Chapter 35 of the City of Austin Code of Ordinances establishing an Ordinance Violations Bureau, which the City now desires to repeal in its entirety and replace with this Ordinance.

WHEREAS, the Common Council of the City of Austin finds it necessary and beneficial to streamline the enforcement process of certain city ordinances by allowing for the payment of civil penalties through an administrative bureau, rather than the filing of formal legal proceedings;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Austin, Indiana, as follows:

Chapter 35 of the City of Austin Code of Ordinances is hereby repealed in its entirety and replaced with the provisions set forth in this Ordinance.

SECTION 1. ESTABLISHMENT OF ORDINANCE VIOLATIONS BUREAU. Pursuant to Indiana Code § 33-36-2-1, the City of Austin establishes an Ordinance Violations Bureau to handle violations of city ordinances that are subject to enforcement through civil penalties.

SECTION 2. APPOINTMENT OF VIOLATIONS CLERK. The Clerk-Treasurer of the City of Austin shall serve as the Violations Clerk and shall administer and supervise the operation of the Ordinance Violations Bureau.

SECTION 3. AUTHORITY OF THE VIOLATIONS BUREAU. The Violations Bureau shall have authority to accept written admissions of ordinance violations and payment of civil penalties for designated violations. The Violations Clerk shall issue receipts and maintain records as required by law.

SECTION 4. DESIGNATION OF ORDINANCES SUBJECT TO BUREAU

DISPOSITION AND SCHEDULE OF CIVIL PENALTIES. A complete list of designated ordinances and applicable civil penalties, as set forth in the schedule attached hereto, made a part hereof, and incorporated herein by reference as Exhibit "A," shall be maintained and updated by the City Clerk-Treasurer. Any amendments or revisions to said schedule, when duly adopted by the Common Council, shall automatically be incorporated into Exhibit "A" without the necessity of further amendment to this Ordinance.

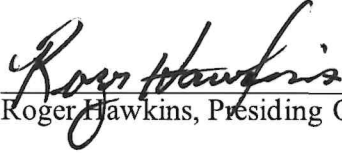
SECTION 5. PROCEDURE FOR PAYMENT AND DISPOSITION. Any person charged with a violation subject to the Ordinance Violations Bureau may elect to admit the violation and pay the designated civil penalty within the time specified in the notice of violation. Failure to respond or pay such penalty may result in the filing of a formal complaint in a court of competent jurisdiction.

SECTION 6. SEVERABILITY. If any section, clause, or provision of this ordinance shall be declared invalid, such invalidity shall not affect the remaining provisions of this ordinance, which shall remain in full force and effect.

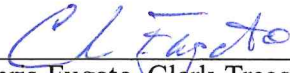
SECTION 7. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

PASSED AND ADOPTED by the Common Council of the City of Austin, Indiana, this 14 day of October, 2025 by a vote of 5 ayes, 0 nays, and ____ abstentions.

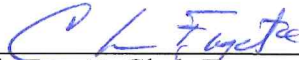
Common Council City of Austin, Indiana


Roger Hawkins, Presiding Officer

Attest:


Chris Fugate, Clerk-Treasurer

Presented by me to the Mayor of the City of Austin for his approval or veto pursuant to Indiana Code § 36-4-6-15 and 16, on October 14, 2025 at 5:18 p.m.


Chris Fugate, Clerk-Treasurer

This Ordinance having been passed by the legislative body and presented to me is approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1), on October 14, 2025 at 5:18 p.m.


Roger Hawkins, Mayor

Attest:

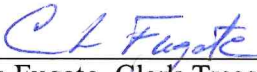

Chris Fugate, Clerk-Treasurer

EXHIBIT "A"

<u>Violation</u>	<u>Code Section Number</u>	<u>Ordinance Number</u>	<u>Civil Penalty</u>
Solid Waste	Chapter 50	2025-OR-7	\$100.00
Traffic Regulations	Chapter 70	2001-OR-7	\$100.00
Traffic Schedules	Chapter 71	2001-OR-10	\$50.00
Animals	Chapter 91	2012-OR-09	\$100.00 for the 1 st Violation \$150.00 for the 2 nd Violation \$250 for the 3 rd Violation
Nuisances	Chapter 93	2014-OR-02	\$100.00 for the 1 st Violation \$150.00 for the 2 nd Violation \$250 for the 3 rd Violation
Open Burning	Chapter 94	2001-OR-4	\$100.00 for the 1 st Violation \$150.00 for the 2 nd Violation \$250 for the 3 rd Violation
Noise	Chapter 95	2001-OR-9	\$100.00
Junked & Abandoned/Discarded Vehicles	Chapter 96	2020-OR-4	\$100.00 for the 1 st Violation \$150.00 for the 2 nd Violation \$250 for the 3 rd Violation
Weeds	Chapter 97	2020-OR-8	\$100.00 for the 1 st Violation \$150.00 for the 2 nd Violation \$250 for the 3 rd Violation

Park Rules	Chapter 98	2021-OR-12	\$100.00 for the 1 st Violation \$150.00 for the 2 nd Violation \$250 for the 3 rd Violation
Unsafe Buildings	Chapter 150	2008-OR-3	\$100.00 for the 1 st Violation \$150.00 for the 2 nd Violation \$250 for the 3 rd Violation
Zoning	Chapter 152	1991-OR-7 and as amended	\$100.00 for the 1 st Violation \$150.00 for the 2 nd Violation \$250 for the 3 rd Violation