

Veedersburg

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Municipal Code

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[Example...](#)

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Handwritten text, typically used for entering the date of the ordinance, is indicated by a slightly larger font, underlined, in italics: Handwritten Text.

[Example...](#)

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[Example...](#)

References:

References between ordinances use standard HTML linkage techniques and style. For *backward* references such as an ordinance that amends or repeals an earlier ordinance, the link typically uses the text as found. More specific references to section numbers or paragraphs, for example, allow for more specific links.

[Example...](#)

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[Example...](#)

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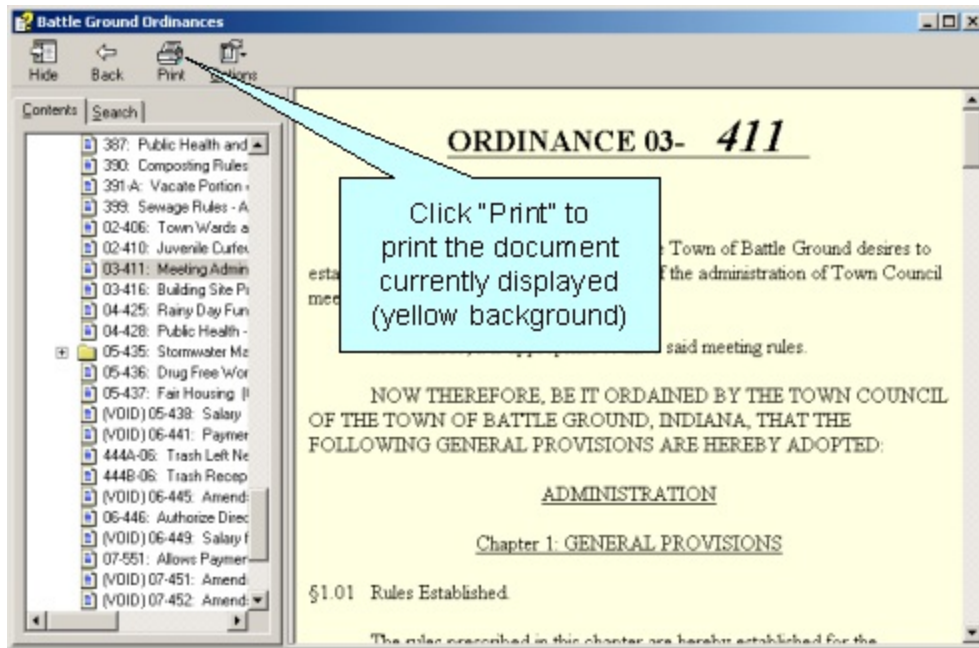
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Usage Tips:

A few features of this production have been extremely valuable: *Print*, *Select* and *Search*.

Print

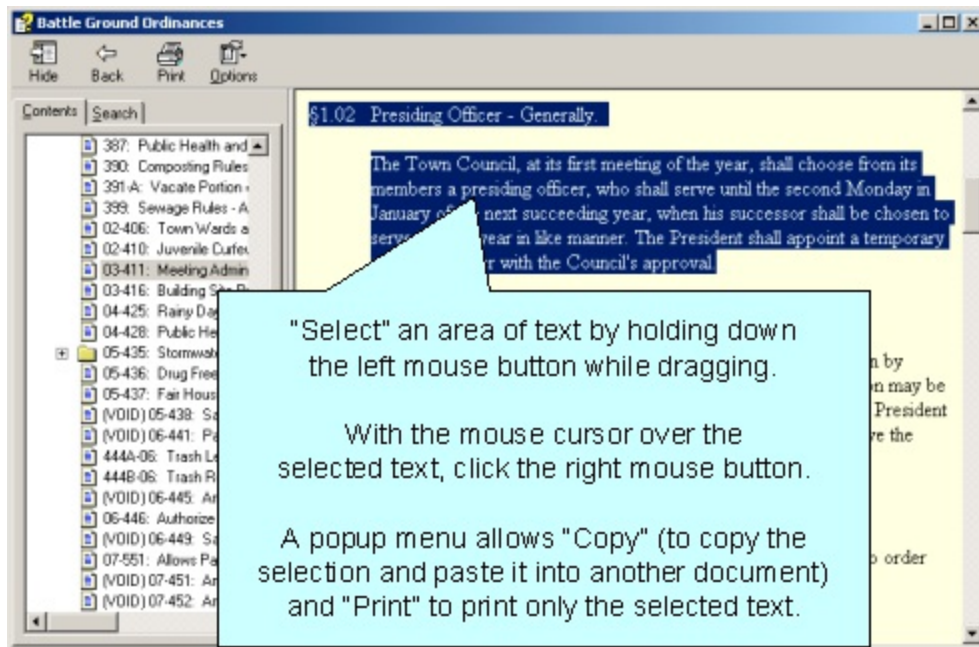
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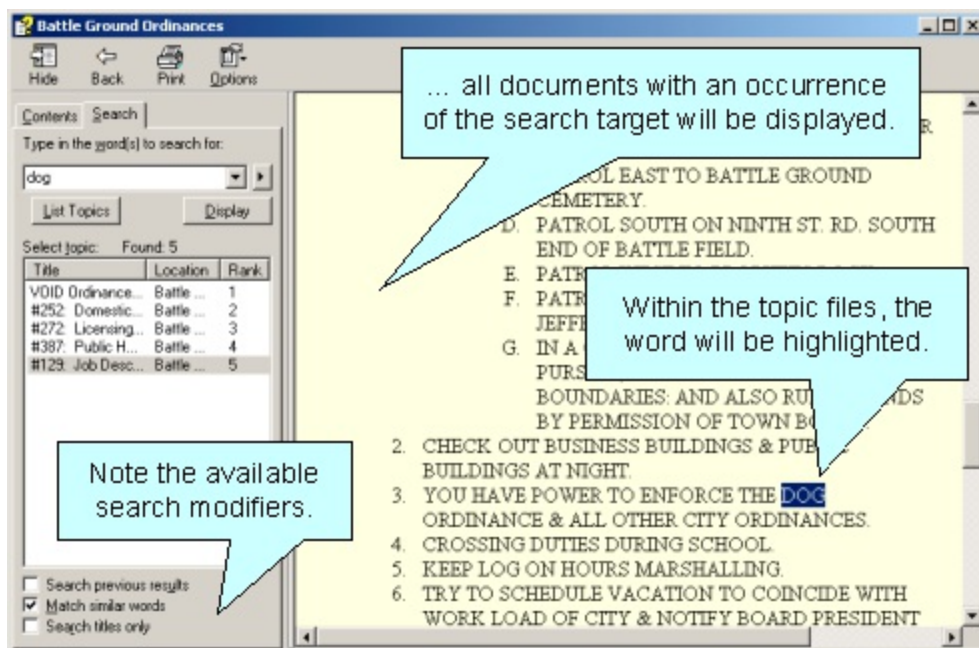
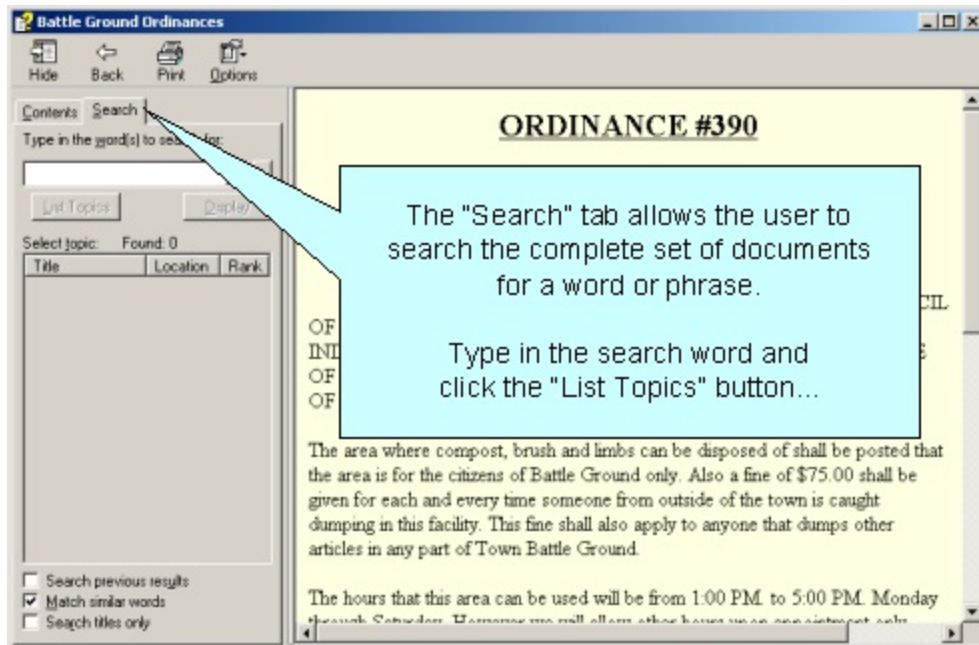
Select

A section of text may be "selected" when the entire document is not required.



