

ORDINANCE 89-16

An Ordinance to Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" to Add Two New Subsections to Section 15.60.080: Services and Fees.

WHEREAS, Indiana Statute IC 35-47-2-10 permits local law enforcement agencies to charge a fee for fingerprinting and processing applications for transfer of handguns between individuals and regulates the disposition of such fee, and

WHEREAS, the Indiana Statute IC 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 by private towing services to run vehicle checks and fill out forms reporting the results on private tows not requested by the police and no state statute regulates this, and

WHEREAS, it is desirable to add these fees to other charges listed in Section 15.60.080:

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

Section I. Section 15.60.080 of Title 15 shall be amended to add the following:

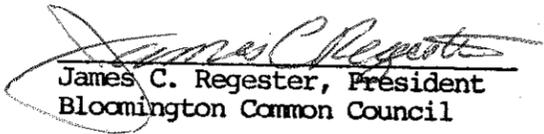
- (7) Transfer of ownership of handguns. In accordance with IC 35-47-2-10 the Police Department shall charge a fee of \$5.00 to fingerprint and search its records as a consequence of an application to transfer a handgun between private individuals. Revenues from this service shall be deposited in the amount of \$3.00 into the state general fund and \$2.00 into a police fund supporting police training.
- (13) Vehicle checks for private towers. The Police Department shall charge a fee of \$5.00 to inspect and fill out the forms required of private towers by the Bureau of Motor Vehicles in those instances where the tow was not requested by the Police Department.

Section II. Prior subsections (7), (8), (9), (10), (11), and (12) shall be renumbered (8), (9), (10), (11), (12), and (14).

Section III. Severability. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances 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 IV. 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 promulgation according to law.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 3 day of May, 1989.


James C. Regester, President
Bloomington Common Council

ATTEST:

Patricia Williams
Patricia Williams, City Clerk

Presented by me to the Mayor of the City of Bloomington, Monroe County,
Indiana, upon this 4 day of May, 1989.

Patricia Williams
Patricia Williams, City Clerk

SIGNED AND APPROVED by me this 4 day of May, 1989.

Jornilea Allison
Jornilea Allison, Mayor
City of Bloomington

SYNOPSIS

This ordinance, requested by the Police Department, adds two (2) new \$5.00 charges for services provided by the Police Department. The charge for checking and filling out forms on private vehicles towed by private towers is imposed under the home rule statute. The charge for processing applications for transfer of ownership of handguns is in accordance with state statute.

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Signed copies to:

Legal Dept 4

Police Dept 10

File (BMC + monthly update)

HT for publication in its entirety

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 _____
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TOTAL AMOUNT OF CLAIM.....\$72.93
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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 , 1989

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

