

**ORDINANCE NO. 2013- 03**

**AN ORDINANCE TO ADOPT THE STATE UNSAFE BUILDING STATUTES  
(I.C. 36-7-9 et sec.)**

THE TOWN OF NASHVILLE ORDAINS:

**Section 1.** Title XIV is hereby added to the Town of Nashville Code of Ordinances, this chapter shall read as follows:

**TITLE XIV  
STRUCTURE AND PROPERTY MAINTENANCE REGULATIONS**

**Sections:**

**140.01 Findings.**

**140.02 Adoption of the Unsafe Building Law.**

**140.03 Appointment of Department to Administer Subchapter.**

**140.04 Appointment of Hearing Authority**

**140.05 Adoption of Chapter 36 Abatement of Vacant Structures and Abandoned Structures**

**140.90 Construction.**

**140.99 Penalty.**

**140.01 Findings.**

- (a) In the Town of Nashville, there exist a number of unoccupied structures that are not maintained and that constitute a hazard to public health, safety, and welfare.
- (b) Vacant structures often become dilapidated because the structures are not maintained and repaired by the owners or persons in control of the structures.
- (c) Vacant structures attract children, become harborage for vermin, serve as temporary abodes for vagrants and criminals, and are likely to be damaged by vandals or set ablaze by arsonists.
- (d) Unkept grounds surrounding vacant structures invite dumping of garbage, trash, and other debris.
- (e) Vacant structures may be situated on narrow town lots and in close proximity to neighboring structures, thereby increasing the risk of conflagration and spread of insect and rodent infestation.
- (f) Vacant, deteriorated structures contribute to blight, cause a decrease in property values, and discourage neighbors from making improvements to properties.
- (g) Structures that remain boarded up for an extended period of time also exert a blighting influence and contribute to the decline of the neighborhood by decreasing property values, discouraging persons from moving into the neighborhood, and encouraging persons to move out of the neighborhood.
- (h) Vacant structures often continue to deteriorate to the point that demolition of the

structure is required, thereby decreasing available housing in a community and further contributing to the decline of the neighborhood.

(i) The blighting influence of vacant, deteriorated structures adversely affects the tax revenues of local government.

(j) The Town Council finds that vacant, deteriorated structures create a serious and substantial problem and are a public nuisance.

(k) In recognition of the problems created in a community by vacant structures, the Town Council finds that vigorous and disciplined action should be taken to ensure the proper maintenance and repair of vacant structures and intends to adopt maintenance and repair standards appropriate for the community in accordance with this chapter and other statutes.

**140.02 Adoption of the Unsafe Building Law.**

The Town of Nashville hereby adopts IC 36-7-9, which establishes the Indiana Unsafe Building Law.

**140.03 Appointment of Department to Administer Subchapter.**

The Town Administration Department shall be the executive department authorized to administer this subchapter.

**140.04 Appointment of Hearing Authority**

The Town Council shall be the Hearing Authority.

**140.05 Adoption of Chapter 36 Abatement of Vacant Structures and Abandoned Structures**

The Town of Nashville hereby adopts IC 36-7-36, which establishes Chapter 36 Abatement of Vacant and Abandoned Structures.

**140.90 Construction.**

Any reference to a state statute shall mean the statute as amended from time to time, or any similar statutory provision that may supersede it relating to the same or similar subject matter.

**140.99 Penalty.**

The criminal and civil penalties listed in I.C. 36-7-9-28 and I.C. 36-7-36-10 shall be the penalties for violation of this ordinance.

**Section 2. Severability:** If any sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase or work of this ordinance.

**Section 3. Effective Date:** This Ordinance shall be in full force and effect from and after its passage by the Town Council of the Town of Nashville.

ORDINANCE 2013- 03

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF NASHVILLE,  
BROWN COUNTY, INDIANA, THIS 21<sup>st</sup> DAY OF MARCH, 2013.

ATTEST:

Brenda K. Young  
Brenda K. Young  
Clerk-Treasurer

Robert Kirlin yea nay abstain  
Robert Kirlin, Council President

Charles King (yea) nay abstain  
Charles King, Council Vice President

Drafted by:

Roger Bush  
Roger Bush  
Town Superintendent

\_\_\_\_ yea nay abstain  
R. Sean Cassiday, Council Member

Jane Gore (yea) nay abstain  
Jane Gore, Council Member

Reviewed by:

James Roberts  
James Roberts  
Town Attorney

\_\_\_\_ yea nay abstain  
Arthur Omberg, Council Member