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The "Search" function is one of the most powerful features of this production. "Search" for a word or phrase and all ordinances matching the search criteria will be listed.



Search Notes:

Standard Internet syntax is used for entering the word or phrase search targets. For example, a search for *Load Limits* (without quotes) will find all documents that contain *load* **or** *limits*.

A similar search for "*Load Limits*" will find only documents with the phrase *load limits*.

The "right arrow" button to the right of the search term allows modifiers such as "AND", "OR", "NEAR" and "NOT". A search for *Load AND Limits* will find documents with these two terms - whether the two words are together or not.

Search modifiers - at the bottom of the "Search" pane - allow subsequent searches on previous results. For example, the user may search for *Load* and then search for *Limits* on the results of the first search.

Version:

This is **Version 2019** of the Veedersburg Ordinance Book, published on March 11, 2019. It includes materials through December 31, 2018.

There are two *Compiled Help Metafiles* (chm files) for this version:

VEEDERSBURG.chm	Contains all of the <i>captured</i> ordinances, indexed by topic and in chronological order. Inactive (void, expired, matured, replaced) ordinances and bond ordinances are available as digital images.
VEEDERSBURG_small.chm	Contains the same materials as VEEDERSBURG.chm - without the images. As a result, this version is MUCH smaller - suitable for a website, email, or - in most cases - everyday usage.

Production Contacts:

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TOPIC INDEX

NOTE: This Topic Index includes each active ordinance. Some materials may be included under more than one category. This index is intended as a broad overview of a number of documents and may not be suitable as a complete referencing tool. The *Search* function is highly recommended as a method of finding ALL documents that address a specific topic.

ADMINISTRATIVE

Employees

Town Attorney Duties	RESOLUTION NO. 1-93	2/2/1993
On-Call Agreement, Electric Department	(untitled)	10/11/2000
Designating Paid Holidays	ORDINANCE #02-15	2/24/2015
Salary for 2019	Ordinance # 04-2018	9/25/2018
Personnel Policy on Gifts	RESOLUTION 2017-14	9/26/2017
Amends Overtime Provisions in Employee Manual	ORDINANCE NO. 05-2018	11/13/2018

Council

Assigns Departmental Responsibility to Specific Council Members	ORDINANCE NO. 2-92	1/21/1992
Referendum on Increasing Council from Three Members to Five Members	RESOLUTION NO. 13-93	11/16/1993

Police

Repeals 2-1934, Which Allowed Marshal to Hire Own Deputy Marshals	ORDINANCE NO. 7-90	11/20/1990
Police Department Rules and Regulations	RESOLUTION NO. 2-93	2/2/1993
Establishes a Police Reserve Officer Program	ORDINANCE NO. 2012-8	10/23/2012
Fees for Accident Reports	ORDINANCE NO. 2012-7	10/23/2012

General

Regarding 100-Year Celebration	RESOLUTION NO. 1-72	--/--/1972
Supports Weatherization Program for Fountain County	RESOLUTION NO. 1-85	2/28/1985
Opposes NJK Farms Landfill Proposal	RESOLUTION NO. 2-89	9/19/1989
Supports Allocation of 25% of Lottery Funds to Local Government	RESOLUTION NO. 9-92	11/4/1992
Requesting Legislative Action to Provide More Highway Funds	RESOLUTION NO. 11-92	11/17/1992
Supporting Fountain County Economic Development Income Tax (EDIT)	RESOLUTION NO. 3-93	3/16/1993
Establish Ordinance Violations Bureau and Penalties	ORDINANCE NO. 10-95	7/18/1995
Establishes Hours of Public Parks in Town	ORDINANCE NO. 98-12	10/13/1998

Authorizes Purchase of Equipment from Bonds	RESOLUTION NO. 00-02	4/13/2000
Adopting the National Incident Management System (NIMS)	ORDINANCE NO. 12-08	3/1/2004
Adopts Fountain County Multi-Hazard Mitigation Plan	RESOLUTION NO. 5-10	10/26/2010
Authorizes Grant Application and Local Match Commitment	RESOLUTION NO. 2011-13	12/13/2011
Slum and Blight Area Declaratory Resolution	RESOLUTION NO. 2-12	5/22/2012
Authorizing Grant Application and Committing Local Match	RESOLUTION NO. 3-12	5/22/2012
Allowing Payment of Certain Claims by Clerk-Treasurer	ORDINANCE NO. 03-2012	2/28/2012
Adopting Nepotism and Conflict of Interest Policies	ORDINANCE NO. 2012-05	6/12/2012
Slum and Blight Area Declaratory Resolution	RESOLUTION NO. 05-2013	5/14/2013
Authorizing Grant Application and Committing Local Match	RESOLUTION NO. 06-2013	5/14/2013
Regulating Use of Town Credit Card	ORDINANCE #01-15	1/13/2015
Grant Application and Local Match Commitment	RESOLUTION NO. 08-15	7/9/2015
Fair Housing	ORDINANCE #05-2015	7/9/2015
Drug Free Workplace	ORDINANCE #12-2015	12/8/2015
Materiality Policy and Process for Reporting Material Items	Ordinance No. 2016-1	1/26/2016
Adopting Uniform Internal Control Standards	Ordinance No. 2016-08	6/28/2016
Establishing the Department of Economic Development	ORDINANCE NO. 03-2017	2/14/2017
Authorize the Purchase of a Vac-Com Truck	RESOLUTION # 09-2017	4/25/2017
Authorizes Submittal of CFF Planning Grant Application	RESOLUTION #08-2018	12/11/2018

Financial

Appropriation and Spending of Insurance Proceeds	ORDINANCE NO. 9-77	--/--/1977
Appropriation and Spending of Insurance Proceeds	ORDINANCE NO. 3-78	--/--/1978
Donation of Parcel to Town	(untitled)	3/14/1994
Establish Cumulative Fire Fund	RESOLUTION NO. 5-95	5/16/1995
Intent to Reimburse Initial Cost of Bonds from Bond Proceeds	RESOLUTION NO. 96-2	6/18/1996
Intent to Reimburse Initial Cost of Bonds from Bond Proceeds	RESOLUTION NO. 98-4	7/1/1998
Refunding Bonds Originated in 1966	(untitled)	5/11/1999
Authorizes Initial and Final Official Statements Regarding Sewage Works Revenue Refunding Bonds	RESOLUTION NO. 99-1	5/25/1999
Authorize Expenditure of Insurance Proceeds	RESOLUTION NO. 2000-1	3/14/2000

Generate Accounts Payable Vouchers from Existing Software	RESOLUTION NO. 01-02	11/13/2001
Transferring Funds within Same Budget Classification	RESOLUTION NO. 6-10	10/26/2010
Authorizes Additional Appropriation from Casino Revenue Sharing Fund	RESOLUTION NO. 14-10	12/14/2010
Transfer Resolution	RESOLUTION 2011-1	7/26/2011
Transferring Funds within Same Budget Classification	RESOLUTION NO. 2011-11	11/22/2011
Transferring Funds within Same Budget Classification	RESOLUTION NO. 2011-12	11/22/2011
Additional Appropriation - Fire/Brush Truck	RESOLUTION NO. 03-2013	4/9/2013
Additional Appropriation - Fire/Brush Truck	RESOLUTION NO. 04-2013	4/9/2013
Authorizes Local Match Commitment	RESOLUTION 05-2014	5/21/2014
Establish a Fund for LOIT Special Distributions	Ordinance No. 06-2016	5/31/2016
Additional Appropriation	Resolution #03-2016	7/12/2016
Additional Appropriation	Resolution #04-2016	7/12/2016
Budget and Tax Rates for 2017	Ordinance Number 09-2016	9/27/2016
Additional Appropriation	RESOLUTION #5-2016	11/29/2016
Establishing Cumulative Capital Development Fund	RESOLUTION # 08-2017	4/25/2017
Additional Appropriation	RESOLUTION #12-2017	6/15/2017
Creates a Local Road and Bridge Matching Grant Fund	ORDINANCE # 01-2018	3/27/2018
Transfer Funds to Local Road and Bridge Matching Funds	RESOLUTION #2-2018	3/27/2018
Declare the Cumulative Fire Special Fund Dormant	RESOLUTION #3-2018	3/27/2018
Additional Appropriation	RESOLUTION #04-2018	5/22/2018
Additional Appropriation	RESOLUTION #05-2018	5/26/2018
Additional Appropriation	RESOLUTION #06-2018	8/28/2018
Budget for 2019	Ordinance Number 03-2018	9/25/2018
Transfer Funds from Local Road and Bridge Matching Funds to MVH Funds	RESOLUTION #7-2018	10/9/2018

GENERAL REGULATIONS

Public Nuisances

Prohibiting Public Nuisances	ORDINANCE NO. 5-79	7/3/1979
Prohibiting Public Nuisances	ORDINANCE NO. 7-88	11/1/1988
Fees for Abating Nuisances - Weeds and/or Rank or Unkept Vegetation	ORDINANCE NO. 9-08	8/26/2008

