

TITLE 36: LOCAL GOVERNMENT

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Article 1: General Provisions Chapter 3: Home Rule

§ 36-1-3-1 HOME RULE.

(A) The Board of Commissioners adopts the County “Home Rule” Ordinance pursuant to I.C. 36-1-3-1 *et seq.*

(B) The county, by and through the Board, may exercise any power or perform any function necessary to the public interest in the conduct of its county or internal affairs, which is not:

(1) Prohibited by the State Constitution or the United States Constitution;

(2) Denied or preempted by any other law; or

(3) Is not vested by any other law in a county or state entity, special purpose district or municipal or school corporation.

(Ord. 1986-2, passed 4-7-1986; Ord. 1996-6, passed - -1996)

Statutory reference:

Application, see I.C. 36-1-3-1

§ 36-1-3-4 FRANCHISE GRANT.

(A) A person seeking the grant of a franchise from the Board shall first submit a proposed franchise contract to the Board at a meeting of that body. The proposal shall be placed on file with the County Auditor.

(B) The Board shall, at that meeting, set a date for a public hearing on the proposed franchise contract. The person seeking the franchise shall then, at the person’s cost, give notice in accordance with I.C. 5-3-1 of that public hearing and shall also post a copy of the proposal in the County Courthouse. The notice shall state the type of franchise sought, the date, time and place of the proposed hearing and the fact that a copy of the proposed franchise contract is on file with the County Auditor and available for public inspection.

(C) At that hearing, the Board shall consider any written or spoken comments regarding the proposed franchise contract. The franchise contract may be amended following the hearing.

(D) The Board shall, after adoption of the amended franchise contract, file a copy of that document with the County Auditor for public inspection.

(Ord. 1981-1A, passed 9-8-1981; Ord. 1996-, passed - -1996)

Statutory reference:

Presumption of home rule powers, see I.C. 36-1-3-4

Article 1: General Provisions
Chapter 7: Intergovernmental Agreements

§ 36-1-7-1 HISTORIC HOOSIER HILLS RESOURCE CONSERVATION AND DEVELOPMENT PROJECT.

The Board hereby elects membership in the Historic Hoosier Hills Resource Conservation and Development Project and adopts its by-laws.

(Order passed 3-1-1971; Ord. 1986-2, passed 4-7-1986)

Statutory reference:

Intergovernmental agreements, see I.C. 36-1-7-1

§ 36-1-7-2 HANOVER AND MADISON POLICE PROTECTION AGREEMENT.

(A) At the request of any police or Sheriff's Department for a unit of government that is a party to this agreement (the County of Jefferson, the City of Madison and the Town of Hanover), any other department of a unit of government that is a party to this agreement will respond with available law enforcement personnel to assist the other department.

(B) The request for assistance from one department to another shall be made by the highest ranking officer on duty at the time, except in an emergency request for assistance when no further authorization is required.

(C) Visiting law enforcement officers assisting another department shall have the same powers and duties of the department they are assisting for the period they are engaged in activities authorized and requested by the unit they are assisting.

(D) The unit of government providing personnel to assist another Department shall remain responsible for the conduct of its office, their medical expenses and worker's compensation.

(E) This agreement shall be perpetual, but any unit of government may terminate its participation on 30 days' notice in writing to the other units. If one unit terminates, this agreement shall continue with respect to the remaining units of government.

(F) No property shall be acquired to support the purposes of this interlocal cooperation agreement, and no budget or separate administration shall be required.

(Ord. 1994-7, passed 12-30-1994; Ord. 1995-2, passed - -; Ord. 1996-, passed - -)

Statutory reference:

Joint exercise of powers, see I.C. 36-1-7-2

§ 36-1-7-3 JENNINGS COUNTY COMPUTER FAILURE AGREEMENT.

(A) The Jefferson County Board of Commissioners and the Jennings County Board of Commissioners agree that in the event of an emergency due to a computer failure in Jennings County, Jefferson County and the Jefferson County Auditor's office shall assist Jennings County and the Jennings County Auditor's office in restoration of the computer data and further assist Jennings County in getting its computer system operational again using Jefferson County's computer equipment and facilities.

(B) In the event of an emergency due to a computer failure in Jefferson County, Jennings County and the Jennings County Auditor's office shall assist Jefferson County and the Jefferson County Auditor's office in restoration of the computer data and further assist Jefferson County in getting its computer system operational again using Jennings County's computer equipment and facilities.

(C) The mutual assistance provided pursuant to this agreement shall be without cost.

(Ord. 1991-2, passed 4-5-1991; Ord. 1996-, passed - -1996)

Statutory reference:

Content of joint agreements, see I.C. 36-1-7-3

§ 36-1-7-4 JENNINGS COUNTY 911 AGREEMENT.

(A) Telephone customers located within the county shall be provided 911 emergency dispatch services offered by Jennings County, Indiana, if the customers were in fact a part of the geographical area contained within the confines of Jennings County, Indiana, for which Jennings County shall receive the surcharge collected from the Jefferson County phone customers.

(B) The term of this agreement shall be for an indefinite duration. In the event of termination of this agreement, by 90 days' notice in writing by either party, in advance of the termination in order to make other arrangements for emergency dispatch services.

(Res. passed 8-26-1994; Ord. 1996-1, passed - -1996)

Statutory reference:

Approval process for agreements, see I.C. 36-1-7-4

6Jefferson County - Local Government

Article 2: County Government Chapter 2: County Commissioners

§ 36-2-2-4 COUNTY COMMISSIONER DISTRICTS.

The county shall be divided into the following three County Commissioner election districts.

(A) District One shall be composed of the following territory:

- (1) Lancaster Township;
- (2) Milton Township;
- (3) Monroe Township; and
- (4) Shelby Township.

