ORDINANCE 89-30

TO AMEND TITLES 6, "HEALTH AND SANITATION", 12, "STREETS, SIDEWALKS AND STORM SEWERS", AND 15, "VEHICLES AND TRAFFIC", OF THE BLOOMINGTON MUNICIPAL CODE

WHEREAS, the Indiana Legislature in P.L. 84-1989 amended IC 6-1.1-36-1 regarding notice to landowners regarding the removal of vegetation; and

WHEREAS, the Indiana Legislature in P.L. 119-1989 amended IC 36-7-4-405 regarding numbering lots and structures by local government; and

WHEREAS, the Legal department has recommended that BMC 15.52.020 be amended to reflect IC 9-9-1.1-3 regarding the responsibility of the owner of an abandoned vehicle;

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

SECTION I. Section 6.06.050 Removal Notice shall be repealed and reenacted to read as follows:

Removal Notice. Whenever the Police department or the Housing Code Enforcement officer finds refuse, weeds, or other vegetation on property within the City which is in such a condition as to violate this chapter, a written report of the complaint and findings shall be filed with the housing code enforcement office. The controller shall issue a written notice to the landowner to remove the refuse or vegetation within five days of the date of notice. Notice shall be served by certified mail upon the landowner, to the landowner's last known address, with a first class letter sent on the same date.

SECTION II. Section 6.06.070 Cost of Removal by City shall be repealed and reenacted to read as follows:

Cost of Removal by City. If the landowner fails to remove the refuse or vegetation and the City removes it, the controller shall make a certified statement of the actual cost incurred by the City for the removal. The statement shall be served on the landowner by certified mail. The landowner shall pay the amount in the statement to the City Legal department within ten (10) days after receiving it. If the landowner should fail to pay within the ten day period a certified copy of the statement of costs shall be filed in the office of the county auditor. The auditor shall place the amount claimed on the tax duplicate against the property affected by the work. The amount shall be collected as taxes are collected and disbursed to the general fund of the City.

SECTION III. Chapter 12.28 House Numbering shall be deleted from the Bloomington Municipal Code.

SECTION IV. Section 15.52.020 Responsibility of owner shall be amended to delete the underlined portion:

The owner of an abandoned vehicle is responsible for the abandonment and is liable, to the extent of the market value of the vehicle, for all of the costs incidental to the removal, storage, and disposal of the vehicle or its parts.

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 and approval of the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 2 day of August, 1989.

James C Regester

JAMES C. REGESTER, Council 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 3 day of August, 1989.

Patricia Williams

PATRICIA WILLIAMS, City Clerk

SIGNED and APPROVED by me upon this 3 day of August, 1989.

Tomilea Allison

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance makes several changes in the Bloomington Municipal Code to reflect recent state law changes and recommendations by the Legal Department. Two sections of Chapter 6.06, dealing with refuse and weed removal notice and costs, are being amended to reflect changes in state law. Chapter 12.28, House Numbering, is being deleted to correlate with changes in state law. House numbering, previously assigned by the BMC to the City engineer, will be assigned to the Plan Commission. Chapter 15.52, regarding abandoned vehicles, is being amended to reflect state law changes.

Signed copies to
BMC file
Police
Planning
City Legal
Controller
Housing Code