

ORDINANCE NO. 66-09-21

AN ORDINANCE CREATING CHAPTER 132, NOBLESVILLE ORDINANCE VIOLATIONS BUREAU

WHEREAS, Indiana Code 33-36-2-1 authorizes the legislative body of a municipal corporation to establish an ordinance violations bureau to administer citations for certain ordinance violations; and

WHEREAS, the City of Noblesville Common Council desires to create an ordinance violations bureau for parking ordinance violations.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of Noblesville, Hamilton County, Indiana, meeting in regular session as follows:

Section 1. Chapter 132 is created as follows:

§ 132.01 ESTABLISHMENT OF BUREAU.

- (a) There is established an Ordinance Violations Bureau in accordance with I.C. 33-36-2-1.
- (b) The Mayor shall appoint the Ordinance Violations Bureau Clerk.
- (c) The Violations Clerk may accept:
 - a) Written appearances;
 - b) Waivers of trial;
 - c) Admissions of violations; and
 - d) Payment of civil penalties up to \$250.
- (d) If a person charged with a violation wants to exercise the right to trial, the person shall appear before the Violations Clerk and deny the violation or enter a written denial with the Violations Clerk.
- (e) If a person:
 - a) Denies an ordinance violation subject to this section; or
 - b) Fails to satisfy a civil penalty assessed by the Violations Clerk after having entered an admission of the violation; or
 - c) Fails to deny or admit the violation under this section;

the Violations Clerk shall report this fact to the Noblesville City Attorney.

d) The Noblesville City Attorney may initiate formal proceedings against the person for the alleged ordinance violation.

§ 132.02 SCHEDULE OF FINES.

- (A) Fines or fees imposed by reason of a violation of any of the following ordinances shall be eligible for disposition at the Ordinance Violations Bureau.

Violation	Code Section	Fine	Delinquent Fine
Diagonal Parking	72.02	\$25	\$50
Obstructing Traffic	72.10	\$25	\$50

Parking in Alleys	72.11	\$25	\$50
Parking Prohibited	72.12	\$25	\$50
Congested Place	72.14	\$25	\$50
Temporary Parking Prohibited	72.15	\$25	\$50
Park Between Lines	72.16	\$25	\$50
City Parking Lots & Garages – Head In	72.17	\$25	\$50
Parking in Loading Zone	72.26	\$25	\$50
Bus & Taxicab Stands	72.28	\$25	\$50
Physical Disability Parking	72.29	\$100	\$200
Parking Prohibited on Certain Streets	72.41	\$25	\$50
Parking Limited on Certain Streets	72.43	\$25	\$50
Acts to Evade Parking Limitation	72.45	\$25	\$50
Storage and Parking in ROW or Cul-De-Sac	72.46	\$25	\$50
Parking on Public Street	72.47	\$50	\$100
Duty to Pay for Parking	72.52	\$25	\$50
Parking in City Lots & Garages	72.55	\$25	\$50
Commercial Truck Parking Restrictions	72.56	\$25	\$50
Violation of Residential Permit	72.74	\$25	\$50
Violation of Non-Residential Permit	72.94	\$25	\$50

(B) A delinquent fine shall be imposed for any citation for the violation that is not paid or denied within 30 days of the date of citation. A denial may be filed within 30 days of the date of issuance of the citation. A timely denial of the violation shall preserve the status quo amount of any fine (e.g., if a violator files an appeal on the sixth day from the date the notice of violation was issued, then the fine, after an unsuccessful denial, shall be \$25)




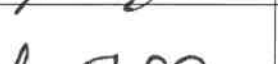

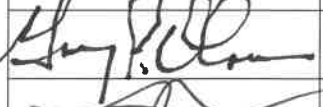


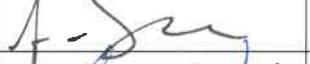

(C) In the event that a violator has three judgments concerning a parking violation that have not been paid before the deadline established by statute, ordinance or court order, the Noblesville Court Clerk may send a referral to the Department of Motor Vehicle to suspend the registered owner's registrations, pursuant to I.C. §9-30-11-3, as amended.

Section 2. All other ordinances or provisions thereof not specifically changed shall remain in full force and effect.

Section 3. If any portion of this Ordinance is for any reason declared to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance so long as enforcement of the same can be given the same effect.


Section 4. This Ordinance shall be in full force and effective from and upon its adoption and in accordance with Indiana law.


Approved on this 28th day of September, 2021 by the Common Council of the City of Noblesville, Indiana:

AYE		NAY	ABSTAIN
	Brian Ayer		
	Mark Boice		
	Michael J. Davis		
	Daniel Spartz		
	Gregory P. O'Connor		
	Darren Peterson		
	Pete Schwartz		
	Aaron Smith		
	Megan G. Wiles		

ATTEST: 
Evelyn L. Lees, City Clerk

Presented by me to the Mayor of the City of Noblesville, Indiana, this 28th day of September, 2021 at 7:43 P.M.


Evelyn L. Lees, City Clerk


Christopher Jensen, Mayor

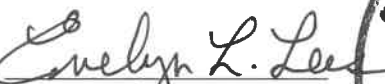
MAYOR'S APPROVAL

9-28-2021
Date

MAYOR'S VETO

Christopher Jensen, Mayor

Date

ATTEST: 
Evelyn L. Lees, City Clerk

