

PLAINFIELD TOWN COUNCIL

ORDINANCE NUMBER 36-2017

**AN ORDINANCE DESIGNATING THE SCHEDULE OF ORDINANCE VIOLATIONS
SUBJECT TO ADMISSION BEFORE THE ORDINANCE VIOLATIONS BUREAU
CLERK AND SETTING FORTH PROCEDURES FOR VIOLATIONS**

WHEREAS, the Town Council of the Town of Plainfield of Hendricks County, Indiana is authorized under the laws of the State of Indiana, and pursuant to the Town of Plainfield, Indiana Code of Ordinances (“Code of Ordinances”), to designate a schedule of ordinances that are subject to the admission of violation before the Ordinance Violations Bureau Clerk (“Bureau Clerk”) (Code of Ordinances at Chapter 35),

WHEREAS, the Town Council of the Town of Plainfield of Hendricks County, Indiana is authorized under the laws of the State of Indiana, and pursuant to the Code of Ordinances, to set forth the amount of civil penalty to be assessed to a violator who elects to admit violation,

WHEREAS, it has been determined to be in the best interest of the Town of Plainfield to establish a schedule of ordinances subject to admission before the Bureau Clerk and to set forth the amount of civil penalty to be assessed to a violator who elects to admit a violation of scheduled ordinances,

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PLAINFIELD, HENDRICKS COUNTY, INDIANA, that the following fines described in Exhibit A, for the described matters are hereby adopted by the Town Council of the Town of Plainfield and any existing fine or ordinance in conflict is hereby amended.

SECTION 1. SCHEDULE OF ORDINANCES AND CIVIL PENALTIES

The Town of Plainfield hereby designates the following schedule of ordinances described in Exhibit A, that are subject to the admission of violation before the Bureau Clerk and the amount of civil penalty to be assessed to a violator who elects to admit violation (hereinafter “Section 1”).

SECTION 2. PROCEDURES FOR VIOLATIONS

A person charged with an ordinance violation, and said ordinance is included within the schedule set forth in Section 1 (Code of Ordinances at § 35.04), 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 Bureau Clerk. Upon receipt of an admission, the Bureau Clerk shall assess and receive from the violator the amount prescribed by the schedule of civil penalties enumerated in Section 1 (Code of Ordinances at § 35.04).

If a person, charged with a violation of an ordinance included in the schedule set forth in Section 1, wants to exercise the right to a trial, the person shall appear before the Bureau Clerk and enter a written denial.

If a person:

(1) denies an ordinance violation under these provisions;

(2) fails to satisfy a civil penalty assessed by the Bureau Clerk after having entered an admission of violation; or

(3) fails to deny or admit the violation under these provisions;

the clerk shall report this fact to the Town Attorney having the responsibility to prosecute ordinance violation cases on behalf of the Town of Plainfield. Court proceedings against the person will then be initiated for the alleged ordinance violation. An action to enforce an ordinance shall be brought in accordance Indiana law.

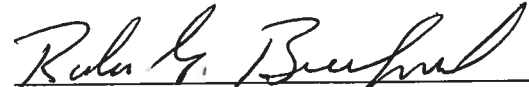
SECTION 3. CIVIL PENALTIES AND FINES

All sums collected by the Bureau Clerk as civil penalties for ordinance violations shall be accounted for and paid to the Clerk-Treasurer for the Town of Plainfield.

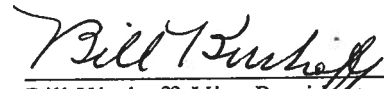
This ordinance shall be in full force and effect after its adoption and publication as required by law, starting January 1st, 2018.

PASSED and ADOPTED by the Town Council of the Town of Plainfield, Indiana
this 8th day of January, 2017.

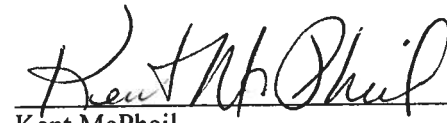
TOWN COUNCIL, TOWN OF PLAINFIELD
HENDRICKS COUNTY, INDIANA



Robin G. Brandgard, President




Bill Kirchoff, Vice President



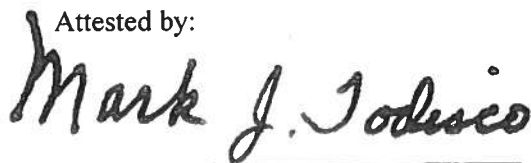
Kent McPhail



Lance K. Angle



Dan Bridget

Attested by:


Mark J. Todisco, Clerk-Treasurer
Town of Plainfield, Indiana

Ordinance #**-2017

Exhibit A

§ 35.04 SCHEDULE OF ORDINANCES AND CIVIL PENALTIES

The town hereby designates the following schedule of ordinances that are subject to the admission of violation before the Bureau Clerk and the amount of civil penalty to be assessed to a violator who elects to admit violation.