Animal Control

Regulating Dogs Running Loose	ORDINANCE 5-89	7/5/1989
Requiring Dog Owners to Clean Up After Their Animals	ORDINANCE NO. 97-17	5/13/1997

Prohibits Animals Roaming at Large	ORDINANCE NO. 2-08	3/11/2008
Animal Control	ORDINANCE NO. 04-12	--/--/2012
Maintenance of Farm Animals within Town Limits	ORDINANCE 1992-8	5/4/1992
Maintenance of Farm Animals within Town Limits	ORDINANCE NO. 1996-13	8/20/1996
Animal Control	ORDINANCE NO. 2014-07	--/--/2014

General

Regulating Junkyards and Providing Penalties	ORDINANCE NO. 2-71	3/2/1971
Prohibits Use of Skateboards on All Town Property	ORDINANCE NO. 3-90	8/21/1990
No Alcoholic Beverages on Town Property	ORDINANCE NO. 6-92	3/3/1992
Bans Smoking or Tobacco Use in Town Buildings	RESOLUTION NO. 1-92	5/19/1992
Regulates Open Burning	ORDINANCE NO. 98-2	1/27/1998

TRAFFIC CONTROL

Parking

Prohibits Parking on a Portion of College Street North of 9th Street	ORDINANCE NO. 4-93	7/6/1993
Prohibits Parking for More Than 15 Minutes on Main Street in Front of the Veedersburg State Bank	ORDINANCE NO. 8-93	10/19/1993
Prohibits Parking for More Than 10 Minutes on Railroad Street in Front of the Veedersburg Utility Office	ORDINANCE NO. 9-93	10/19/1993
Prohibits Parking for More Than 10 Minutes on Main Street in Front of the United States Post Office	ORDINANCE NO. 10-93	10/19/1993
Prohibits Parking on a Portion of Chambers Street	ORDINANCE NO. 95-12	10/17/1995
Prohibits Parking on the West Side of North Main Street North of 7th Street	ORDINANCE NO. 96-20	12/23/1996
Prohibits Parking on a Portion of Sterling Avenue	ORDINANCE NO. 99-5	5/25/1999
Prohibits Parking Along a Portion of Eighth Street	ORDINANCE NO. 99-8	6/8/1999
Prohibits Parking on the West Side of Main Street between Jackson and Van Buren Streets	ORDINANCE NO. 10-08	8/26/2008
Establish Handicapped Parking Spaces	ORDINANCE NO. 1-11	7/26/2011
Prescribes Parking Regulations	ORDINANCE #05-14	6/24/2014

Speed Limits

Establishes Maximum Speed Limits on a Portion of State Street	ORDINANCE NO. 98-1	1/13/1998
Setting Maximum Speed Limit on a Portion of Sterling Avenue	ORDINANCE NO. 99-3	1/26/1999
Amending Ordinance Violations Bureau and Penalties for Speeding Violations	ORDINANCE NO. 99-5	3/9/1999

Setting Speed Limit on Portions of Liberty Street and Third Street	ORDINANCE NO. 00-05	5/23/2000
Limiting Maximum Speed on Walnut Street Between 7th and 9th Streets	ORDINANCE NO. 9-07	10/23/2007
Setting Maximum Speed Limit on Newlin, 7th, and College Streets	ORDINANCE NO. 6-08	7/8/2008
Setting Maximum Speed Limit on College Street From 5th to 9th Streets	ORDINANCE NO. 7-08	7/8/2008
Setting Maximum Speed Limit on Sterling Street Between Third and Seventh Streets	ORDINANCE NO. 13-10	12/14/2010
Setting Maximum Speed Limit on Sugar Street Between Second Street and Harper Street	ORDINANCE NO. 04-13	7/23/2013

General

Prohibits Motorized Vehicles On, About or Over Town Property	ORDINANCE NO. 2-86	3/3/1986
Authorizes Placement of Stop Signs at Specified Intersections	ORDINANCE NO. 97-26	10/14/1997
Making Harper Street One-Way Between Sterling Ave. and Chambers St.	ORDINANCE NO. 99-6	5/25/1999
Setting Weight Limit for a Portion of Eighth Street	ORDINANCE NO. 99-13	11/9/1999
Restricting the Operation of Golf Carts	ORDINANCE 1-08	3/11/2008
Regarding Stopping and Yielding	ORDINANCE NO. 4-10	8/24/2010
Regulates Off-Road Vehicles and Golf Carts	ORDINANCE 2014-3	3/25/2014
Amends Off-Road Vehicle and Golf Cart Regulations	ORDINANCE 2014-4	4/22/2014
Amendment Regarding Stopping and Yielding	ORDINANCE NO. 2014-10	11/25/2014
Placing STOP Sign at State Street and Mill Street	ORDINANCE NO. 2017-07	9/12/2017
Amendment Regarding the Operation of Off-Road Vehicles and Golf Carts	ORDINANCE # 02-2018	6/26/2018

REDEVELOPMENT

Participation in Region IV Development Commission	ORDINANCE NO. 2-74	4/16/1974
Establishes Department of Redevelopment and Redevelopment Commission	ORDINANCE NO. 2-90	1/16/1990
Designates Economic Development Area, Approves Econ. Dev. Plan, Establishes TIF Area	RESOLUTION NO. 3-90	3/6/1990
Displacement Plan	RESOLUTION NO. 4-90	3/23/1990
Economic Development Bonds, MasterGuard Corporation	(untitled)	8/7/1990
Creates a Department of Development Controlled by	ORDINANCE NO. 5-90	8/7/1990

the Economic Development Commission		
Creates Redevelopment Authority	ORDINANCE NO. 8-91	9/3/1991
Lease Between Redevelopment Authority and Redevelopment Commission	ORDINANCE NO. 10-91	10/1/1991
Designation of an Economic Revitalization Area	RESOLUTION NO. 93-8	12/14/1993
Declaratory Resolution for Designation of an Economic Revitalization Area	RESOLUTION NO. 94-13	8/16/1994
Confirmation of Declaratory Resolution for Designation of an Economic Revitalization Area	RESOLUTION NO. 94-15	9/20/1994
Amends Declaratory Resolution and Economic Development Plan	RESOLUTION NO. 3-95	2/27/1995
Approves Purposes and Activities of Van Buren - Hub City Building Corporation	RESOLUTION NO. 98-5	7/28/1998
Matters Related to Lease of Fire Station and Municipal Building and Construction of Such	RESOLUTION NO. 98-8	8/12/1998
Approves Agreement Between Town and Van Buren - Hub City Building Corporation	RESOLUTION NO. 98-8	8/12/1998
Authorizes Grant Application and Local Match Commitment	RESOLUTION NO. 02-02	11/12/2002
Local Displacement Plan	RESOLUTION NO. 1-03	1/28/2003
Approves Amendment to the Declaratory Resolution and Economic Development Plan	RESOLUTION NO. 2011-9	9/6/2011
Approves Amendment to the Declaratory Resolution	RESOLUTION NO. 2011-9	9/13/2011
Approves Modifying Resolution of Redevelopment Commission	RESOLUTION NO. 2011-10	11/22/2011
Approves Amendment to the Declaratory Resolution	RESOLUTION NO. 02-2013	4/9/2013
Approves Amendment to Declaratory Resolution and Economic Development Plan	RESOLUTION NO. 01-2014	2/3/2014
Approves Amendment to Previous Declaratory Resolution	RESOLUTION NO. 02-2014	2/11/2014
Confirms Amendment to Declaratory Resolution and Economic Development Plan	RESOLUTION NO. 2014-3	3/10/2014
Determination of TIF Revenues for 2015 Budget Year	RESOLUTION 06-2014	7/7/2014
Amendment to Declaratory Resolution and Economic Development Plan	RESOLUTION #01-15	2/2/2015
Redevelopment Commission Preliminary Bond Resolution	RESOLUTION #02-15	2/2/2015
Confirming Amendment to Declaratory Resolution	RESOLUTION NO. 03-15	2/10/2015
Approving Bond Issue for Redevelopment Commission	RESOLUTION NO. 04-15	2/10/2015
Confirming and Amendment to the Declaratory		

