

**AN ORDINANCE TO ESTABLISH AN ORDINANCE
VIOLATIONS BUREAU AND SCHEDULE OF ORDINANCES
SUBJECT TO ADMISSION OF VIOLATION**

WHEREAS, the State Legislature has adopted legislation IC 33-36-2-1 providing the authority and the manner for the legislative body of a town to establish an Ordinance Violations Bureau; and

WHEREAS, the Town of Swayzee considers it in the best interest of the town to establish such a bureau for the acceptance of appearances of waivers of trial, admissions of certain ordinance violations and the payment of civil penalties of \$250 or less; and,

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SWAYZEE, INDIANA, THAT:

SECTION 1: There shall be created an Ordinance Violations Bureau for the Town of Swayzee.

SECTION 2: The town clerk-treasurer is appointed and shall administer the bureau. All fines collected will be receipted and accounted for by the clerk-treasurer. Proceeds from the bureau shall be placed into the Law Enforcement Continuing Education Fund. The officers of the police department are duly authorized to issue uniform tickets (in the same form as the uniform traffic tickets now in the use for traffic violations) upon having good cause to believe a violation of an ordinance listed herein has occurred.

SECTION 3: The town clerk-treasurer, deputy clerk, town marshal, chief deputy or a designee, shall be authorized to accept written appearances, waivers of trial, admissions of violations, and payment of civil penalties in the amount and for the violation as provided below. Payment of civil penalties may be made in person by cash or check, or through mail by certified check or money order.

SECTION 4: The following schedule of ordinances and Swayzee Town Code provisions shall be subject to the jurisdiction of the Ordinance Violations Bureau, and violations of said ordinances and code provisions shall be subject to the civil penalty set forth:

<u>CODE/ORDINANCE#</u>	<u>DESCRIPTION OF VIOLATION</u>	<u>FINE AMOUNT</u>
G-1-1994	LITTERING	
	1 ST OFFENSE	\$50
	2 ND OFFENSE	\$100
	3 RD OFFENSE	\$150
	4 TH OFFENSE	\$200
	5 TH OFFENSE	\$250
G-2-1994	PUBLIC NUISANCE 1 ST OFFENSE	\$50

	2 ND OFFENSE	\$100
	3 RD OFFENSE	\$150
	4 TH OFFENSE	\$200
	5 TH OFFENSE	\$250
G-3-1994	CONTROL OF WEEDS 1 ST OFFENSE	\$50
	2 ND OFFENSE	\$100
	3 RD OFFENSE	\$150
	4 TH OFFENSE	\$200
	5 TH OFFENSE	\$250
G-4-1994	ABANDONED VEHICLES	\$50
G-1-1998	OPEN BURN	
	1 ST OFFENSE	\$50
	2 ND OFFENSE	\$100
	3 RD OFFENSE	\$150
	4 TH OFFENSE	\$200
	5 TH OFFENSE	\$250
G-2-2000	PARKING IN NO PARKING ZONE	\$50
P-2-2002	SPEEDING	
	1-10 MPH OVER	\$50
	11-20 MPH OVER	\$65
	21-30 MPH OVER	\$80
	+31 MPH OVER	\$100
P-1-2006	ANIMAL CONTROL VIOLATION	
	1 ST OFFENSE	\$75
	2 ND OFFENSE	\$100
	3 RD OFFENSE	\$150

	4 TH OFFENSE	\$200
	5 TH OFFENSE	\$250
P-1-2008	NOISE CONTROL	
	1 ST OFFENSE	\$50
	2 ND OFFENSE	\$100
	3 RD OFFENSE	\$150
	4 TH OFFENSE	\$200
	5 TH OFFENSE	\$250
P-3-2012	GOLF CART/OFF-ROAD VEHICLE VIOLATION	
	1 ST OFFENSE	\$25
	2 ND OFFENSE	\$50
	3 RD OFFENSE	\$75
	4 TH + OFFENSE	\$100
P-6-2012-1	FAILURE TO STOP AT POSTED STOP SIGN	\$50
P-6-2012-2	FAILURE TO YIELD AT POSTED YIELD SIGN	\$50
P-6-2012-3	WRONG WAY STREET OR ALLEY	\$50
P-7-2019	USE OF CONSUMER FIREWORKS	
	1 ST OFFENSE	\$50
	2 ND OFFENSE	\$100
	3 RD OFFENSE	\$150
	4 TH OFFENSE	\$200
	5 TH OFFENSE	\$250
25-31-1-11	SOLICITATION BY TRANSIENT MERCHANTS	\$100

SECTION 5: Persons charged with an Ordinance Violation shall have (14) days from the issuance of the violation citation to pay the fine prior to the paperwork being transferred to the court. Once the paperwork is transferred to the court, the fines have to be paid through the court during their normal business hours. Each day that a violation occurs shall constitute a separate violation. Once transferred to the court, all violations, fines and penalties are subject to court cost.

NOTE* Costs above, are subject to added court costs once filling has transferred and taken place.

Contact the Swayzee Town Marshal or Town Clerk-Treasurer to see which Court to contact.

SECTION 6: Nothing in this ordinance shall be constituted to limit the rights of trial to a person charged with an ordinance violation. If a person charged with an ordinance violation wants to exercise their right to trial, the ordinance violation will be sent to the designated court and heard by the judge of said court.

SECTION 7: SEVERABILITY

If any part of this ordinance as a whole shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this ordinance.

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SWAYZEE
IN THE WORLD