(B) District Two shall be composed of the following territory: Madison Township.

(C) District Three shall be composed of the following territory:

- (1) Graham Township;
- (2) Hanover Township;
- (3) Republican Township;
- (4) Saluda Township; and
- (5) Smyrna Township.

(Order passed 2-11-1824; Order passed 11-8-1831; Order passed 9-4-1850; Res. passed 12-7-1981)

Statutory reference:

Division of county into districts; criteria for single member districts, see I.C. 36-2-2-4

§ 36-2-2-6 MEETINGS.

The Board shall begin its regular meetings at 8:00 a.m. on the first and third Monday of each month.
(Ord. 1986-2, passed 4-7-1986)

Statutory reference:

Meetings, see I.C. 36-2-2-6

§ 36-2-2-24 COUNTY BUSINESS HOURS.

(A) The regular business hours for all offices in the County Courthouse (which are considered full-time offices) shall be: Monday through Friday, inclusive: 8:00 a.m. to 4:00 p.m.; Saturday and Sunday: closed.

(B) The Office of the Clerk of the Circuit Court of the county shall be open those additional days and hours prescribed by I.C. 33-17-1-5.

(C) The offices which operate on a part-time schedule (such as the Veterans Service office and Civil Defense office) shall maintain part-time hours as determined by the Board of Commissioners.

(D) The County Highway Department shall be open for business during the following hours: Monday through Friday, inclusive: 7:00 a.m. to 4:00 p.m.; Saturday and Sunday: closed.

(E) Those departments that provide 24-hour service, including public safety employees (Sheriff's deputies, jailers and dispatchers) shall work the weekly schedule established by the supervisors/department heads for that department. A supervisor/department head may establish a four-day per week, ten hour per day work schedule for public safety employees.

(F) (1) All offices shall be closed on legal holidays as determined by the County Board of Commissioners for the county offices.

(2) Holiday closure does not apply to public safety employees or departments.

(Order passed 1-3-1978; Order passed 7-1-1985; Order passed 1-16-1987; Res. 1992-4, passed 11-25-1992; Ord. 2001-9, passed 10-18-2001)

Statutory reference:

County courthouse, see I.C. 36-2-2-24

Article 2: County Government

Chapter 3: County Council

§ 36-2-3-4 COUNTY COUNCIL DISTRICTS.

(A) The county is hereby divided into four County Council election districts whose descriptions and boundaries are as follows.

(1) The County Council Election District 1 shall be composed of the following area: Hanover Precincts 1, 2 and 3, Saluda and Republican Townships.

(2) The County Council Election District 2 shall be composed of the following area: Graham, Lancaster, Milton, Monroe, Shelby and Smyrna Townships and Madison Township Precinct 2.

(3) The County Council Election District 3 shall be composed of the following area: Madison City Election Precincts 1-1, 1-2, 2-1, 2-2, 4-1, 4-2 and 4-3.

(4) The County Council Election District 4 shall be composed of the following area: Madison City Election Precincts 3, 5-1, 5-2 and Madison Township Precincts 1 and 3.
(Order passed 12-17-1973; Res. passed 12-7-1981; Res. passed 11-17-1989; Ord. 1991-9, passed 12-27-1991; Ord. 1992-8, passed 12-23-1992)

Statutory reference:

Election of fiscal body; division of county into districts; criteria for single member districts, see I.C. 36-2-3-4

Article 2: County Government
Chapter 4: Legislative Procedures

§ 36-2-4-10 RULES FOR APPROVING CLAIMS.

(A) The County Auditor shall provide a complete list of all claims to be placed on the claims docket for each meeting, pursuant to I.C. 36-2-6-4.

(B) The signature of a majority of the members of the Board of Commissioners affixed to the list at the meeting constitutes allowance of the claims therein listed, less any that may, by specific motion, be stricken from the list.

(Res. 1987-2, passed 2-27-1987; Ord. 1996-, passed - -1996)

Statutory reference:

County commissioners' meetings, see I.C. 36-2-4-10

§ 36-2-4-11 PAYMENT OF CERTAIN CLAIMS IN ADVANCE.

(A) The County Board of Commissioners hereby authorizes the County Auditor to pay certain claims in advance of Board allowance. The claims which are authorized for payment in advance of allowance by the Board of Commissioners are as follows:

(1) Property or services purchased or leased from the United States government, its agencies or its political subdivisions;

(2) License or permit fees;

(3) Insurance premiums;

(4) Utility payments or utility connection charges;

(5) General grant programs where advance funding is not prohibited and the contracting party posts sufficient security to cover the amount advances;

(6) Grants of state funds authorized by statute;

(7) Maintenance or service agreements;

(8) Leases or rental agreements;

(9) Bond or coupon payments;

(10) Payroll;

(11) State or federal taxes;

(12) Expenses that must be paid because of emergency circumstances;

(13) Expenses described in an ordinance; and

(14) Expenses incurred under a procurement contract under I.C. 31-25-2-17.

(B) Each payment of expenses under this section must be supported by a fully itemized invoice or bill and certification by the County Auditor.

(C) The County Auditor shall submit all such claims payable in advance to the Board of County Commissioners for allowance at the Board's next regular or special meeting following the pre-approved payment of the expense or claim.

(D) The payment of claims pursuant to this section must also be published with regular claims in the manner provided by law.

(Ord. 2008-1, passed 1-11-2008)

§ 36-2-4-12 COMMISSIONERS' SEAL.

The Board hereby adopts as its common seal a device bearing the words "COMMISSIONERS' COURT - JEFFERSON COUNTY, IND.".

