

TOWN OF POTTAWATTOMIE PARK, INDIANA
ORDINANCE # 2023-01

SCHEDULE OF FINES FOR ORDINANCE VIOLATIONS

WHEREAS, the Town Council of the Town of Pottawattomie Park has, by Ordinance No. 2011-1, adopted the 11th day of July 2011, established the “Town of Pottawattomie Park Ordinance Violations Bureau,” to be administered by the Town Clerk-Treasurer who has, by said Ordinance, been appointed to the office of Violations Clerk of said Bureau, and

WHEREAS, IC 33-36-3-1 requires that said Town establish by Ordinance, a Schedule of Ordinance and Code Violations which shall be subject to admission of violation by the person so charged, said admission being made by such person before the Violations Clerk, and

WHEREAS, for the public health, safety and welfare of its citizens said Town finds it necessary and proper to establish a schedule as required by said statute, IC 33-36-3-1, to include ordinances prohibiting certain behavior specified and described in said ordinance,

WHEREAS, this Council having had full discussion of said matter, and being duly advised,

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Pottawattomie Park, Indiana, as follows:

Section 1.

That Pursuant to IC 33-36-3-1, there is hereby provided a Schedule of Fines for Ordinance Violations subject to admission of violation by persons charged with violation of ordinances proscribing unsafe or undesirable behavior.

Section 2.

That pursuant to IC 33-36-3-1, such ordinances shall not provide for a penalty in excess of \$250.00.

Section 3.

That the following schedule is hereby provided by this Ordinance:

TOWN OF POTTAWATTOMIE PARK, INDIANA
SCHEDULE OF FINES FOR ORDINANCE VIOLATIONS

ORDINANCE	PENALTY	FINE
02-01-93 SPEED LIMIT	Section 2. Penalty. Any person who violates this Ordinance shall be cited and fined in accordance with state statutes.	State Fine
11-02-09 COMPLIANCE WITH TRAFFIC CONTROL DEVICES	Section 3. Penalty. Any person who violates this Ordinance shall be cited and fined in accordance with state statutes.	State Fine
2018-01 PARKING OF VEHICLES ON TOWN PROPERTY	Section 3. Penalty. Any person who shall perform any act prohibited by the Ordinance or who shall fail to perform any act required by this Ordinance shall be deemed guilty of a Class C infraction and shall be fined \$150.00.	\$150.00
1996-01 PROHIBITING WRECKED, JUNKED, ABANDONED VEHICLES	Section 7. Penalty. (a) If any person, firm, or corporation shall violate any of the provisions of this ordinance, such person, firm or corporation commits a Class B Infraction and shall be cited and fined \$100.00. (b) Each day a violation continues to exist shall constitute a separate offense, up to ONE THOUSAND DOLLARS (\$1,000.00), at which time further legal action will be taken.	Violation: Warning Citation: \$100.00 x ten

TOWN OF POTTAWATTOMIE PARK, INDIANA
SCHEDULE OF FINES FOR ORDINANCE VIOLATIONS

ORDINANCE	PENALTY	FINE
<p>2021-03-C ESTABLISHING GOLF CART USAGE REGULATIONS WITHIN THE TOWN</p>	<p>Section 5. Penalties. Any individual violating any provision of this enabling Ordinance, as amended hereafter from time to time, shall, upon determination of violation, be subject to one (1) or more of the following penalties, namely:</p> <p>Fines, Impounding & Towing.</p> <p>(a) All first-offense operating violations shall result in a Fifty Dollar (\$50.00) fine; subsequent operating violations within the same calendar year shall result in a One Hundred Dollar (\$100.00) fine. Operation of a golf cart by an underaged operator shall result in a fine of One Thousand Five Hundred Dollars (\$1,500.00).</p> <p>(b) Violations of this Ordinance may also result in the impounding and towing of a golf cart at the owner's expense. Any fines referred to the Town's attorney for enforcement and/or collection shall also result in the imposition of applicable attorney's fees.</p> <p>Suspension or Revocation of Registration/Usage Privilege. An individual failing or refusing to pay a fine assessed hereunder for violation of this enabling Ordinance, who is cited with three (3) or more violations of this Ordinance in a calendar year, and/or permits the underage operation of a golf cart shall be subject to suspension and/or revocation of operation and usage registrations for a golf cart, and with such suspension or revocation, shall be prohibited from operating or using a golf cart on the public streets in the Town of Pottawattomie Park thereafter for at least one (1) calendar year period. Operational privileges may be reinstated by the Town Marshal of Pottawattomie Park with simultaneous processing of Golf Cart Usage Registration.</p>	<p>Operating Citation: \$100.00</p> <p>Underage Driver Citation: \$1,500.00</p>

