ORDINANCE 88-47

An Ordinance Amending Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" to Add A New Section That Establishes Fees to Be Charged by the Bloomington Police Department

WHEREAS, Indiana statutes 9-1-2-1(i), 5-2-5-7, 5-2-5-8, 33-16-7-1, 35-47-2-3 set specific charges for services or documents provided by the Bloomington Police Department, and

WHEREAS, Indiana Statute 36-1-3-5 authorizes a City to exercise any power that is not expressly denied by the Constitution or by statute and is not expressly granted to another entity and, if there is no provision requiring a specific manner for exercising a power, a city must adopt an ordinance, and

WHEREAS, the Police Department is increasingly asked to provide fingerprints for civilians for non-criminal purposes, clearance letters, miscellaneous case reports, photographs for trial lawyers and no specific manner for imposition of fees has been set by statute for such services, and

WHEREAS, it is desirable to list all such charges in one section of the Code:

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

Section I. Title 15 of the Bloomington Municipal Code shall be amended to add Section 15.60.080 which shall read as follows:

15.60.080 Service and Fees. Unless directed otherwise, all fees shall be deposited in the General Fund. All fees shall be deposited weekly.

(1) Accident Reports. The Police Department is authorized to charge a fee of $5.00 for copies of reports not exceeding 6 pages and a fee of $.50 each page exceeding 6 pages in accordance with I.C. 9-3-1-3. The fee shall be deposited in a separate "accident report account" and expended for record keeping costs or traffic accident prevention.

(2) Police Photographs. The police shall furnish for trial purposes to litigants photographs no larger than 8 inches by 10 inches for a charge of $5.00 each. Larger photographs shall be furnished for $10.00 each.

(3) Police Video Tapes. The police shall furnish for trial purposes to litigants copies of video tapes for a charge of $20.00 per copy.

(4) Clearance Letters. On request the police shall furnish clearance letters on payment of a $5.00 fee for each letter.

(5) Fingerprinting for Non Criminal Purpose. The police department shall charge a fee of $5.00 to fingerprint any person who requires the prints for reasons other than official business of the Police Department or any City Department. Requests for fingerprints for child protection shall be exempt from this fee.

(6) Certificate of Title-Vehicle Inspections. In accordance with I.C. 9-1-2-1(i) the Police Department shall charge a fee of $5.00 to inspect a vehicle prior to the owner's application to the Bureau of Motor Vehicles for a certificate of title. Revenues shall be deposited in a special vehicle inspection fund. Appropriations by the Common Council shall only be used for law enforcement purposes.

(7) Limited Criminal History Inspection. In accordance with I.C. 5-2-5-7(a)(2) the fee for processing a request for inspection of a limited criminal history shall be $3.00.

(8) Limited Criminal History Release. The fee for processing a request for release is $7.00 in accordance with I.C. 5-2-5-7(a)(3). Requests from the parent locator service of the Child Support Division of the State Department of Public Welfare are exempt from this fee.

(9) Criminal History Data. In accordance with I.C. 5-2-5-8 the fee for providing a person whose criminal history data is maintained by the Police a copy of the data shall be $5.00.

(10) Miscellaneous Case Reports. The fee for providing a copy of miscellaneous case report shall be $5.00. Copies of comments attached to the report shall be $.50 per page.

(11) Handgun Applications. In accordance with I.C. 35-47-2-3 the fee for processing handgun applications shall be $10.00. This fee shall be deposited in the Police Fund to be used for police training.

(12) Notarization. In accordance with I.C. 33-16-7-1 the fee for notarizing a document not required for official Police or City business shall be $1.00.

Section II. The above fees do not apply for copies of records furnished under I.C. 5-14-3-5 in which case charges are limited by I.C. 5-14-3-8(d).

Section III. Subsection 15.08.050, of Title 15 is hereby repealed.

Section IV. Severability. If any section, sentence or provision of this ordinance shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this section are declared to be severable.

Section V. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington, approval by the Mayor, and promulgated according to law.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 19 day of Oct, 1988.

PAM SERVICE, President
Bloomington Common Council

ATTEST:

PATRICIA WILLIAMS, City Clerk

Presented by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 20 day of Oct, 1988.

PATRICIA WILLIAMS, City Clerk

SIGNED AND APPROVED by me this 21 day of Oct, 1988.

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance, requested by the Police Department, creates a new section in the Bloomington Municipal Code which lists all the various fees the police shall charge for services and documents and imposes a standard $5.00 fee in all instances except for copies of video tapes where fees are not specifically designated by state statute. The provision for charges for accident reports is repealed since that charge is covered in the new section.

signed copies
police file
legal
traffic

RD 88-47/89-1

Form Prescribed by State Board of Accounts — General Form #99P (Rev 1988)

CITY - BRD. OF PUBLI
(Governmental Unit)
Monroe County, Indiana

TO: The Herald-Times Dr.
Box 909
Bloomington, IN 47402

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed 2 actual lines, neither of which shall total more than four solid lines of the type in which the body of the Advertisement is set)-Number of equivalent lines _____

Head-Number of lines _____

Body-Number of lines _____

Tail-Number of lines _____

Total number of lines in notice _____

COMPUTATION OF CHARGES:

221 lines 1 COLUMN wide, equals 221 equivalent lines

at 0.330 cents per line.....$72.93

Additional Charges for notices containing rule or tabular work (50% of above amount).....

Charge for extra proofs of publication.....

($1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM.....$72.93

DATA FOR COMPUTING COST

Width of Single Column 12.5 ems — Size of type 6 point

Number of insertions 1 time

Pursuant to the provisions and penalties of Ch 155, Acts 1953.
I hereby certify that the foregoing is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: 05/12

Leah Leahy
Title: billing clerk

PUBLISHER'S AFFIDAVIT

State of Indiana, Monroe County) ss
Personally appeared before me, a notary public in and for said county and state, the undersigned, Leah Leahy who, being duly sworn, says that she is billing clerk for The Herald-Times newspaper of general circulation printed and published in the English language in the city of Bloomington in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time(s), the dates of publication being as follows:

1989:
05/12

Leah Leahy

Subscribed and sworn to before me 05/12 ,1989

John D. Hodge Notary Public
Monroe Co. Indiana
My Commission expires

JOHN D. HODGE
NOTARY PUBLIC STATE OF INDIANA
MONROE COUNTY
MY COMMISSION EXP JAN.10,1992

Claim No.___ Warrant No._____

IN FAVOR OF

Herald-Telephone

P.O. Box 909, Bloomington, IN 47402

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_____

ON ACCOUNT OF APPROPRIATION FOR

_____

Appropriation No. 35/2 62682

****

Allowed_____,19__

In the Sum of $_____

_____

_____

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_____

_____

I have examined the within claim and hereby certify as follows:

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon statutory authority.

That it is apparently (correct) (incorrect).

_____

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and necessary to the public business.

_____

_____,19__

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