(Order passed 8-13-1822; Order passed 4-19-1848)

Statutory reference:

Seal, see I.C. 36-2-4-11

Jefferson County - Local Government

Article 2: County Administration
Chapter 8: Payment of Compensation

§ 36-2-8-2 SALARY AND WAGE PAYMENTS.

(A) The Board authorizes the payment of salaries to all county employees on the first and third Fridays of each month.

(B) The County Highway Department pay period is changed so that employees are only two weeks behind in their pay period.

(Order passed 6-6-1983; Ord. 1986-2, passed 4-7-1986; Order passed 5-22-1987; Ord. 1996-, passed - -1996; Ord. 97-7, passed 9-18-1997)

Statutory reference:

Salary and wage periods; waiver of payment, see I.C. 36-2-8-2

Article 2: County Administration
Chapter 9: County Auditor

§ 36-2-9-18 COUNTY AUDITOR FEES.

The following fees for services shall be established effective immediately.

(A) *Fee for tax sale list.*

(1) A fee of \$0.10 per page shall be charged by the Auditor for each complete copy of the tax sale list.

(2) The revenue received by the Auditor shall be deposited in the County General Fund.

(B) *Copies of public records and computer generated records.*

(1) Any office that provides to a person a document derived from or printing out of information stored on computer disk or other electronic medium shall collect a documentation fee of \$0.25 per page for each page provided to the person requesting same. Ord. 2001-8 addressed copies for computer generated maps.

(2) Any office that provides to a person a copy of a document from an original document or copy of a document shall collect a copy fee of \$0.10 per page provided to the person requesting same.

(3) This section shall have no application to fees for copies or documents set by state statute such as the Recorder's Office.

(Order passed 5-22-1987; Ord. passed 6-30-1995; Ord. 1996-, passed - -1996; Ord. 98-1, passed 8-19-1998; Ord. 2001-8, passed 9-19-2001; Ord. passed 3-30-2005)

Statutory reference:

Endorsement on deeds; tax identification number; fee, see I.C. 36-2-9-18

Article 2: County Administration

Chapter: 13: County Sheriff

§ 36-2-13-5.6 SEX OR VIOLENT OFFENDER REGISTRATION FEES AND SEX OR VIOLENT OFFENDER ADDRESS CHANGE FEES.

(A) The Jefferson County Sheriffs Department is hereby authorized to charge the sum of \$50 per calendar year for the registration of sex or violent offenders and \$5 for each time a sex or violent offender registers an address change with the Jefferson County Sheriffs Department.

(B) The registration fee is due on a calendar year basis. Regardless of when the offender registers initially with the Jefferson County Sheriff's Department, the registration fee for the first calendar year is \$50. For each subsequent year, the registration fee shall be paid between January 1st and January 31st of that calendar year. A fee is delinquent if not paid by January 31st of each subsequent calendar year.

(C) Jefferson County, Indiana, now establishes a county Sex and Violent Offender Administration Fund in the office of the Jefferson County Auditor and the Jefferson County Sheriff's Department shall deposit all funds collected for sex or violent offender registration fees and address change fees for sex or violent offenders into this account. The County Auditor shall, with spring and fall settlement, transfer 10% of any fees collected to the Treasurer of the State of Indiana for deposit in the state Sex and Violent Offender Administration Fund I.C. 11-8-8-21.

(D) The Jefferson County Council may appropriate money from the county Sex and Violent Offender Administration Fund. The Sheriff may request money from the account to defray the expense of administrating or ensuring compliance with the laws concerning the Indiana Sex and Violent Offender registry.

(Ord. 2011-8, passed 8-9-2011)

Article 3: Administration
Chapter 6: Tax Sales

§ 36-3-6-1 TAX SALES.

Pursuant to I.C. 6-1.1-25-2 upon redemption of property sold pursuant to a tax sale, the person redeeming that property must pay certain costs. It is the policy of the county as follows: The costs for examination of and updating abstract of title for a parcel shall not exceed \$200 and the cost for deed preparation shall not exceed \$50. Further, pursuant to statute the cost of giving notice to those having an interest in property by the holder of the tax sale certificate shall be the actual costs of giving the notice and does not include attorney fees.

(Ord. 1999-3, passed 1-8-1999)

Article 6: Township Government
Chapter 1: Townships

§ 36-6-1-2 TOWNSHIPS.

(A) The Board hereby establishes the following townships within the county.

(1) Graham: Commencing at the northwest corner of Section 6, Township 4 North, Range 8 East; thence south to the southwest corner of Section 31 of the township and range; thence east on the south line of Section 31 to the northwest corner of Section 5, Township 3 North, Range 8 East; thence south one-half mile to the half section line of Section 5; thence east to the west line of Section 4 of the township and range; thence south to the southwest corner of Section 9 of the township and range; thence east to the southeast corner of Section 10 of the Township and Range; thence north to the northeast corner of Section 34, Township 4 North, Range 8 East; thence east to the southeast corner of Section 25 of the township and range; thence north to the northeast corner of Section 25, Township 5 North, Range 8 East; thence west to the northwest corner of Section 26 of the township and range; thence south to the southwest corner of Section 35 of the township and range; thence west to the northwest corner of Section 3, Township 4 North, Range 8 East; thence south 2,300 feet with the county line; thence west one-half mile with the county line to the centerline of County Road 1350 West; thence north with the centerline to the north line of Section 4 of the township and range; thence west to the northwest corner of Section 6 of the township and range, being the place of beginning.

(2) Hanover: Commencing at the northwest corner of Section 3, Township 3 North, Range 9 East; thence south one and one-half miles on the west line of Sections 3 and 10 of the township and range; thence west one mile to the half-section line on the west line of Section 9 of the township and

range; thence south to the southwest corner of Section 28 of the township and range; thence east to the southeast corner of Section 27 of the township and range; thence north to the northeast corner of the Section 27; thence east to the Indiana-Kentucky line; thence northerly on the line to the east line of Section 7 of the Township and Range; thence north on the east line of Sections 7 and 6 of the township and range to the northeast corner of the Section 6; thence west to the northwest corner of Section 3 of the township and range, being the place of beginning.

