

## ORDINANCE NO. 2010-4

### AN ORDINANCE ESTABLISHING PENALTIES FOR MAINTAINING A NUISANCE

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF FORT BRANCH,  
INDIANA, AS FOLLOWS:

Section 1: The Town Council finds that rubbish, junk, filth, refuse, trash, garbage, waste materials, unused appliances, scrap metal, automobile parts, paper, boxes, tin cans, brush, brick, wood scraps, glass, dirt, sand, gravel, grass, leaves, ashes, solid waste or other debris which are visible from public property or surrounding private property constitute a public nuisance.

Section 2: The Council of the Town of Fort Branch may issue a notice to the owner(s) and/or person(s) or entity(s) in possession of premises requiring that within 20 days of the date of the notice the person(s) shall abate the nuisance by removing the rubbish, junk, filth, refuse, trash, garbage, waste materials, unused appliances, scrap metal, automobile parts, paper, boxes, tin cans, brush, brick, wood scraps, glass, dirt, sand, gravel, grass, leaves, ashes, solid waste or other debris. The specific action required shall be described in the Notice. The Notice shall also contain a statement that if the required action is not completed within 20 days of the date of the Notice, then the person(s) or entity(s) shall be subject to a fine of \$50.00 per day for each day the violation continues. The Notice shall also state that if the required action is not completed within 25 days of the date that the Notice is delivered, then the Town will remove the specified material at the expense of the owner. If the cost of removal by the Town remains unpaid for a period of more than 15 days after completion of the removal, then the Town shall send a Notice to the owner and any other person or entity having a substantial interest in the premises requiring full payment within 30 days after the date of delivery of said notice. If payment is not received by the Town within 30 days of the date of delivery of said notice, then the Town shall certify the amount owed to the County Auditor.

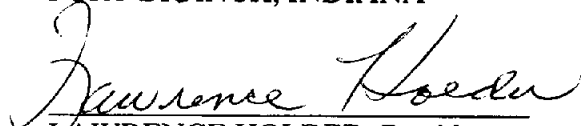
Section 3: Any person found guilty of violating any of the provisions of this ordinance or who does not obey within the time fixed any order issued pursuant to this ordinance, shall be subject to a fine in the amount of \$50.00 for each offense. A separate offense shall be deemed committed upon each day during which a violation occurs or continues.


Section 4: Ordinance No. 2004-5 and Ordinance No. 2008-5 shall remain in full force and effect.

Section 5: This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND ADOPTED by the Council of the Town of Fort Branch Indiana,  
this 14<sup>th</sup> day of April, 2010.

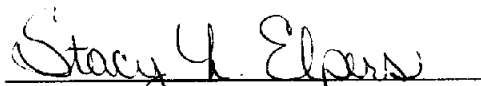
COUNCIL OF THE TOWN OF  
FORT BRANCH, INDIANA

  
LAWRENCE HOLDER, President

  
TOM WALLACE, Member

  
ADAM BLEDSOE, Member

ATTEST:

  
STACY ELPERS, Clerk-Treasurer