<i>Ordinance #</i>	<i>Code Section</i>	<i>Offense Description</i>	<i>Fine Amount</i>
01-1970	131.01	Disorderly conduct	\$25—first offense; \$50—each subsequent offense
01-1970	131.02	Unlawful congregating	\$25—first offense; \$50—each subsequent offense
01-1970	131.03	Disturbing place of worship	\$25—first offense; \$50—each subsequent offense
01-1970	131.04	Minor curfew	\$25—first offense; \$50—each subsequent offense
01-1970	131.05	Interference with officials	\$25—first offense; \$50—each subsequent offense
01-1970	131.06	Civil emergencies	\$25—first offense; \$50—each subsequent offense
01-1985	111.035— 111.043	Registration and regulation of canvassers	\$25—first offense; \$50—each subsequent offense
03-1985	111.055— 111.066	Licensing and regulation of direct sellers	\$25—first offense; \$50—each subsequent offense
01-1989	95.030— 95.032	Burning regulations	In sum up to \$100
02-1990	95.060— 95.071	Fire prevention	Not less than \$25, nor more than \$2,500 for each offense
09-1990	95.045— 95.049	Smoke detectors	\$50—first offense; \$100—each subsequent offense
28-1996	71.08	Snow emergency conditions and routes	\$50—first offense; \$100—2nd offense; court appearance required for additional offenses
13-2005	71.04	Parking regulations	\$40 for each offense
14-2005	71.05	Emergency vehicle parking	\$40 for each offense
15-2005	71.06	Handicap parking	\$75 for each offense
17-2005	71.07	Parallel parking and motorcycle parking	\$40 for each offense
19-2007	95.015—	Regulation of fireworks	Not less than \$50, nor more than

	95.016		\$300 for each offense
02-2010	150.008	Starting work without the required permit	Twice the normal permit fee
02-2010	150.013	Missed inspection	\$150 each occurrence
02-2010	150.017	Occupying a structure or building without a certificate of occupancy	\$1/ sq. ft. or up to \$2500 Per Day
10-2013	97.052	Section 3—park hours	\$25—first offense; \$50—each subsequent offense
10-2013	97.053	Section 4—vehicles in parks after closing hours	\$25—first offense; \$50—each subsequent offense
10-2013	97.054	Section 5—disposal of rubbish, refuse and garbage	\$25—first offense; \$50—each subsequent offense
10-2013	97.055	Section 6—altering or removing signs, structures, fixtures or improvements	\$25—first offense; \$50—each subsequent offense
10-2013	97.056	Section 7—disturbing, injuring or removing wildlife and vegetation	\$25—first offense; \$50—each subsequent offense
10-2013	97.057	Section 8—swimming prohibited	\$25—first offense; \$50—each subsequent offense
10-2013	97.058	Section 9—pet supervision	\$25—first offense; \$50—each subsequent offense
10-2013	97.059	Section 10—camping prohibited	\$25—first offense; \$50—each subsequent offense
10-2013	97.060	Section 11—fires and fireworks prohibited	\$25—first offense; \$50—each subsequent offense
10-2013	97.061	Section 12—solicitations, commercial sales and commercial photography	\$25—first offense; \$50—each subsequent offense
10-2013	97.064	Section 15—prohibited activities	\$25—first offense; \$50—each subsequent offense
10-2013	97.070	Section 21 – prohibited activities at Friendship Gardens Park	\$25—first offense; \$50—each subsequent offense
***	***	Failure to Implement a Required Fire Watch	\$350.00 Per Day Per shift
***	***	Faulty/False Alarm Response (Within a consecutive 12 month period)	1 – 3 No Fine 4 – 5 \$50.00 per occurrence 6 – 7 \$150.00 per occurrence 8 – 9 \$300.00 per occurrence 10+ \$500.00 per occurrence
***	***	Fine for Tampering with a Life Safety System	\$500.00 per occurrence