(3) Lancaster: All of Township 5 North, Range 9 East, except Sections 5, 6, 7 and 8.

(4) Madison: Commencing at the northeast corner of Section 4, Township 4 North, Range 11 East; thence west to the northwest corner of Section 6, Township 4 North, Range 10 East; thence south to the southwest corner of Section 30 of the township and range; thence west to the northwest corner of Section 35, Township 4 North, Range 9 East; thence south to the southwest corner of Section 35; thence east to the northwest corner of Section 5, Township 3 North, Range 10 East; thence south on the west line of Sections 5 and 6 of the township and range to the Indiana-Kentucky line; thence following that line to the east line of Section 33, Township 4 North, Range 11 East; thence north to the northeast corner of Section 4, Township 4 North, Range 11 East, being the place of beginning.

(5) Milton: Commencing at the northwest corner of Section 3, Township 4 North, Range 11 East; thence south to the Indiana-Kentucky line; thence easterly on the line to the east line of Section 20, Township 3 North, Range 12 East; thence north to the northeast corner of Section 5, Township 4 North, Range 12 East; thence west to the northwest corner of Section 3, Township 4 North, Range 11 East, being the place of beginning.

(6) Monroe: All of Township 5 North, Range 10 East.

(7) Republican: Commencing at the northwest corner of Section 35, Township 4 North, Range 8 East; thence south to the southwest corner of Section 23, Township 3 North, Range 8 East; thence east to the southeast corner of Section 20, Township 3 North, Range 9 East; thence north two and one-half miles to the half-section corner on the west line of Section 9 of the township and range; thence east to the east line of the Section 9; thence north to the northeast corner of Section 4 of the township and range; thence east to the southeast corner of Section 34, Township 4 North, Range 9 East; thence north to the northeast corner of Section 27 of the township and range; thence west to the northwest corner of Section 30 of the township and range; thence south to the southwest corner of the Section 30; thence west to the northwest corner of Section 35, Township 4 North, Range 8 East, being the place of beginning.

(8) Saluda: Commencing at the northwest corner of Section 30, Township 3 North, Range 9 East; thence South to the southwest corner of Section 18, Township 2 North, Range 8 East; thence east to northwest corner of Section 23 of the township and range; thence south to the southwest corner of the Section; thence east to the southeast corner of the Section; thence south 2,300 feet with the county line; thence east to the Indiana-Kentucky line; thence northerly on that line to the north line of Section 30, Township 3 North, Range 10 East; thence west to the northwest corner of Section 26, Township 3 North, Range 9 East; thence south to the southwest corner of the Section 26; thence west to the southeast corner of Section 29, Township 3 North, Range 9 East; thence north to the northeast corner of the Section 29; thence west to the northwest corner of Section 30 of the township and range, being the place of beginning.

(9) Shelby: All of Township 5 North, Range 11 East and the following Sections in Township 5 North, Range 12 East: 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31 and 32.

(10) Smyrna: Sections 1 through 26, inclusive, of Township 4 North, Range 8 East.

(B) If any part of the county has not been described as included in one of the townships described in this section, it is included in that township which is contiguous to that part and contains the least population of all townships contiguous to that part according to the most recent federal decennial census.

(C) If any part of the county has been described in this section as being in more than one township, it is included in that township that is one of the townships in which that part is listed in this section, is contiguous to that part, and contains the least population according to the most recent federal decennial census.

(Graham: Order passed 2-12-1822; Order passed 9-6-1839)

(Hanover: Order passed 8-31-1836; Order passed 9-11-1836; Order passed 3-15-1853; Order passed 6-6-1853; Order passed 3-13-1854)

(Lancaster: Order passed 3-5-1817; Order passed 2-12-1822; Order passed 6-11-1849)

(Madison: Order passed 2-13-1817; Order passed 11-14-1821; Order passed 2-12-1822; Order passed 3-12-1822; Order passed 2-12-1823; Order passed 8-10-1855)

(Milton: Order passed 5-12-1818; Order passed 2-12-1822)

(Monroe: Order passed 3-11-1842; Order passed 8-10-1855)

(Republican: Order passed 5-12-1817; Order passed 5-10-1820; Order passed 11-14-1821; Order passed 2-12-1822; Order passed 3-12-1822; Order passed 9-6-1839; Order passed 6-11-1849; Order passed 3-14-1853; Order passed 3-15-1853; Order passed 6-6-1853; Order passed 3-13-1854)

(Saluda: Order passed 2-13-1817; Order passed 5-15-1821; Order passed 2-12-1822; Order passed 3-12-1822)

(Shelby: Order passed 2-12-1822; Order passed 2-12-1823)

(Smyrna: Order passed 6-16-1847; Order passed 6-11-1849; Order passed 3-14-1853)

Statutory reference:

Townships, see I.C. 36-6-1-2

Article 7: Planning and Development
Chapter 4: Local Planning and Zoning

§ 36-7-4-200 COUNTY ADVISORY PLAN COMMISSION.

The Board of Commissioners establishes the County Advisory Plan Commission in accordance with I.C. 36-7-4-200. The Commission shall have the membership set forth in and shall exercise all the powers granted to the Commission under I.C. 36-7-4.

(Ord. 1-1951, passed 8-6-1951; Ord. 1996-, passed - -1996)

Statutory reference:

Establishment of plan commission; authorization, see I.C. 36-7-4-200

§ 36-7-4-405 HOUSE AND STREET NUMBERING.