Resolution and Economic Development Plan	RESOLUTION NO. 05-15	3/2/2015
Bond Issue Authorized by Redevelopment Commission	RESOLUTION NO. 06-15	3/2/2015
Waterworks Project Partial Reimbursement (VRC)	Resolution No. 01-2016	6/6/2016
Capture Incremental Assessed Valuation (VRC)	Resolution No. 02-2016	6/6/2016
Amending Specifics of First Economic Development District (VRC)	RESOLUTION NO. 01-2017	2/6/2017
Establishing the Department of Economic Development	ORDINANCE NO. 03-2017	2/14/2017
Approving VRC Resolution No. 01-2017	RESOLUTION NO. 02-2017	2/14/2017
Confirming Adoption of Amended Specifics of First Economic Development District (VRC)	RESOLUTION NO. 03-2017	3/6/2017
Pledging Certain Tax Increment Revenues to Payment of Revenue Bonds (Manning Project)(VRC)	RESOLUTION NO. 04-2017	3/6/2017
Approving Economic Development Agreement (Manning Project)(VRC)	RESOLUTION NO. 05-2017	3/6/2017
Revenue Bonds (Manning Project)	ORDINANCE NO. 04-2017	3/14/2017
Proposed Economic Development Revenue Bonds (VEDC)	RESOLUTION NO. 06-2017	3/14/2017
Approving Economic Development Agreement (Manning Project)	RESOLUTION NO. 07-2017	3/14/2017
Adopting Economic Development Rider	ORDINANCE # 05-2017	5/9/2017
Approving an Amendment to Specifics (re: Manning Project)(VRC)	RESOLUTION NO. 10-2017	6/5/2017
Approving VRC Resolution No. 10-2017	RESOLUTION NO. 11-2017	6/15/2017
Confirming Adoption of Resolution No. 11-2017	RESOLUTION NO. 13-2017	7/11/2017
Approving a Statement of Benefits for Masterguard Corporation	RESOLUTION 2018-01	1/9/2018
Need to Capture Incremental Assessed Valuation (VRC)	RESOLUTION #05-2018	6/4/2018

UTILITIES

General

Various Adjustments to Utility Charges	ORDINANCE NO. 3-85	3/4/1985
Policy for Fire Department Filling Swimming Pools	RESOLUTION NO. 4-92	6/16/1992
Amends Rates - Swimming Pool Filling	ORDINANCE NO. 5-96	4/16/1996
Termination of Utility Services for Nonpayment of Charges	ORDINANCE NO. 6-96	4/16/1996
Regulating Billing Adjustments for Town Utilities	ORDINANCE NO. 4-05	5/--/2005
Policy for Collection of Unpaid Utility Bills	RESOLUTION 1-05	7/12/2005
Amending Policy for Unpaid Utility Bills	ORDINANCE NO. 2-09	8/11/2009

Referendum: Water and Electric Removed from Public Service Commission Jurisdiction	ORDINANCE NO. 2-83	--/--/1983
Fees for Utility Connection/Disconnection During Non-Business Hours or at Customer Convenience	ORDINANCE NO. 97-23	9/9/1997
Prohibits Water and Sewer Connections Between November 1 and March 1 of the Following Year	ORDINANCE NO. 95-2	1/17/1995
Approves the Water and Wastewater Plan	RESOLUTION NO. 1-13	1/22/2013
Amending Utility Deposit Amounts	ORDINANCE NO. 2017-11	11/28/2017
Cable Television		
Cable Television Franchise	ORDINANCE NO. 2-81	3/3/1981
Amending Ordinance 2-81, Cable TV Franchise	ORDINANCE NO. 82-2	1/19/1982
Electric		
General Terms and Conditions for Electric Service	ORDINANCE NO. 94-20	11/15/1994
Adding Fuel Clause to Electric Rates and Charges	ORDINANCE NO. 4-75	9/16/1975
Amending the Accounting of Funds for the Electric Department	ORDINANCE NO. 7-89	--/--/1989
Amending the Accounting of Funds for the Electric Department	ORDINANCE NO. 6-90	--/--/1990
Amending Electric Deposits	ORDINANCE NO. 01-07	3/27/2007
On-Call Agreement, Electric Department		10/11/2000
Appoints Commissioner to Indiana Municipal Power Agency	RESOLUTION NO. 01-12	1/24/2012
Authorizing Supplemental Contract with Indiana Municipal Power Agency	ORDINANCE NO. 02-12	1/24/2012
Establishes Electric Utility Cash Reserve Fund and Policies	Ordinance No. 07-2016	5/31/2016
Rates and Charges for Electric Utility Services	ORDINANCE NO. 02-2017	2/14/2017
Adopting Economic Development Rider	ORDINANCE # 05-2017	5/9/2017
Sanitation		
Sanitation Department Rates and Charges	ORDINANCE NO. 2-76	--/--/1976
Sanitation Department Rates and Charges	ORDINANCE NO. 4-81	5/19/1981
Sanitation Department Rates and Charges	ORDINANCE 1-2013	2/26/2013
Amending Rates and Charges for Garbage Disposal	ORDINANCE #1-2017	2/14/2017
Sewage		
Hybrid Industrial Pretreatment Program and Sewer Use	ORDINANCE NO. 5-07	6/5/2007
Adopts Enforcement Response Guide for Non-Delegated Pretreatment Programs	RESOLUTION NO. 1-08	4/22/2008
Amends Sewage Works Rates and Charges	ORDINANCE NO. 9-05	9/13/2005
Sewage Works Revenue Bond	ORDINANCE NO. 9-92	--/--/1992

Amending Bond Ordinance No. 9-92	<u>ORDINANCE NO. 13-92</u>	8/3/1992
Sewage Works Revenue Bonds	<u>ORDINANCE NO. 10-2000</u>	12/12/2000
Sewage Works Revenue Bonds	<u>ORDINANCE NO. 01-06</u>	6/13/2006

Water

Waterworks Rates and Charges	<u>ORDINANCE NO. 10-05</u>	9/13/2005
Correction for Fire Hydrant Rental	<u>ORDINANCE NO. 4-08</u>	5/13/2008
Authorizing Issue of Waterworks Refunding Revenue Bonds	<u>ORDINANCE NO. 06-06</u>	11/14/2006
Waterworks Revenue Bond	<u>ORDINANCE NO. 96-10</u>	7/8/1996
Authorizing Waterworks Repairs, Replacements and Improvements	<u>RESOLUTION NO. 99-4</u>	9/14/1999
Prohibits Tampering with Water Meters	<u>ORDINANCE NO. 3-96</u>	3/19/1996
Water Utility: Control of Backflow and Cross-Connections	<u>ORDINANCE #03-15</u>	3/10/2015
Amending Rates and Charges for Waterworks	<u>Ordinance No. 05-2016</u>	5/31/2016
Waterworks Project Partial Reimbursement (VRC)	<u>Resolution No. 01-2016</u>	6/6/2016

PROPERTY

General

Flood Hazard Areas	<u>RESOLUTION NO. 1-75</u>	6/3/1975
Flood Hazard Areas	<u>RESOLUTION NO. 2-75</u>	6/3/1975
Limiting Placement of Manufactured Housing	<u>ORDINANCE NO. 95-14</u>	11/21/1995
Inspection, Repair and Removal of Unsafe Buildings	<u>ORDINANCE NO. 99-10</u>	7/27/1999
Regulating Buildings Unfit for Human Habitation	<u>ORDINANCE #08-2015</u>	8/11/2015

Zoning

Zoning Ordinance for Veedersburg and Surrounding Two-Mile Area	<u>ORDINANCE NO. 97-19</u>	--/--/1997
Amending Ordinance 97-19, the Zoning Ordinance	<u>ORDINANCE NO. 97-28</u>	10/28/1997
Amending Ordinance 97-19, the Zoning Ordinance	<u>ORDINANCE NO. 98-3</u>	2/24/1998
Amending Zoning Maps - 709 and 711 E. Washington	<u>ORDINANCE NO. 00-11</u>	12/12/2000
Amending the Zoning Ordinance for Veedersburg and Surrounding Two Mile Area	<u>ORDINANCE NO. 3-10</u>	8/24/2010
Amending the Zoning Ordinance for Veedersburg and Surrounding Two Mile Area	<u>ORDINANCE NO. 03-13</u>	7/23/2013
Amending Zoning: Mobile Home Guidelines	<u>ORDINANCE 2015-#04</u>	

Vacates

Vacate an Alley (Carr and Newnum)	<u>ORDINANCE NO. 99-4</u>	3/9/1999
Vacate an Alley (Dickerson and Cox)	<u>ORDINANCE NO. 99-16</u>	12/21/1999

Vacate an Alley (Barker and Manning)	ORDINANCE NO. 05-05	--/--/2005
Vacate a Part of Gray Street (Smith and Fisher)	ORDINANCE NO. 06-05	--/--/2005
Vacating Nebeker Street and Intersecting Alleys	RESOLUTION NO. 2010-10	10/26/2010
Vacating a Public Alley (Hinote)	ORDINANCE NO. 01-2012	1/24/2012
Vacating a Portion of Meridian Street	Ordinance #03-2016	3/8/2016
Vacating a Portion of Adams Street	Ordinance Number 2016-04	5/31/2016

Annexations

Annexation	ORDINANCE NO. 95-2	--/--/1995
Adopting Fiscal Plan for Annexation in Vicinity of Viewer Hills	RESOLUTION NO. 97-3	4/8/1997
Annexation of Territory in the Area of Viewer Hills	ORDINANCE NO. 97-14	4/8/1997

Purchase/Sell

Authorizing Sale of Quarter Blocks 22 and 23 in Original Plat	RESOLUTION NO. 98-10	9/8/1998
Disposal of 109/111 East Second Street	RESOLUTION NO. 09-15	--/--/2015

CHRONOLOGICAL INDEX

NOTE: This Chronological Index includes materials sorted by adoption date. This includes materials that are "inactive" (repealed, expired, matured, etc.) The index is intended as a broad overview of a number of documents and may not be suitable as a complete referencing tool. The *Search* function is highly recommended as a method of finding ALL documents that address a specific topic.

