

ORDINANCE NO. 2018-08

TOWN OF NASHVILLE INDIANA

AN ORDINANCE CREATING AN ORDINANCE VIOLATIONS BUREAU

Whereas, The Town of Nashville, Indiana is a tourist attraction with a high traffic flow on its local streets and alleys, and;

Whereas, The Town of Nashville, Indiana is located at the junction of two major state highways causing an increased traffic flow on its streets and alleys, and;

Whereas, the Town Council of the Town of Nashville, Indiana realizes that violations of certain ordinances may be efficiently and conveniently administered through a local ordinance violations bureau, and;

Whereas, I.C. 33-36-2-1 authorizes the creation of an Ordinance Violations Bureau,

It is therefore **ORDAINED** as follows:

1. An Ordinance Violations Bureau is hereby established to assist with the clerical work for ordinance violation cases issued by the Town for violations of Title VII Chapter 72 of the Town of Nashville Code of Ordinances and such other ordinance violations as the Town Council may hereinafter designate.
2. Said Bureau may be established within the office of the Town Clerk-Treasurer. The Clerk-Treasurer may at his/her discretion delegate certain administrative duties to the Town Police Department, however all payments shall be made to and accounted for by the Office of the Clerk-Treasurer.
3. The Ordinance Violations Bureau shall receive all payments of civil penalties made pursuant to a violation of these titles and appropriately account for said payments.
4. The Ordinance Violations Bureau shall accept designated civil penalties and issue receipts for payments of citations issued under these titles between the hours of 8 AM through 4PM, Monday through Friday at the Nashville Town Hall, 200 Commercial St., Nashville, Indiana, 47448.
5. The Ordinance Violations Bureau shall keep records of all notices issued and citations issued for violations of ordinances in the Town and of all fines collected by the Ordinance Violations Bureau and of the final disposition of each case. These records shall also be maintained as to show all types of violations and the totals of each. These records shall be public records.
6. The Ordinance Violations Bureau shall keep an easily accessible record of all violations for which any person has been convicted during the preceding 12 months whether guilt was determined by admission through the Bureau or in the appropriate court.

ORDINANCE NO. 2018-08

7. Any law enforcement officer, who issues an ordinance citation for violation of any provision of Title VII Chapter 72 of the Town of Nashville Indiana Code of Ordinances or the violation of any other ordinance that the Town Council shall hereinafter designate, shall serve a copy of the citation upon the person alleged to have violated the ordinance and serve another copy of the citation on the Ordinance Violations Bureau.
8. The law enforcement officer shall also serve upon the person alleged to have violated an ordinance under these titles a notice and waiver form setting forth the amount of the civil penalty, the deadline for payment of the civil penalty, the procedure for admitting the violation and paying the civil penalty, and the procedure for denying the violation.
9. Any person served with an ordinance citation shall have the option of paying the civil penalty within the time specified in the notice and waiver form to the Ordinance Violations Bureau upon entering an admission to the violation and upon waiving appearance in court. If the person who is issued a citation wishes to admit the allegation and pay the appropriate civil penalty, said person shall either mail or personally deliver the notice and waiver form along with a money order or other suitable tender in the amount of the appropriate fine payable to the Nashville Ordinance Violations Bureau, 200 Commercial Street, P.O. Box 446, Nashville Indiana, 47448
10. The payment of a civil penalty to the Bureau shall be deemed an acknowledgment and admission of the commission of the alleged violation, and the Bureau shall give a receipt for the civil penalty, acknowledging payment thereof.
11. If the person who is issued an ordinance violation citation wishes to deny the violation, or fails to pay the violation within **30** days of the date of the violation, the citation shall be dismissed from the Ordinance Violations Bureau and shall be re-filed as the corresponding violation of the Indiana Traffic Code (I.C. Title 9) with the Brown County Prosecuting Attorney's Office or the Town Attorney for filing as a separate cause of action in the Brown Circuit Court.
12. Civil penalties shall be as set out in the ordinance alleged to have been violated.
13. A civil penalty is deemed paid on the date payment is received by the Ordinance Violations Bureau.

REPEALER


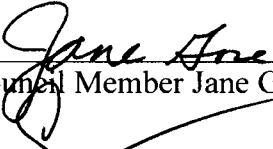
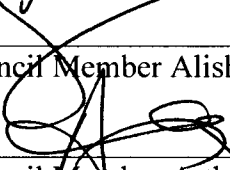
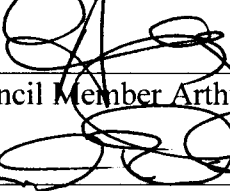

All ordinances in the Town of Nashville, Indiana that are in direct or implied conflict with this ordinance are hereby **REPEALED**.

EFFECTIVE DATE

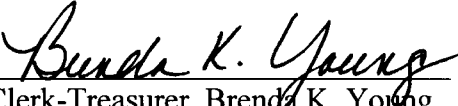
This ordinance shall become effective upon passage and publication as required by law.

IT IS SO ORDAINED THIS 16th DAY OF AUGUST 2018

ORDINANCE NO. 2018-08

 Council Member Charles B. King	<input checked="" type="radio"/> yea	<input type="radio"/> nay	<input type="radio"/> abstain
 Council Member Jane Gore	<input checked="" type="radio"/> yea	<input type="radio"/> nay	<input type="radio"/> abstain
 Council Member Alisha Gredy	<input checked="" type="radio"/> yea	<input type="radio"/> nay	<input type="radio"/> abstain
 Council Member Arthur Omberg	<input type="radio"/> yea	<input checked="" type="radio"/> nay	<input type="radio"/> abstain
 Council Member Dave Rudd	<input checked="" type="radio"/> yea	<input type="radio"/> nay	<input type="radio"/> abstain

ATTEST:


Clerk-Treasurer, Brenda K. Young