(A) *Uniform numbering system.* A plan for the orderly and systematic numbering and/or renumbering of houses and structures located within the jurisdictional area of the civil county of Jefferson is enacted (and is referred to in this County Code Section as the “Uniform Numbering System”).

(B) *Relation to health and welfare.* The numbering and renumbering of houses or structures in an orderly and systematic manner will make the location for such houses more expeditious in cases of fire emergencies, in situations involving immediate need for medical attention for members of family and occupants of a building and in instances where police protection may be required with haste. An orderly and systematic house numbering system will also enhance the delivery of goods and services, as well as increase the efficiency of operations such as postal delivery.

(C) *Conformity.*

(1) From 2-12-1993, the numbering of all houses and structures located on lots or parcels of land abutting public streets or roads within the jurisdictional area of the civil county of Jefferson, exclusive of those municipally incorporated areas of Madison and Hanover, shall be accomplished in conformity with the uniform numbering system as described in this county code section.

(2) At the time of issuance of any permit for construction of a house or structure, a number shall be assigned by the County 911 Coordinator to the house or structure as provided in this county code section. The number shall be included on the permit.

(D) *Base lines and sequences.*

(1) The base line for the uniform numbering system shall be described below and numbers shall be assigned as follows:

(a) The east-west line shall be Highway 256 East from Scott County line extended in a straight line to Switzerland County. The north-south line shall be Highway 421 North from Madison City limits, extended south to the Ohio River, and north to the Ripley County line.

(b) The numbering system is based on 1,000 addresses per mile. Addresses are to fit within the existing road numbering system.

(c) In some areas around the City of Madison where city addresses were existing, the city system was expanded to prevent confusion of such an address in such a highly populated area.

(2) All roads that run in cardinal directions (north, south, east, west) will use the existing road name and directional indicator. For any roads that angle, it was first determined if the road runs more east-west, or north-south, then it was assigned accordingly. Roads have road names or numbers assigned by the County Board of Commissioners. A letter designating the quadrant of the county was also added after the road name or number. Private roads were given a name/number designation for uniform and accurate implementation of enhanced 911, but the status of these roads as private was not thereby altered.

(3) New roads or subdivision plats which include streets shall not be permitted to have road or street names so similar to those already existing that it could result in confusion. The Commissioners shall not approve any new road or subdivision plat that had road or street names that have a significant potential for confusion. The roads name or number shall be as set out in the official County Road Map, posted in the office of the Commissioners of the county and designated accordingly.

(4) The postal system has accepted addresses in the following format:

EXAMPLE: Polly Hayes
660 S 450 E
Madison, IN 47250

(E) *Administrative office.* The County 911 Coordinator shall act as the Administrative Office (hereafter “Administrative Office”) in charge of issuing numbers to houses or structures in compliance with the provisions of this county code section. The Administrative Office shall issue numbers to all houses or structures, renumber houses or structures whenever it becomes necessary to do so in the implementation of the uniform numbering system, and cause the numbering of all existing homes or structures which are not numbered in accordance with the provisions of this county code section.

(F) *Numbers other than on public streets.* The Administrative Office may, if it deems it necessary for the implementation of the uniform numbering system, assign numbers to houses or structures that are situated on private streets or roads.

(G) *Standards for the posting of house numbers.*

(1) The owner (or the owner’s designee) of a house or structure located within the jurisdictional area of the civil county (exclusive of those municipally incorporated areas) shall post officially assigned numbers in a location providing easy identification from the abutting street or road. The official number may be placed attached to the mail box (as according to postal regulation or on a post or outside light, or on any prominent place on the house or structure so that such number is identifiable from both sides of the road. The number shall be at least three inches in height and of contrasting reflective colors according to what the number is attached upon.

(2) The officially assigned numbers shall be posted in accordance with subsection (A) above within 60 days notice to the owner or occupant.

(3) Additionally, if the mail box is not located near the entrance of the property, the address needs to be posted near the entrance in such a manner as to be clearly visible from both sides of the road.

(H) *Renumbering of houses or structures.* Houses and structures that were numbered and some roads that were named before 2-12-1993 shall be renumbered or renamed in order that the same may comply with the uniform numbering system and so that the numerical harmony throughout an area or areas is substantially achieved and further to avoid confusion from similar street names. The County 911 Coordinator, as designated in this county code section, shall authorize such changes. Road or street name changes in the county shall be approved by the Commissioners. Private roads shall be assigned a designation for uniformity, but shall not thereby change their status as private roads.

(I) *Notification of local agencies.* The Administrative Office shall provide a uniform numbering system of notification of issuance of numbers or the renumbering of houses or structures. Notification shall be made reasonably ahead of pending changes so as to allow major interested groups and agencies to plan and to prepare for the proposed changes. The Administrative Office shall keep accurate records and shall, from time to time, prepare and make available to the County Commissioners a report of the status of the implementation of the uniform numbering system. In the assignment of house numbers, the

Administrative Office shall use its best judgment and shall carefully consider and evaluate all the contingencies and shall, with due regard to the sensitive nature of the job assigned to it, be considerate of the citizens of the county.

(J) *Penalties for violations.* Any person, firm or corporation owning or occupying a building who shall fail to number the building or who shall fail to comply with this county code section, or maintain the number of the building as provided in this county code section, shall be deemed to have violated the provisions of this county code section. Civil proceedings may be instituted by the County Board of Commissioners against any alleged violator and, upon the finding of a violation, the court may enter judgment in an amount up to \$500 for each day of violation, along with court costs and reasonable legal fees. Additionally, the judgment may include any costs incurred by the county. Any subject violator shall be responsible and liable for all damages due or owing any third party, or parties, occasioned by the violations, as well as for any cost incurred directly or indirectly and occasioned by the county because of the violations.