1970 - 1979

--/--/1970	(void)	ORDINANCE NO. 1-70	Salary for 1970
5/5/1970	(void)	ORDINANCE NO. 5-70	Waterworks Rates and Charges
6/19/1970	(void)	(untitled)	Public Service Commission Findings
--/--/1971	(void)	ORDINANCE NO. 1-71	Salary for 1971
--/--/1971	(void)	Amending Ordinance 1-71	Amending Salary Ordinance 1-71
3/2/1971		ORDINANCE NO. 2-71	Regulating Junkyards and Providing Penalties
--/--/1972		RESOLUTION NO. 1-72	Regarding 100-Year Celebration
--/--/1972	(void)	ORDINANCE NO. 1-72	Salary for 1972
--/--/1972	(void)	ORDINANCE NO. 2-72	Amending Salary Ordinance 1-72
--/--/1973	(void)	Amending Ordinance 1-73	Amending Salary Ordinance 1-73
4/16/1974		ORDINANCE NO. 2-74	Participation in Region IV Development Commission
6/3/1975		RESOLUTION NO. 1-75	Flood Hazard Areas
6/3/1975		RESOLUTION NO. 2-75	Flood Hazard Areas
9/16/1975		ORDINANCE NO. 4-75	Adding Fuel Clause to Electric Rates and Charges
--/--/1976		ORDINANCE NO. 2-76	Sanitation Department Rates and Charges
3/16/1976	(void)	ORDINANCE NO. 3-76	Terms and Conditions of Electric Service
1/18/1977	(Expired)	RESOLUTION NO. 1-77	Authorize Town Attorney to Petition Public Service Commission
12/6/1977	(void)	ORDINANCE NO. 7-77	Establishing Electric Rates and Charges
--/--/1977		ORDINANCE NO. 9-77	Appropriation and Spending of Insurance Proceeds
--/--/1978		ORDINANCE NO. 3-78	Appropriation and Spending of Insurance Proceeds

9/28/1978	(void)	<u>ORDINANCE NO. 5-78</u>	Waterworks Rates and Charges
12/5/1978	(void)	<u>ORDINANCE NO. 6-78</u>	Amending Electric Rates and Charges - Adding "Wholesale Power Cost Tracking"
2/20/1979	(void)	<u>ORDINANCE NO. 7-79</u>	Sanitation Department Rates and Charges
7/3/1979		<u>ORDINANCE NO. 5-79</u>	Prohibiting Public Nuisances

1980 - 1984

2/5/1980	(void)	<u>ORDINANCE NO. 2-80</u>	Sanitation Department Rates and Charges
2/5/1980	(void)	<u>(untitled)</u>	Sanitation Department Rates and Charges
3/3/1981		<u>ORDINANCE NO. 2-81</u>	Cable Television Franchise
3/3/1981	(void)	<u>ORDINANCE NO. 3-81</u>	Sanitation Department Rates and Charges
5/19/1981		<u>ORDINANCE NO. 4-81</u>	Sanitation Department Rates and Charges
8/4/1981	(void)	<u>ORDINANCE NO. 6-81</u>	Rates and Charges for Electric Utility
11/3/1981	(Expired)	<u>RESOLUTION NO. 1-81</u>	Dealing with Refund from Public Service Company
11/17/1981	(Expired)	<u>RESOLUTION NO. 2-81</u>	Dealing with Increase from Public Service Company
1/19/1982		<u>ORDINANCE NO. 82-2</u>	Amending Ordinance 2-81, Cable TV Franchise
3/2/1982	(void)	<u>ORDINANCE NO. 82-3</u>	Amending Electric Rates and Charges
1/4/1983	(Expired)	<u>RESOLUTION NO. 1-83</u>	Dealing with Increase from Public Service Company
--/--/1983		<u>ORDINANCE NO. 2-83</u>	Referendum: Water and Electric Removed from Public Service Commission Jurisdiction
--/--/1983	(void)	<u>Amending Ordinance 1-83</u>	Amending Salary Ordinance 1-83
2/7/1984	(void)	<u>ORDINANCE NO. 2-84</u>	Schedule of Utility Deposits
3/3/1984	(void)	<u>ORDINANCE NO. 4-84</u>	Waterworks: Rates and Charges, Usage Regulations and Penalties
3/5/1984	(void)	<u>ORDINANCE NO. 3-84</u>	Sanitation Department Rates and Charges

1985 - 1989

2/28/1985		<u>RESOLUTION NO. 1-85</u>	Supports Weatherization Program for Fountain County
3/4/1985		<u>ORDINANCE NO. 3-85</u>	Various Adjustments to Utility Charges
6/13/1985	(void)	<u>Amending Ordinance 1-85</u>	Amending Salary Ordinance 1-85

3/3/1986	<u>ORDINANCE NO. 2-86</u>	Prohibits Motorized Vehicles On, About or Over Town Property
11/3/1986 (void)	<u>ORDINANCE NO. 5-86</u>	Adding Tap-On Fee for Sewer Service
--/--/1988 (void)	<u>ORDINANCE NO. 2-88</u>	Salary for 1988
3/1/1988 (void)	<u>ORDINANCE NO. 3-88</u>	Sanitation Department Rates and Charges
3/15/1988 (void)	<u>ORDINANCE NO. 4-88</u>	Amending Salary Ordinance 2-88
10/18/1988 (void)	<u>ORDINANCE NO. 6-88</u>	Amending Salary Ordinance 2-88
11/1/1988	<u>ORDINANCE NO. 7-88</u>	Prohibiting Public Nuisances
--/--/1989 (void)	<u>ORDINANCE NO. 1-89</u>	Salary for 1989
5/16/1989 (void)	<u>ORDINANCE NO. 4-89</u>	Sanitation Department Rates and Charges
7/5/1989	<u>ORDINANCE 5-89</u>	Regulating Dogs Running Loose
--/--/1989 (void)	<u>ORDINANCE NO. 6-89</u>	Establishes Marshal's Reserves
--/--/1989	<u>ORDINANCE NO. 7-89</u>	Amending the Accounting of Funds for the Electric Department

1990 - 1991

9/19/1989	<u>RESOLUTION NO. 2-89</u>	Opposes NJK Farms Landfill Proposal
--/--/1990 (void)	<u>ORDINANCE NO. 1-90</u>	Salary for 1990
1/16/1990	<u>ORDINANCE NO. 2-90</u>	Establishes Department of Redevelopment and Redevelopment Commission
3/6/1990	<u>RESOLUTION NO. 3-90</u>	Designates Economic Development Area, Approves Econ. Dev. Plan, Establishes TIF Area
3/23/1990	<u>RESOLUTION NO. 4-90</u>	Displacement Plan
8/7/1990	<u>(untitled)</u>	Economic Development Bonds, MasterGuard Corporation
8/7/1990	<u>ORDINANCE NO. 5-90</u>	Creates a Department of Development Controlled by the Economic Development Commission
8/21/1990	<u>ORDINANCE NO. 3-90</u>	Prohibits Use of Skateboards on All Town Property
--/--/1990	<u>ORDINANCE NO. 6-90</u>	Amending the Accounting of Funds for the Electric Department
11/20/1990	<u>ORDINANCE NO. 7-90</u>	Repeals 2-1934, Which Allowed Marshal to Hire Own Deputy Marshals
1/15/1991 (void)	<u>ORDINANCE NO. 1-91</u>	Salary for 1991
2/4/1991 (void)	<u>ORDINANCE NO. 2-91</u>	Amending Salary Ordinance 1-91
7/4/1991 (void)	<u>ORDINANCE NO. 6-91</u>	Amending Salary Ordinance 2-91
9/3/1991	<u>ORDINANCE NO. 8-91</u>	Creates Redevelopment Authority

10/1/1991

[ORDINANCE NO. 10-91](#)

Lease Between Redevelopment Authority
and Redevelopment Commission

1992 - 1993

1/21/1992

[ORDINANCE NO 2-92](#)

Assigns Departmental Responsibility to
Specific Council Members

1/21/1992 (void)

[ORDINANCE NO. 1-92](#)

Salary for 1992

2/4/1992 (void)

[ORDINANCE NO. 4-92](#)

Amending Salary Ordinance 1-92

3/3/1992

[ORDINANCE NO. 6-92](#)

No Alcoholic Beverages on Town
Property

5/4/1992

[ORDINANCE 1992-8](#)

Maintenance of Farm Animals within
Town Limits

5/19/1992

[RESOLUTION NO. 1-92](#)

Bans Smoking or Tobacco Use in Town
Buildings

6/16/1992

[RESOLUTION NO. 4-92](#)

Policy for Fire Department Filling
Swimming Pools

6/16/1992 (void)

