

ORDINANCE NO. 2015-10

**AN ORDINANCE PROVIDING FOR THE ABOLITION OF THE
OFFICE OF TOWN MARSHAL AND CREATION OF A
BOARD OF METROPOLITAN POLICE COMMISSIONERS**

WHEREAS, the Nashville Town Council is the legislative body for the Town of Nashville, Indiana, and;

WHEREAS, pursuant to IC 36-8-9-2 the Town Council has the authority to pass an ordinance providing for the abolition of the Office of Town Marshal and to establish a Board of Metropolitan Police Commissioners, and;

WHEREAS, the Town Council is desirous of creating a Board of Metropolitan Police Commissioners,

IT IS THEREFORE RESOLVED:

The Office of Nashville Town Marshal is hereby abolished;

The Nashville Indiana Board of Metropolitan Police Commissioners is hereby created.

Said Board of Metropolitan Police Commissioners shall consist of the following:

- (1) (5) Five Town Council members.
- (2) Each board member must be a resident of the town.
- (3) The Town Council shall appoint each board member.
- (4) Except as provided in subdivision (5), the term of each board member expires January 1 of the third year after the member's appointment.
- (5) The term of one (1) board member must expire each year.
- (6) The Town Council may remove a board member for any cause that the Town Council considers sufficient.
- (7) The Town Council may not appoint a police officer employed by the town to serve on the board.
- (8) A member of the Town Council may serve as an ex officio member of the board. If so, the following apply:
 - (a) The maximum number of board members that may also be members of the Town Council is (5) five.
 - (b) A board member vacates the member's position on the board when the member is no longer a member of the Town Council.
 - (c) A board member who is also a member of the Town Council may not also receive compensation as a board member.
 - (d) A board member who is also a member of the Town Council is not required to post the bond.

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(9) This subsection does not apply to a board member who is a member of the Town Council. Before performing any function of a board member, an individual shall take and subscribe an oath or affirmation of office before the Brown County Circuit Court Clerk.

(10) This subsection applies to all board members. Before performing any function of a board member, an individual shall take and subscribe an oath or affirmation before the Circuit Court Clerk, that in each appointment or removal made by the board to or from the town police department under this chapter, the board member will not appoint or remove a member of the town police department because of the political affiliation of the person or for another cause or reason other than that of the fitness of the person.

(11) The Circuit Court Clerk shall file oaths and affirmations required by this section among the circuit court clerk's records.

(12) This subsection does not apply to a board member who is a member of the town legislative body. A board member shall give bond in the penal sum of five thousand dollars (\$5,000), payable to the state and conditioned upon the faithful and honest discharge of the member's duties. The bond must be approved by the Town Council.

(13) The Town Council shall fix the salary of board members who are not members of the town legislative body. A board member's salary is payable monthly out of the town treasury.

(14) If the board has three (3) members, the Town Council may amend this ordinance at any time to increase the number of board members to five (5). The amended ordinance and the appointment of board members must satisfy all the requirements of this ordinance.

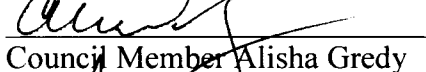
(15) The Nashville Metropolitan Police Department is hereby created and with the current staff and structure, salaries and benefits in accordance with the Town's salary ordinance.


PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF NASHVILLE, BROWN COUNTY, INDIANA, THIS 17th DAY OF SEPTEMBER, 2015.

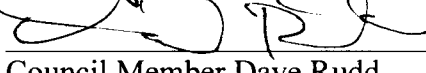

Council President Charles B. King yea nay abstain


Council Vice-President Jane Gore yea nay abstain

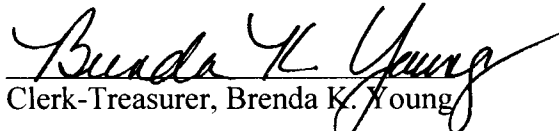
Approved as to form:
Andrew Szakaly, Atty.


Council Member Alisha Gredy yea nay abstain


Council Member Arthur Omberg yea nay abstain


Council Member Dave Rudd yea nay abstain

ATTEST:


Clerk-Treasurer, Brenda K. Young