(K) *Enforcement.* The Board of Commissioners may institute a suit for injunction in the courts of the county to restrain any person, firm or corporation who shall take down, alter, deface, destroy or conceal any number assigned to or placed upon any building, in compliance with this county code section, or who shall place or substitute, or permit to be placed or substituted, upon any building an erroneous or improper number not in compliance with this county code section. The Board of Commissioners may institute a suit for mandatory injunction of the provisions of this county code section or to bring about compliance with its provisions. If the Board of Commissioners is successful in any such suit, the defendant or respondent shall bear the cost of the action, including reasonable attorney's fees.

(L) *Judicial review.* Any decision of the 911 Coordinator under this county code section shall be subject to review by certiorari procedures. Any person, firm or corporation aggrieved by a decision of the 911 Coordinator under this county code section may present to the Circuit Court or Superior Court of the county a petition, duly verified, setting forth that the decision is illegal in whole or in part, and specifying the grounds of the illegality. The petition shall be presented to the court within 30 days after the entry of the decision of the 911 Coordinator in question.

(Ord. 1993-2, passed 2-12-1993; Ord. 1996-, passed - -1996)

Statutory reference:

House and street of plan commission; authorization, see I.C. 36-7-4-405

§ 36-7-4-410 TOWN JURISDICTION.

The Town of Dupont shall be governed by the County Comprehensive Plan, as defined in § 36-7-4-500 of this code. The County Plan Commission shall enforce the provisions of the Comprehensive Plan in and for that town.

(Order passed 2-6-1967; Ord. 1968-1, passed 7-15-1968)

Statutory reference:

Powers; Hanover jurisdiction; county-municipal plan commission, see I.C. 36-7-4-410

§ 36-7-4-500 COUNTY COMPREHENSIVE PLAN.

(A) The County Comprehensive Plan, which consists of §§ 36-7-4-600 and 36-7-4-700 of this code, is hereby adopted and incorporated by reference into this code section. Two copies of the Comprehensive Plan shall be on file in the office of the County Auditor and available for public inspection.

(B) The County Comprehensive Plan shall be interpreted so that it is consistent with I.C. 36-7-4, as presently enacted and subsequently amended.

Statutory reference:

County Comprehensive Plan, see I.C. 36-7-4-500

Article 7: Planning
Chapter 7: Regional Planning Commission

§ 36-7-7-2 REGIONAL PLANNING COMMISSION.

(A) The Regional Planning Commission is established as provided by I.C. 36-7-7.

(B) The County Overall Economic Development Program prepared by the Regional Planning Commission is hereby adopted.

(Res. passed 6-19-1978; Res. passed 8-6-1979)

Statutory reference:

Establishment of regional planning commissions, see I.C. 36-7-7-2

Article 7: Planning
Chapter 9: Unsafe Buildings

§ 36-7-9-3 BUILDING CODE.

(A) *Establishment.* The county adopts I.C. 36-7-9-1 through 36-7-9-28, inclusive, as a part of this section.

(B) *Enforcement.* The Office of the County Building Inspector is the executive department responsible for the enforcement of this section.

(C) *Definition.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

SUBSTANTIAL PROPERTY INTEREST. The definition of “substantial property interest” contained in I.C. 36-7-9-2 is incorporated by reference into this section.

(D) *Rules, regulations and codes.* The following rules, regulations and codes are incorporated by reference into this section as the rules and regulations governing the construction, enlargement, alteration, repair, relocation and use of buildings and structures in the county. Two copies of these documents are on file in the office of the County Auditor and are available for public inspection.

(1) Indiana Building Code, 1985 edition (675 I.A.C. 13-2) originally published as (9 IR 719), which identifies, amends, and incorporates therein the Uniform Building Code, 1985 Edition.

(2) Indiana Building Code Standards, 1985 edition (675 I.A.C. 13-3) originally published as (9 IR 750), which identifies, amends, and incorporates therein the Uniform Building Code Standards, 1985 Edition.

(3) Indiana Handicapped Accessibility Code, 1985 edition (675 I.A.C. 13-4) originally published as (9 IR 1030), which identifies, amends, and incorporates therein the Specifications for Making Buildings and Facilities Accessible to and Usable by Physically Handicapped People (ANSI A117.1-1980).

(4) Indiana Fire and Building Safety Standards (675 I.A.C. 13-1) originally published as (8 IR 1301), under that title, which incorporates by reference the following National Fire Protection Association (NFPA) Standards:

(a) Standard for Low Expansion Foam and Combined Agent Systems 1980 (NFPA 11-1983). Appendix C of this document is deleted in its entirety.

(b) Standard on Carbon Dioxide Extinguishing Systems 1985 (NFPA 12-1985). Chapter 6 of this document is deleted in its entirety.

(c) Standard on Halon 1301 Fire Extinguishing Systems 1985 (NFPA 12A-1985). Chapter 4 of this document is deleted in its entirety.

(d) Standard on Halon 1211 Fire Extinguishing Systems 1980 (NFPA 12B-1980). Appendix B of this document is deleted in its entirety.

(e) Standard for the Installation of Sprinkler Systems 1985 (NFPA 13-1985). Chapter 10 of this document is deleted in its entirety.

(f) Standard for the Installation of Standpipe and Hose Systems 1983 (NFPA 14-1983). Appendix B of this document is deleted in its entirety.

(g) Standard for the Installation of Centrifugal Fire Pumps 1983 (NFPA 20-1983). Appendix C of this document is deleted in its entirety.

(h) Standard for the Installation, Maintenance, and Use of Central Station Signaling Systems 1985 (NFPA 71-1985). Chapter 6 of this document is deleted in its entirety.