[\(untitled\)](#)

Sewage Works Financial Analysis

--/--/1992

[ORDINANCE NO. 9-92](#)

Sewage Works Revenue Bond

7/7/1992 (void)

[ORDINANCE NO. 10-92](#)

Sewage Works Rates and Charges

8/3/1992

[ORDINANCE NO. 13-92](#)

Amending Bond Ordinance No. 9-92

11/4/1992

[RESOLUTION NO. 9-92](#)

Supports Allocation of 25% of Lottery
Funds to Local Government

11/17/1992

[RESOLUTION NO. 11-92](#)

Requesting Legislative Action to Provide
More Highway Funds

1/19/1993 (void)

[ORDINANCE NO. 1-93](#)

Salary for 1993

2/2/1993

[RESOLUTION NO. 1-93](#)

Town Attorney Duties

2/2/1993

[RESOLUTION NO. 2-93](#)

Police Department Rules and Regulations

3/16/1993

[RESOLUTION NO. 3-93](#)

Supporting Fountain County Economic
Development Income Tax (EDIT)

7/6/1993

[ORDINANCE NO. 4-93](#)

Prohibits Parking on a Portion of College
Street North of 9th Street

8/3/1993 (void)

[ORDINANCE NO. 6-93](#)

Amending Salary Ordinance 1-93

10/19/1993

[ORDINANCE NO. 8-93](#)

Prohibits Parking for More Than 15
Minutes on Main Street in Front of the
Veedersburg State Bank

10/19/1993

[ORDINANCE NO. 9-93](#)

Prohibits Parking for More Than 10
Minutes on Railroad Street in Front of the
Veedersburg Utility Office
Prohibits Parking for More Than 10

10/19/1993	<u>ORDINANCE NO. 10-93</u>	Minutes on Main Street in Front of the United States Post Office
11/16/1993	<u>RESOLUTION NO. 13-93</u>	Referendum on Increasing Council from Three Members to Five Members
--/--/1993 (void)	<u>ORDINANCE NO. 14-93</u>	Additional Pay for Marshal with No Deputy
12/14/1993	<u>RESOLUTION NO. 93-8</u>	Designation of an Economic Revitalization Area

1994 - 1995

2/--/1994 (void)	<u>ORDINANCE NO. 1-94</u>	Salary for 1994
3/14/1994	<u>(untitled)</u>	Donation of Parcel to Town
4/19/1994 (Expired)	<u>RESOLUTION NO. 6-1994</u>	Loan from Electric Utility to General Fund
5/17/1994 (void)	<u>ORDINANCE NO. 94-4</u>	Amending Electrical Rates
6/7/1994 (void)	<u>ORDINANCE NO. 3-94</u>	Amending Salary Ordinance 94-1
7/--/1994 (void)	<u>(untitled)</u>	Water and Sewage Monthly Billing Chart
8/16/1994	<u>RESOLUTION NO. 94-13</u>	Declaratory Resolution for Designation of an Economic Revitalization Area
9/20/1994	<u>RESOLUTION NO. 94-15</u>	Confirmation of Declaratory Resolution for Designation of an Economic Revitalization Area
11/15/1994	<u>ORDINANCE NO. 94-20</u>	General Terms and Conditions for Electric Service
1/17/1995	<u>ORDINANCE NO. 95-2</u>	Prohibits Water and Sewer Connections Between November 1 and March 1 of the Following Year
1/17/1995 (void)	<u>ORDINANCE NO. 1-95</u>	Salary for 1995
--/--/1995	<u>ORDINANCE NO. 95-2</u>	Annexation
2/27/1995	<u>RESOLUTION NO. 3-95</u>	Amends Declaratory Resolution and Economic Development Plan
5/16/1995	<u>RESOLUTION NO. 5-95</u>	Establish Cumulative Fire Fund
6/20/1995 (void)	<u>ORDINANCE NO. 95-7</u>	Sewer Use Regulations
7/18/1995	<u>ORDINANCE NO. 10-95</u>	Establish Ordinance Violations Bureau and Penalties
9/19/1995 (void)	<u>ORDINANCE NO. 12-95</u>	Amending Electric Rates
10/17/1995	<u>ORDINANCE NO. 95-12</u>	Prohibits Parking on a Portion of Chambers Street
11/21/1995	<u>ORDINANCE NO. 95-14</u>	Limiting Placement of Manufactured Housing

1996 - 1997

1/16/1996	(void)	<u>ORDINANCE NO. 1-96</u>	Salary for 1996
3/19/1996		<u>ORDINANCE NO. 3-96</u>	Prohibits Tampering with Water Meters
4/16/1996		<u>ORDINANCE NO. 5-96</u>	Amends Rates - Swimming Pool Filling
4/16/1996		<u>ORDINANCE NO. 6-96</u>	Termination of Utility Services for Nonpayment of Charges
6/18/1996		<u>RESOLUTION NO. 96-2</u>	Intent to Reimburse Initial Cost of Bonds from Bond Proceeds
7/8/1996	(void)	<u>ORDINANCE NO. 96-8</u>	Waterworks Rates and Charges
7/8/1996	(void)	<u>ORDINANCE NO. 96-9</u>	Sewage Works Rates and Charges
7/8/1996		<u>ORDINANCE NO. 96-10</u>	Waterworks Revenue Bond
8/20/1996		<u>ORDINANCE NO. 1996-13</u>	Maintenance of Farm Animals within Town Limits
9/17/1996	(void)	<u>ORDINANCE NO. 96-14</u>	Fair Housing Ordinance
9/17/1996	(Expired)	<u>ORDINANCE NO. 96-15</u>	Cable Television Franchise with Marcus Cable Associates, L.P.
11/26/1996	(void)	<u>ORDINANCE NO. 96-17</u>	Amending Salary Ordinance 96-1
12/23/1996	(void)	<u>RESOLUTION NO. 96-8</u>	Drug-Free Workplace Policy
12/23/1996		<u>ORDINANCE NO. 96-20</u>	Prohibits Parking on the West Side of North Main Street North of 7th Street
3/17/1997	(void)	<u>ORDINANCE NO. 97-12</u>	Rates and Charges for Electric Utility
4/8/1997		<u>RESOLUTION NO. 97-3</u>	Adopting Fiscal Plan for Annexation in Vicinity of Viewer Hills
4/8/1997		<u>ORDINANCE NO. 97-14</u>	Annexation of Territory in the Area of Viewer Hills
5/13/1997		<u>ORDINANCE NO. 97-17</u>	Requiring Dog Owners to Clean Up After Their Animals
--/--/1997		<u>ORDINANCE NO. 97-19</u>	Zoning Ordinance for Veedersburg and Surrounding Two-Mile Area
9/9/1997		<u>ORDINANCE NO. 97-23</u>	Fees for Utility Connection/Disconnection During Non-Business Hours or at Customer Convenience
10/14/1997		<u>ORDINANCE NO. 97-26</u>	Authorizes Placement of Stop Signs at Specified Intersections
10/28/1997		<u>ORDINANCE NO. 97-28</u>	Amending Ordinance 97-19, the Zoning Ordinance

1998 - 1999

1/13/1998	<u>ORDINANCE NO. 98-1</u>	Establishes Maximum Speed Limits on a Portion of State Street
1/27/1998	<u>ORDINANCE NO. 98-2</u>	Regulates Open Burning
2/24/1998	<u>ORDINANCE NO. 98-3</u>	Amending Ordinance 97-19, the Zoning Ordinance
7/1/1998	<u>RESOLUTION NO. 98-4</u>	Intent to Reimburse Initial Cost of Bonds from Bond Proceeds
7/28/1998	<u>RESOLUTION NO. 98-5</u>	Approves Purposes and Activities of Van Buren - Hub City Building Corporation
8/12/1998	<u>RESOLUTION NO. 98-8</u>	Matters Related to Lease of Fire Station and Municipal Building and Construction of Such
8/12/1998	<u>RESOLUTION NO. 98-8</u>	Approves Agreement Between Town and Van Buren - Hub City Building Corporation
9/8/1998	<u>RESOLUTION NO. 98-10</u>	Authorizing Sale of Quarter Blocks 22 and 23 in Original Plat
10/13/1998	<u>ORDINANCE NO. 98-12</u>	Establishes Hours of Public Parks in Town
1/26/1999	<u>ORDINANCE NO. 99-3</u>	Setting Maximum Speed Limit on a Portion of Sterling Avenue
3/9/1999	<u>ORDINANCE NO. 99-4</u>	Vacate an Alley (Carr and Newnum)
3/9/1999	<u>ORDINANCE NO. 99-5</u>	Amending Ordinance Violations Bureau and Penalties for Speeding Violations
5/11/1999	<u>(untitled)</u>	Refunding Bonds Originated in 1966
5/25/1999	<u>RESOLUTION NO. 99-1</u>	Authorizes Initial and Final Official Statements Regarding Sewage Works Revenue Refunding Bonds
5/25/1999	<u>ORDINANCE NO. 99-5</u>	Prohibits Parking on a Portion of Sterling Avenue
5/25/1999	<u>ORDINANCE NO. 99-6</u>	Making Harper Street One-Way Between Sterling Ave. and Chambers St.
6/8/1999	<u>ORDINANCE NO. 99-8</u>	Prohibits Parking Along a Portion of Eighth Street
6/8/1999 (void)	<u>ORDINANCE NO. 7-99</u>	Waterworks Rates and Charges
7/27/1999	<u>ORDINANCE NO. 99-10</u>	Inspection, Repair and Removal of Unsafe Buildings
9/14/1999	<u>RESOLUTION NO. 99-4</u>	Authorizing Waterworks Repairs, Replacements and Improvements

