

TOWN OF FORT BRANCH, INDIANA
ORDINANCE NO. 2022-5

AN ORDINANCE PROHIBITING BOATS, TRAILERS,
RECREATIONAL VEHICLES, AND CAMPER PARKING ON THE
STREET IN THE TOWN OF FORT BRANCH, INDIANA

WHEREAS, the Town Council of the Town of Fort Branch, Indiana (Hereafter referred to as "Town Council"), is responsible for the performance of various functions of the Town of Fort Branch, Indiana (hereafter referred to as "Town"), and

WHEREAS, the Town Council has identified the parking of Boats, Trailers, Recreational Vehicles (hereafter referred to as "RVs"), and Campers on the public streets, presents a safety hazard with regard to street-side parking, for purposes of emergency response to emergency situations; and

WHEREAS, after careful consideration, the Town Council now desires to prohibit the parking of Boats, Trailers, RVs, and Campers on the public streets of the Town of Fort Branch, with penalties assessed, for violation of this parking prohibition.

AND NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FORT BRANCH, INDIANA, that this Ordinance Prohibiting the parking of Boats, Trailers, RVs, and Campers on the public streets of the Town of Fort Branch, Indiana, is hereby adopted as follows:

SECTION 1. Boats, Trailers of all types, RVs, and Campers, including travel, camping, hauling, boat, and mobile homes, shall not be parked or stored on any street of the Town of Fort Branch, or within ten (10) feet of the sidewalk, street, or public right-of-way. However, Boats, Trailers of all types, RVs, and Campers, including travel, camping, hauling, boat, and mobile homes, may be temporarily parked on the street for no more than 48 hours during loading or unloading. Continuously relocating Boats, Trailers of all types, RVs, and Campers, including travel, camping, hauling, boat, and mobile homes, in order to avoid enforcement of this ordinance, shall be strictly monitored, prohibited, and may constitute an additional fine.

SECTION 2: Penalties for any violation of this Ordinance, shall be assessed, as follows:

- a. Any person who parks or stores Boats, Trailers of all types, RVs, and Campers, including travel, camping, hauling, boat, and mobile homes shall be issued a notice and order for abatement by the Town Marshall, Clerk Treasurer, or Council of the Town of Fort Branch. The notice shall be in writing and worded so as to sufficiently identify the

Owner, Operator, or Licensee, and the Street where the violation occurred. If the required action is not completed within twenty-four (24) hours then then the person(s) or entity(s) shall be subject to a fine of twenty-five dollars (\$25) per day for each day the violation continues.

- b. The notice shall also contain a statement that if the required action is not completed within twenty-four (24) hours of the date of the notice, then the person(s) or entity(s) shall be subject to a fine of twenty-five dollars (\$25) per day for each day the violation continues. The notice shall also state that if the required action is not completed within forty-eight (48) hours of the date that the notice is delivered, then the Town may remove Boats, Trailers of all types, RVs, and Campers, including travel, camping, hauling, boat, and mobile homes, at the expense of the owner. If removal by the town remains unpaid for a period of more than 15 days after completion of the removal, then the Town shall send notice to the owner and any other person or entity having a substantial interest in the property requiring full payment within 15 days after the date of delivery of said notice, then the Town shall certify the amount owed to the County Auditor.
- c. If the violation is deemed to be a threat to public health or safety, the enforcement authority may order the parking activity on the street of Boats, Trailers of all types, RVs, and Campers, including travel, camping, hauling, boat, and mobile homes to cease and desist immediately, regardless of whether a warning ticket or citation has been issued.
- d. The citation and order of abatement shall be deemed properly served if a copy is sent by certified return receipt mail, hand delivered by an employee of the Town, placed in a conspicuous place on the residence of the Owner, Operator, or Licensee, or by any other method of service acceptable pursuant to Indiana Code.

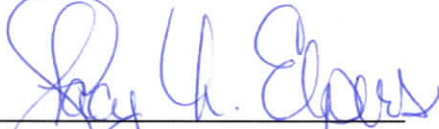
Section 3: Nothing in this Ordinance shall prohibit the Town from having any Boats, Trailers of all types, RVs, and Campers, including travel, camping, hauling, boat, and mobile homes in violation of this Ordinance towed, at the Owner, Operator, or Licensee's expense, provided the Town has adhered to proper statutory procedure.

SECTION 4: This Ordinance shall be in full force and effect from and after passage and publication thereof as required by law.

SECTION 5: This Ordinance 2022- 5 is in effective as of the signing and adoption by the Town Council of Fort Branch, Indiana on this 25th day of August 2022.

PASSED AND ADOPTED by the Counsel of the Town of Fort Branch, Indiana, this 25th day of August 2022. This Ordinance shall be effective upon passage.

ATTEST:


STACY ELPERS, CLERK TREASURER

TOWN COUNCIL OF FORT BRANCH, INDIANA


SANDRA BIRCH, COUNCIL PRESIDENT

SCOTTY DELONG, COUNCIL MEMBER


ROBERT REINHART, COUNCIL MEMBER