(i) Standard on the Installation, Maintenance, and Use of Local Protective Signaling Systems for Guard's Tour, Fire Alarm, and Supervisory Service 1985 (NFPA 72Z-1985). Chapter 4 of this document is deleted in its entirety.

(j) Standard for the Installation, Maintenance, and Use of Auxiliary Protection Signaling Systems for Fire Alarm Service 1979 (NFPA 72B-1979). Appendix B of this document is deleted in its entirety.

(k) Standard for the Installation, Maintenance, and Use of Remote Station Protective Signaling Systems 1982 (NFPA 72C-1982). Appendix B of this document is deleted in its entirety.

(l) Standard for the Installation, Maintenance, and Use of Proprietary Protective Signaling Systems 1979 (NFPA 72D-1979). Appendix B of this document is deleted in its entirety.

(m) Standard on Automatic Fire Detectors 1984 (NFPA 72E-1984). Chapter 10 of this document is deleted in its entirety.

(n) Standard for the Installation of Equipment for the Removal of Smoke and Grease-Laden Vapors from Commercial Cooking Equipment 1984 (NFPA 96-1984). Chapter 10 of this document is deleted in its entirety.

(o) Standard for General Storage 1985 (NFPA 231-1985). Chapter 9 of this document is deleted in its entirety.

(p) Standard for Rack Storage of Materials 1980 (NFPA 231C-1980). Appendix C of this document is deleted in its entirety.

(q) Standard for Nonflammable Medical Gas System 1983 (NFPA 56F-1983). Appendix D of this document is deleted in its entirety.

(r) Standard for the Prevention of Fires and Explosions in Grain Elevators and Facilities Handling Bulk Raw Agricultural Commodities 1980 (NFPA 61B-1980). Appendix E of this document is deleted in its entirety.

(s) Standard on Incinerators, Waste, and Linen Handling Systems and Equipment 1983 (NFPA 82-1983). Appendix A of this document is deleted in its entirety.

(5) Indiana Electrical Code, 1984 Edition, (675 I.A.C. 17-1) originally published as (9 IR 50) which identifies, amends and incorporates therein the National Electrical Code, 1984 Edition.

(6) Indiana Safety Code for Health Care Facilities, 1985 Edition, (675 I.A.C. 17-2) originally published as (9 IR 52) which identifies, amends and incorporates therein National Fire Protection Association (NFPA) Standard NFPA 99, 1984 Edition.

(7) Indiana Plumbing Code, 1984 Edition, (675 I.A.C. 16) originally published as (9 IR) which identifies, amends and incorporates therein the Uniform Plumbing Code, 1985 Edition.

(8) Indiana Mechanical Code, 1985 Edition, (675 I.A.C. 18) originally published as (9 IR) which identifies, amends and incorporates therein the Uniform Mechanical Code, 1985 Edition.

(9) Indiana Flammable and Combustible Liquids and Gases Code, 1985 Edition, (675 I.A.C. 22-1) originally published as (9 IR 53) which identifies, amends and incorporates therein eight National Fire Protection Association Standards.

(10) Indiana One and Two Family Dwelling Code, 1984 Edition, (675 I.A.C. 14) originally published as (9 IR 216) which identifies, amends and incorporates therein the Council of American Building Officials One and Two Family Dwelling Code, 198:3 Edition.

(11) Indiana Energy Conservation Code, 1984 Edition, (675 I.A.C. 9) originally published as (7 IR 2525) which identifies, amends and incorporates therein the Model Energy Code, 1983 Edition.

(12) Indiana Swimming Pool Code, (675 I.A.C. 20-1) originally published as (9 IR 1014) under that title.

(E) *Violations.*

(1) No person shall:

(a) Remain in, use or enter a building in violation of an order issued under this section;

(b) Knowingly interfere with or delay the carrying out of an order issued under this section; and/or

(c) Fail to comply with the requirements of I.C. 36-79-27.

(2) Any person who does so commits an ordinance violation and, upon conviction, shall be fined not more than \$300. Each day a violation occurs or continues constitutes a separate offense. (Ord. 1986-3, passed 7-9-1986)

Statutory reference:

Ordinances adopting (unsafe building law), see I.C. 36-7-9-3

22Jefferson County - Local Government

Article 7: Planning Chapter 12: Economic Development Commission

§ 36-7-12-4 ECONOMIC DEVELOPMENT COMMISSION.

(A) *Purpose.* The purpose of this section is to establish an economic development commission for the financing of economic development facilities and pollution control facilities as authorized by I.C. 36-7-12.

(B) *Incorporation by reference.* I.C. 36-7-12-1 through 36-7-27-37 is hereby adopted by reference as if set out verbatim herein.

(C) *General provisions.* The County Economic Development Commission is hereby created pursuant to I.C. 36-7-127.

(D) *Membership.*

(1) The Economic Development Commission shall consist of three members to be appointed as follows.

(a) One member shall be selected by the Board of Commissioners of the county.

(b) One member shall be nominated by the County Council of the county.

(c) One member shall be nominated by the City Council of the City of Madison, State of Indiana.

(2) After adoption of the ordinance establishing the Commission, the Auditor of the county shall notify the Board of Commissioners and County Council of the county and the City Council of the City of Madison, County of Jefferson, that they have 15 days upon receipt of notice to make their selections and nominations to the Commission. Each selectee and nominee shall be appointed by the Board of Commissioners within ten days after receipt of the nominations. If the County Council or the City Council shall fail to make such nominations within the aforesaid time period, then the Board of Commissioners may select and appoint a person without nomination.