11/9/1999	<u>ORDINANCE NO. 99-13</u>	Setting Weight Limit for a Portion of Eighth Street
12/21/1999	<u>ORDINANCE NO. 99-16</u>	Vacate an Alley (Dickerson and Cox)

2000 - 2001

3/14/2000	<u>RESOLUTION NO. 2000-1</u>	Authorize Expenditure of Insurance Proceeds
4/13/2000	<u>RESOLUTION NO. 00-02</u>	Authorizes Purchase of Equipment from Bonds
4/13/2000 (void)	<u>ORDINANCE NO. 4-00</u>	Amending Water Rate Ordinance 99-7
5/23/2000	<u>ORDINANCE NO. 00-05</u>	Setting Speed Limit on Portions of Liberty Street and Third Street
5/23/2000 (void)	<u>ORDINANCE NO. 00-06</u>	Amending Sewer Use Ordinance No. 95-7
10/11/2000	<u>(untitled)</u>	On-Call Agreement, Electric Department
--/--/2000 (void)	<u>ORDINANCE NO. 8-00</u>	Salary for 2001
12/12/2000	<u>ORDINANCE NO. 10-2000</u>	Sewage Works Revenue Bonds
--/--/2000 (void)	<u>ORDINANCE NO. 13-00</u>	Amending Salary Ordinance 8-00
12/12/2000	<u>ORDINANCE NO. 00-11</u>	Amending Zoning Maps - 709 and 711 E. Washington
--/--/2001 (void)	<u>ORDINANCE NO. 2-01</u>	Salary for 2002
8/14/2001 (void)	<u>ORDINANCE NO. 4-01</u>	Increase Deputy Marshall Wages, 2001 and 2002
11/13/2001	<u>RESOLUTION NO. 01-02</u>	Generate Accounts Payable Vouchers from Existing Software
--/--/2001 (void)	<u>ORDINANCE NO. 8-01</u>	Amending Salary Ordinance 2-01

2002 - 2003

11/12/2002	<u>RESOLUTION NO. 02-02</u>	Authorizes Grant Application and Local Match Commitment
--/--/2002 (void)	<u>ORDINANCE NO. 3-02</u>	Salary for 2003
1/28/2003	<u>RESOLUTION NO. 1-03</u>	Local Displacement Plan
3/11/2003 (void)	<u>ORDINANCE NO. 1-03</u>	Sanitation Department Rates and Charges
8/12/2003 (void)	<u>ORDINANCE NO. 4-03</u>	Sanitation Department Rates and Charges
--/--/2003 (void)	<u>ORDINANCE NO. 5-03</u>	Salary for 2004
--/--/2003 (void)	<u>ORDINANCE NO. 8-03</u>	Amending Salary Ordinance 5-03

2004 - 2005

--/--/2004	(void)	<u>ORDINANCE NO. 1-04</u>	Amending Salary Ordinance 5-03
--/--/2004	(void)	<u>ORDINANCE NO. 5-04</u>	Salary for 2005
5/6/2005	(void)	<u>(untitled)</u>	Wellhead Protection Response to OWQ/IDEM
--/--/2005	(void)	<u>ORDINANCE NO. 1-05</u>	Amending Salary Ordinance 5-04
5/--/2005		<u>ORDINANCE NO. 4-05</u>	Regulating Billing Adjustments for Town Utilities
--/--/2005		<u>ORDINANCE NO. 05-05</u>	Vacate an Alley (Barker and Manning)
--/--/2005		<u>ORDINANCE NO. 06-05</u>	Vacate a Part of Gray Street (Smith and Fisher)
7/12/2005		<u>RESOLUTION 1-05</u>	Policy for Collection of Unpaid Utility Bills
9/13/2005		<u>ORDINANCE NO. 9-05</u>	Amends Sewage Works Rates and Charges
9/13/2005		<u>ORDINANCE NO. 10-05</u>	Waterworks Rates and Charges
--/--/2005	(void)	<u>ORDINANCE NO. 11-05</u>	Salary for 2006

2006 - 2007

6/13/2006		<u>ORDINANCE NO. 01-06</u>	Sewage Works Revenue Bonds
--/--/2006	(void)	<u>ORDINANCE NO. 2-06</u>	Salary for 2007
9/26/2006	(void)	<u>ORDINANCE NO. 4-06</u>	Rates and Charges for Electric Utility Service
11/14/2006		<u>ORDINANCE NO. 06-06</u>	Authorizing Issue of Waterworks Refunding Revenue Bonds
3/27/2007		<u>ORDINANCE NO. 01-07</u>	Amending Electric Deposits
6/5/2007		<u>ORDINANCE NO. 5-07</u>	Hybrid Industrial Pretreatment Program and Sewer Use
6/26/2007	(void)	<u>ORDINANCE NO. 4-07</u>	Sanitation Department Rates and Charges
--/--/2007	(void)	<u>ORDINANCE NO. 6-07</u>	Salary for 2008
10/23/2007		<u>ORDINANCE NO. 9-07</u>	Limiting Maximum Speed on Walnut Street Between 7th and 9th Streets

2008 - 2009

3/11/2008		<u>ORDINANCE 1-08</u>	Restricting the Operation of Golf Carts
3/11/2008		<u>ORDINANCE NO. 2-08</u>	Prohibits Animals Roaming at Large
			Adopts Enforcement Response Guide for

4/22/2008	<u>RESOLUTION NO. 1-08</u>	Non-Delegated Pretreatment Programs
4/22/2008 (void)	<u>ORDINANCE NO. 2-08</u>	Establish Specific Handicap Parking Spaces and Penalties
5/13/2008	<u>ORDINANCE NO. 4-08</u>	Correction for Fire Hydrant Rental
7/8/2008	<u>ORDINANCE NO. 6-08</u>	Setting Maximum Speed Limit on Newlin, 7th, and College Streets
7/8/2008	<u>ORDINANCE NO. 7-08</u>	Setting Maximum Speed Limit on College Street From 5th to 9th Streets
--/--/2008 (void)	<u>ORDINANCE NO. 8-08</u>	Salary for 2009
8/26/2008	<u>ORDINANCE NO. 9-08</u>	Fees for Abating Nuisances - Weeds and/or Rank or Unkept Vegetation
8/26/2008	<u>ORDINANCE NO. 10-08</u>	Prohibits Parking on the West Side of Main Street between Jackson and Van Buren Streets
9/9/2008 (void)	<u>ORDINANCE 11-08</u>	Amends Schedule of Rates and Charges
--/--/2008	<u>ORDINANCE NO. 12-08</u>	Adopting the National Incident Management System (NIMS)
10/28/2008 (void)	<u>ORDINANCE NO. 13-08</u>	Amending Electric Utility Rates and Charges
4/14/2009 (void)	<u>ORDINANCE NO. 1-09</u>	Amending Salary Ordinance 8-08
8/11/2009	<u>ORDINANCE NO. 2-09</u>	Amending Policy for Unpaid Utility Bills
--/--/2009 (void)	<u>ORDINANCE NO. 3-09</u>	Salary for 2010

2010 - 2011

8/24/2010	<u>ORDINANCE NO. 3-10</u>	Amending the Zoning Ordinance for Veedersburg and Surrounding Two Mile Area
8/24/2010	<u>ORDINANCE NO. 4-10</u>	Regarding Stopping and Yielding
10/26/2010	<u>RESOLUTION NO. 2010-10</u>	Vacating Nebeker Street and Intersecting Alleys
10/26/2010	<u>RESOLUTION NO. 5-10</u>	Adopts Fountain County Multi-Hazard Mitigation Plan
10/26/2010	<u>RESOLUTION NO. 6-10</u>	Transferring Funds within Same Budget Classification
--/--/2010 (void)	<u>ORDINANCE NO. 8-10</u>	Salary for 2011
12/14/2010	<u>ORDINANCE NO. 13-10</u>	Setting Maximum Speed Limit on Sterling Street Between Third and Seventh Streets
12/14/2010	<u>RESOLUTION NO. 14-10</u>	Authorizes Additional Appropriation from

