

ORDINANCE 88-36

To Create a New Chapter in Title 2 and To Amend Title 2
Entitled "Administration and Personnel" and Title 15 Entitled
"Vehicles and Traffic"

WHEREAS, a recent State law requires that an Ordinance Violations Bureau be established to accept all ordinance fines in an amount up to and including twenty-five dollars (\$25.00); and

WHEREAS, the City of Bloomington does not now have an Ordinance Violations Bureau established:

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

SECTION I. Section 15.64.010 Violations and Penalties shall be amended to add Subsection (h) Class G Traffic Violations which shall read as follows:

(h) Class G Traffic Violations (Parking in Fire Lanes)

Fine: \$10.00

Covers: 15.32.160(e) Parking in fire lane

SECTION II. Section 15.32.160 Emergency Vehicle Lanes, Subsection (e) shall be amended to read "Class G Traffic Violation" in lieu of "Class C Traffic Violation" and shall be amended to read "Section 15.64.010(h)" in lieu of "Section 15.64.010(c)."

SECTION III. Section 15.64.010(c) Class C Traffic Violations shall be amended to delete the following:

15.32.160(e) Parking in fire lane

SECTION IV. Section 2.11.030 Street Department shall be amended to read as follows:

2.11.030 Street Department/Fleet Maintenance Department
The Street Department and the Fleet Maintenance Department shall be administered by the Director of Transportation who is appointed by the Director of Public Works. The Street Department shall be responsible for the maintenance and care of the public ways within the City of Bloomington. The Fleet Maintenance Department shall be responsible for the orderly maintenance, acquisition and disposal of all vehicles owned by the City of Bloomington, its departments, agencies, boards, commissions, and councils.

SECTION V. Section 2.11.040 Fleet Maintenance Department shall be amended to read as follows:

2.11.040 Parking Enforcement Division (1) The Parking Enforcement Division is managed by the Division Supervisor who reports directly to the Director of Public Works.

(2) Powers and Duties. Parking enforcement officers shall enforce all Ordinances and, where applicable and appropriate, state statutes dealing with the regulation of parking in the City of Bloomington. To this end the officers shall have all powers ordinary and necessary to carry out their duties.

SECTION VI. Chapter 2.27 Ordinance Violations Bureau shall be created and shall read as follows:

Chapter 2.27

ORDINANCE VIOLATIONS BUREAU

Sections:

- 2.27.000 Establishment of Bureau
- 2.27.010 Appointment of Administrator of Bureau and Designation of Agents for Collection of Civil Penalties
- 2.27.020 Limitation of Powers of Bureau

2.27.000 Establishment of Bureau There is hereby created an Ordinance Violations Bureau, pursuant to Indiana statute. The function and purpose of the Bureau shall be to collect, receipt, and account for payments of civil ordinance violation penalties of twenty-five dollars (\$25.00) or less. Each offense and/or each day of each offense shall constitute a separate violation for the purpose of collection under this Chapter.

2.27.010 Appointment of Administrator of Bureau and Designation of Agents for Collection of Civil Penalties The Ordinance Violations Bureau shall be administered by the City Controller. The following divisions and departments are hereby designated to act as agents of the Administrator for collection of civil ordinance violation penalties:

- (a) Animal Control Department: for receipt of penalties for violations of Bloomington Municipal Code Title 7 Animals;
- (b) Fire Department: for receipt of penalties for violations of Bloomington Municipal Code Section 15.32.160(e) Emergency Vehicle Lanes;
- (c) Parking Enforcement Division of the Department of Public Works: for receipt of penalties for violations of Bloomington Municipal Code Title 15 Vehicles and Traffic;
- (d) The Department of Law: for receipt of penalties for any of the above violations which have been referred to the Department of Law for collection, and for the receipt of all other penalties for violations of ordinances of the City.

All penalties collected by agents of the Administrator shall be collected, receipted, and accounted to the Administrator in accordance with Indiana statute.

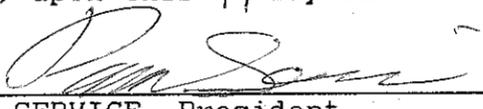
2.27.020 Limitations on Powers of Bureau The Bureau and its agents are empowered to collect civil ordinance violations of twenty-five dollars (\$25.00) or less. Each offense and/or each continuing day of an offense shall constitute a separate offense eligible for collection by the Bureau. Civil ordinance violation offenses carrying a penalty in excess of twenty-five dollars (\$25.00) shall be prosecuted by the Department of Law in accordance with state law.

SECTION VII. 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 ordinance are declared to be severable.

SECTION VIII. 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.

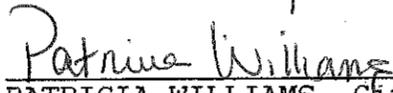
PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 17 day of August, 1988.


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 18 day of August, 1988.


PATRICIA WILLIAMS, City Clerk

SIGNED and APPROVED by me upon this 18 day of August, 1988.


TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance creates a new Chapter of the BMC which establishes an Ordinance Violations Bureau for the collection of civil ordinance violation penalties not to exceed twenty-five dollars (\$25.00) per offense. The City Controller is designated as the Administrator of the Bureau, and the Animal Control Department, Fire Department, Parking Enforcement Division of Public Works and Legal Department are designated as agents of the City Controller for collection purposes. In order to effectuate this ordinance, certain other changes were made, specifically, officially designating the Parking Enforcement Division as a division of Public Works, and bringing the fine for parking in a fire lane into line with current procedures.

Signed copies: 8/31/88

Legal
BMC file
controller

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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:

164 lines 1 COLUMN wide, equals 164 equivalent lines
at 0.330 cents per line.....\$54.12
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.....\$54.12

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: 01/03, ¹⁹⁸⁹~~1988~~ ^{LKL}
Title: Leah Leahy 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-Telephone 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~~1988~~ ^{LKL}
01/03

Leah Leahy

Subscribed and sworn to before me 01/03, ~~1988~~ ¹⁹⁸⁹ LKL

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