(E) *Terms.*

(1) Initial appointees to the Economic Development Commission shall take office upon their appointment, and their term shall run from February 1, after their original appointment for a period of:

(a) Three years for the member selected by the Board of Commissioners of the county;

(b) Two years for the member nominated by the County Council of the county; and

(c) One year for the member nominated by the City Council of the City of Madison, State of Indiana.

(2) At the expiration of the terms of each of the original Economic Development Commissioners, their respective successors shall be selected and nominated, before the expiration of the term, in the same manner as the original Commissioner. Each succeeding Commissioner shall serve a term of four years. All terms will expire on January 31 of each year, but a member shall hold over after the expiration of the member's term until the member's successor is appointed and has qualified.

(3) If a person appointed as an Economic Development Commissioner fails to take the oath of office required under I.C. 36-7-12-11 within ten days after the notice of the person's appointment is mailed to the person, or if any Commissioner, after qualifying, dies, resigns, vacates his or her office, or is removed from office, a new Commissioner shall be appointed to fill the vacancy in the same manner as the Commissioner in respect to whom the vacancy occurred was appointed. Any such appointed Commissioner shall serve for the remainder of the vacated term.

(F) *Compensation and expenses.* An Economic Development Commissioner is entitled to:

(1) Reimbursement for expenses necessarily incurred in the performance of the Commissioner's duties; and

(2) A per diem allowance for each day the Commissioner attends a Commission meeting if that allowance does not exceed the per diem allowance for members of the General Assembly, and is authorized by the County Council of the county.

(G) *Duties and powers.* The County Economic Development Commission shall have such duties and powers as are set out in I.C. 36-7-12, to which reference has heretofore been made and which has been incorporated herein by reference.

(Ord. 1990-1, passed 3-9-1990; Ord. 1996-, passed - -1996)

Statutory reference:

Economic development departments and commissions; creation, see I.C. 36-7-12-4

Article 8: Public Safety
Chapter 3: Police Powers

§ 36-8-3-2 HOURS OF ACCESS FOR PUBLIC PROPERTY.

(A) Public access to the following described real estate owned by the county in the Town of Brooksborg, Indiana, shall be only between the hours of 8:00 a.m. and 11:00 p.m.

TOWN OF BROOKSBURG AND MILTON TOWNSHIP: Being all of Lot No. 1, Block No. 1, and part of fractional Lot No. 14, Block No. 1, in the Town of Brooksburg and part of fractional Section No. 1, Township 3 North, Range 11 East, Milton Township, Jefferson County, Indiana, described as follows: Beginning at a set T-bar on the east right-of-way of Main Street (66 ft. right-of-way) at the southwest corner of Lot No. 1, Block No. 1 of the Town of Brooksburg; thence North 34 degrees 00 minutes East, (assumed bearing), 66.00 feet with the west line of said Lot No. 1 to a steel T-bar at the northwest corner of the lot; thence South 56 degrees 00 minutes East, 236.41 feet (passing through a steel T-bar at 148.50 feet) to the low water mark on the west side of the Indian-Kentucky Creek; thence with said low water mark the following three courses: South 42 degrees 00 minutes West, 266.46; South 58 degrees 30 minutes West, 100.00 feet; North 89 degrees 00 minutes West, 100.00 feet to the low water mark on the north bank of the Ohio River; thence leaving the river, North 13 degrees 25 minutes East, 256.00 feet (passing through a steel T-bar at 100.00 feet) to a steel T-bar; thence North 42 degrees 46 minutes 42 seconds East, 104.90 feet to the place of beginning, containing 1.69732 acres.

(B) The County Highway Department shall post the hours on a sign on the property.

(C) Violation of this section is a Class C infraction.

(Ord. 2003-10, passed 8-21-2003)

Article 10: Parks and Recreation
Chapter 3: County Department of Parks and Recreation

§ 36-10-3 COUNTY DEPARTMENT OF PARKS AND RECREATION; BOARD.

(A) Under the provisions of I.C. 36-10-3 there is hereby created a County Department of Parks and Recreation to be operated by a County Parks and Recreation Board.

(B) (1) The Park and Recreation Board shall be composed of:

- (a) Two members appointed by the Judge of the County Circuit Court;
- (b) One member appointed by the County Executive; and
- (c) Two members appointed by the county fiscal body.

(2) All members shall be appointed on the basis of their interest in and knowledge of parks and recreation. No more than one member appointed under subsections (B)(1)(a) and (c) above may be affiliated with the same political party.

(C) (1) Upon establishment of the Board, the initial terms of its members shall be as follows:

(a) The appointment by the County Circuit Court Judge shall be one- and three-year terms, respectively.

(b) The appointment by the County Commissioners shall be for a two-year term.

(c) The appointment by the County Council shall be for two- and four-year terms, respectively.

(2) As a term expires, each new appointment shall be for a four-year term. All terms shall expire on the first Monday in January, but a member shall continue in office until his or her successor is appointed. The appointing authorities shall make initial appointments within 90 days after the creation of the department. If an appointment for any new term is not made by the first Monday in April, the incumbent shall serve another term. If a vacancy on the Board occurs, the appointing authority shall appoint a person to serve for the remainder of the unexpired term.

(D) At its first regular meeting in each year, the Board shall elect a president and a vice-president. The Vice-President shall have authority to act as the president of the Board during the absence or disability of the President. The Board may select a secretary either from within or without its own membership.

(E) The Board shall have the power to perform all acts necessary to acquire and develop sites and facilities and to conduct programs as are generally understood to be park and recreation functions. In addition, the Board shall have all the powers and duties listed in I.C. 36-10-3.

(F) The Board shall prepare and submit an annual budget in the same manner as other departments of county government as prescribed by the State Board of Accounts. The Board may accept gifts, donations, and subsidies for park and recreation purposes.

(Ord. 1997-8, passed 10-8-1997)