TOWN OF POTTAWATTOMIE PARK, INDIANA
SCHEDULE OF FINES FOR ORDINANCE VIOLATIONS

ORDINANCE	PENALTY	FINE
<p>2021-001 PROHIBITING THE FEEDING AND TRAPPING OF WILDLIFE AND STRAY ANIMALS</p>	<p>Section 8. Penalty. (a) A person who commits any violation of this Ordinance will first be given a warning and will be provided information on the negative impacts of wildlife feeding. (b) Subsequent offenses will be deemed a Class B Infraction and will result in a citation and \$100.00 fine. (c) Each day the violation continues to exist after a citation is issued shall constitute a separate offense, up to ONE THOUSAND DOLLARS (\$1,000.00), at which time further legal action will be taken.</p>	<p>Violation: Warning Citation: \$100.00</p>
<p>PET ANIMAL CARE AND RESPONSIBILITIES</p>	<p>Section 9. Penalties. Any person who commits a violation of any of the provisions of this ordinance shall be cited and fined. A separate offense shall be deemed committed on each day that a violation occurs or continues.</p>	<p>Running at large: \$100.00 All other violations: \$50.00</p>

TOWN OF POTTAWATTOMIE PARK, INDIANA
SCHEDULE OF FINES FOR ORDINANCE VIOLATIONS

ORDINANCE	PENALTY	FINE
<p>05-04-98A REMOVAL OF RUBBISH AND TRASH</p>	<p>Section 5. Penalty.</p> <p>(a) Any person, firm or corporation who commits any violation of this Ordinance will first be given a warning and seven (7) days to correct the violation.</p> <p>(b) A second offense will be deemed a Class B infraction and will result in a citation and a \$100.00 fine.</p> <p>(c) Each day the violation continues to exist after a citation is issued shall constitute a separate offense, up to ONE THOUSAND DOLLARS (\$1,000.00), at which time further legal action will be taken.</p> <p>(d) A determination by the Town to avail itself of the nuisance abatement authority set forth in this Ordinance shall not constitute a waiver of the penalties.</p>	<p>Violation: Warning</p> <p>Failure to Correct Citation: \$100.00 x ten while violation exists</p>
<p>2021-02-C PROHIBITING THE DUMPING OF LITTER, YARD WASTE OR ORGANIC DEBRIS</p>	<p>Section 8. Penalty.</p> <p>(a) A person who commits any violation of this Ordinance will first be given a warning and will be provided information on the negative impacts of dumping and/or the accumulation of debris.</p> <p>(b) A second offense will be deemed a Class B infraction and will result in a citation and a \$500.00 fine.</p> <p>(c) Each day the violation continues to exist after a citation is issued shall constitute a separate offense.</p>	<p>Violation: Warning</p> <p>Citation: \$500.00</p>
<p>02-01-2015 PROPER MAINTENANCE OF BUILDINGS AND REAL ESTATE AND PROHIBITING NUISANCES</p>	<p>Section 6. Penalty.</p> <p>(a) Any person, firm or corporation who commits any violation of this Ordinance will first be given a warning and seven (7) days to correct the violation.</p> <p>(b) A second offense will be deemed a Class B infraction and will result in a citation and a \$100.00 fine.</p> <p>(c) Each day the violation continues to exist after a citation is issued shall constitute a separate offense, up to ONE THOUSAND DOLLARS (\$1,000.00), at which time further legal action will be taken.</p>	<p>Violation: Warning</p> <p>Failure to Correct Citation: \$100.00 x ten while violation exists</p>

TOWN OF POTTAWATTOMIE PARK, INDIANA
SCHEDULE OF FINES FOR ORDINANCE VIOLATIONS

ORDINANCE	PENALTY	FINE
03-04-05 MAINTENANCE OF PARKWAY AREAS	<p>Section 4. Penalties.</p> <p>(a) Any person, firm or corporation who commits any maintenance or use violation of this Ordinance will first be given a warning and seven (7) days to correct the violation.</p> <p>(b) A second offense will be deemed a Class B infraction and will result in a citation and a \$100.00 fine.</p> <p>(c) Each day the violation continues to exist after a citation is issued shall constitute a separate offense, up to ONE THOUSAND DOLLARS (\$1,000.00), at which time further legal action will be taken.</p> <p>(d) Any person, firm or corporation who violates this ordinance by causing a section of Parkway to be paved without approval will be cited and fined \$1,000.00 and the paved section will be removed at their expense.</p>	<p>Violation: Verbal or Written Warning</p> <p>Citation: \$100.00 x ten</p> <p>Illegal Paving: \$1,000.00 + remediation costs.</p>
05-04-98B REGULATION OF PEDDLERS, ITINERANT MERCHANTS AND SOLICITORS	<p>Section 10. Penalty.</p> <p>(a) Any person, firm, or corporation who commits a violation of any provision of this Ordinance will first be given a warning to leave the premises immediately.</p> <p>(b) A second offense will be deemed a Class B infraction and will result in a citation and a \$100.00 fine.</p> <p>(c) Each day the violation continues to exist after a citation is issued shall constitute a separate offense, up to ONE THOUSAND DOLLARS (\$1,000.00), at which time further legal action will be taken.</p>	<p>Violation: Verbal or Written Warning</p> <p>Citation: \$100.00 x ten</p>
12-07-93 DISCHARGE OF A FIREARM	<p>Section 3. Penalty.</p> <p>Any person who is cited for violation of this Ordinance shall be fined TWENTY-FIVE HUNDRED DOLLARS (\$2,500.00).</p>	\$2500.00

Enacted May 8, 2023.
Council Members: Linda Pompeii, Regina Ruddell, Vincent Miller
Attest: Susan Tohell, Clerk Treasurer