		Casino Revenue Sharing Fund
7/26/2011	<u>RESOLUTION 2011-1</u>	Transfer Resolution
7/26/2011	<u>ORDINANCE NO. 1-11</u>	Establish Handicapped Parking Spaces
9/6/2011	<u>RESOLUTION NO. 2011-9</u>	Approves Amendment to the Declaratory Resolution and Economic Development Plan
9/13/2011	<u>RESOLUTION NO. 2011-9</u>	Approves Amendment to the Declaratory Resolution
11/22/2011	<u>RESOLUTION NO. 2011-10</u>	Approves Modifying Resolution of Redevelopment Commission
11/22/2011	<u>RESOLUTION NO. 2011-11</u>	Transferring Funds within Same Budget Classification
11/22/2011	<u>RESOLUTION NO. 2011-12</u>	Transferring Funds within Same Budget Classification
11/22/2011 (void)	<u>ORDINANCE NO. 11-11</u>	Salary for 2012
12/13/2011	<u>RESOLUTION NO. 2011-13</u>	Authorizes Grant Application and Local Match Commitment

2012 - 2013

1/24/2012	<u>RESOLUTION NO. 01-12</u>	Appoints Commissioner to Indiana Municipal Power Agency
1/24/2012	<u>ORDINANCE NO. 01-2012</u>	Vacating a Public Alley (Hinote)
1/24/2012	<u>ORDINANCE NO. 02-12</u>	Authorizing Supplemental Contract with Indiana Municipal Power Agency
2/28/2012	<u>ORDINANCE NO. 03-2012</u>	Allowing Payment of Certain Claims by Clerk-Treasurer
5/22/2012	<u>RESOLUTION NO. 2-12</u>	Slum and Blight Area Declaratory Resolution
5/22/2012	<u>RESOLUTION NO. 3-12</u>	Authorizing Grant Application and Committing Local Match
6/12/2012	<u>ORDINANCE NO. 2012-05</u>	Adopting Nepotism and Conflict of Interest Policies
--/--/2012	<u>ORDINANCE NO. 04-12</u>	Animal Control
--/--/2012 (void)	<u>ORDINANCE NO. 04-2012</u>	Amending Salary Ordinance 11-11
9/25/2012 (void)	<u>ORDINANCE NO. 06-12</u>	Salary for 2013
10/23/2012	<u>ORDINANCE NO. 2012-7</u>	Fees for Accident Reports
10/23/2012	<u>ORDINANCE NO. 2012-8</u>	Establishes a Police Reserve Officer Program
12/11/2012 (void)	<u>ORDINANCE NO. 09-12</u>	Amends Ordinance 06-12, Salary for 2013

1/22/2013	RESOLUTION #1-13	Approves the Water and Wastewater Plans
2/26/2013	ORDINANCE #1-2013	Sanitation Department Rates and Charges
2/26/2013 (void)	ORDINANCE #02-13	Amends Salary Ordinance #09-12
4/9/2013	RESOLUTION NO. 02-2013	Approves Amendment to Previous Declaratory Resolution
4/9/2013	RESOLUTION #03-2013	Additional Appropriation
4/9/2013	RESOLUTION #04-2013	Additional Appropriation
5/14/2013	RESOLUTION #05-2013	Slum and Blight Declaration
5/14/2013	RESOLUTION 06-2013	Authorizes Application Submission and Local Match
7/23/2013	ORDINANCE NO. 03-13	Amends Zoning Ordinance
7/23/2013	ORDINANCE NO. 04-13	Sets Speed Limit on a Portion of Sugar Street

2014

1/14/2014 (void)	Ordinance #01-2014	Salary Ordinance for 2014
2/3/2014	RESOLUTION NO. 01-2014	Approves Amendment to Declaratory Resolution and Economic Development Plan
2/11/2014	RESOLUTION NO. 02-2014	Approves Amendment to Previous Declaratory Resolution
2/11/2014 (void)	Ordinance #02-2014	Amending Salary Ordinance for 2014
3/10/2014	RESOLUTION NO. 2014-3	Confirms Amendment to Declaratory Resolution and Economic Development Plan
3/25/2014	ORDINANCE 2014-3	Regulates Off-Road Vehicles and Golf Carts
4/22/2014	ORDINANCE 2014-4	Amends Off-Road Vehicles and Golf Cart Regulations
5/21/2014	RESOLUTION 05-2014	Authorizes Local Match Commitment
6/24/2014	ORDINANCE #05-14	Prescribes Parking Regulations
7/7/2014	Resolution 06-2014	Determination of TIF Revenues for 2015 Budget Year
7/22/2014 (void)	Ordinance #06-14	Amends Electric Rates and Charges
--/--/2014	ORDINANCE NO. 2014-07	Animal Control
9/23/2014 (void)	Ordinance Number: 08-2014	Appropriations and Tax Rate for 2015
9/23/2014 (void)	Ordinance #09-2014	Salary Ordinance
11/25/2014	ORDINANCE NO. 2014-10	Amendment Regarding Stopping and Yielding

2015

1/13/2015	<u>Ordinance #01-15</u>	Regulating Use of Town Credit Card
2/2/2015	<u>Resolution #01-15</u>	Amendment to Declaratory Resolution and Economic Development Plan
2/2/2015	<u>Resolution #02-15</u>	Redevelopment Commission Preliminary Bond Resolution
2/10/2015	<u>Resolution No. 03-15</u>	Confirming Amendment to Declaratory Resolution
2/10/2015	<u>Resolution No. 04-15</u>	Approving Bond Issue for Redevelopment Commission
2/24/2015	<u>Ordinance #02-15</u>	Designating Paid Holidays
3/2/2015	<u>Resolution No. 05-15</u>	Confirming and Amendment to the Declaratory Resolution and Economic Development Plan
3/2/2015	<u>Resolution No. 06-15</u>	Bond Issue Authorized by Redevelopment Commission
3/10/2015	<u>Ordinance #03-15</u>	Water Utility: Control of Backflow and Cross-Connections
4/14/2015	<u>Ordinance 2015-#04</u>	Amending Zoning: Mobile Home Guidelines
7/9/2015	<u>Resolution No. 08-15</u>	Grant Application and Local Match Commitment
7/9/2015	<u>Ordinance #05-2015</u>	Fair Housing
--/--/2015	<u>Resolution No. 09-15</u>	Disposal of 109/111 East Second Street
7/14/2015 (void)	<u>Ordinance #06-2015</u>	Salary for 2015
8/11/2015	<u>Ordinance #08-2015</u>	Regulating Buildings Unfit for Human Habitation
9/22/2015 (void)	<u>Ordinance #10-2015</u>	Salary for 2016
9/22/2015 (Expired)	<u>Ordinance #09-2015</u>	Budget and Tax Rates for 2016
12/8/2015	<u>Ordinance #12-2015</u>	Drug Free Workplace

2016

1/26/2016	<u>Ordinance No. 2016-1</u>	Materiality Policy and Process for Reporting Material Items
2/23/2016 (void)	<u>Ordinance #02-2016</u>	Salary for 2016
3/8/2016	<u>Ordinance #03-2016</u>	Vacating a Portion of Meridian Street

5/31/2016	<u>Ordinance Number 2016-04</u>	Vacating a Portion of Adams Street
5/31/2016	<u>Ordinance No. 05-2016</u>	Amending Rates and Charges for Waterworks
5/31/2016	<u>Ordinance No. 06-2016</u>	Establish a Fund for LOIT Special Distributions
5/31/2016	<u>Ordinance No. 07-2016</u>	Establishes Electric Utility Cash Reserve Fund and Policies
6/6/2016	<u>Resolution No. 01-2016</u>	Waterworks Project Partial Reimbursement (VRC)
6/6/2016	<u>Resolution No. 02-2016</u>	Capture Incremental Assessed Valuation (VRC)
6/28/2016	<u>Ordinance No. 2016-08</u>	Adopting Uniform Internal Control Standards
7/12/2016	<u>Resolution #03-2016</u>	Additional Appropriation
7/12/2016	<u>Resolution #04-2016</u>	Additional Appropriation
9/27/2016 (Expired)	<u>Ordinance Number 09-2016</u>	Budget and Tax Rates for 2017
9/27/2016 (void)	<u>Ordinance No. 10-2016</u>	Salary for 2017
11/29/2016	<u>RESOLUTION #5-2016</u>	Additional Appropriation
2/6/2017	<u>RESOLUTION NO. 01-2017</u>	Amending Specifics of First Economic Development District (VRC)
2/14/2017	<u>ORDINANCE #1-2017</u>	Amending Rates and Charges for Garbage Disposal
2/14/2017	<u>ORDINANCE NO. 02-2017</u>	Rates and Charges for Electric Utility Services
2/14/2017	<u>ORDINANCE NO. 03-2017</u>	Establishing the Department of Economic Development
2/14/2017	<u>RESOLUTION NO. 02-2017</u>	Approving VRC Resolution No. 01-2017
3/6/2017	<u>RESOLUTION NO. 03-2017</u>	Confirming Adoption of Amended Specifics of First Economic Development District (VRC)
3/6/2017	<u>RESOLUTION NO. 04-2017</u>	Pledging Certain Tax Increment Revenues to Payment of Revenue Bonds (Manning Project)(VRC)
3/6/2017	<u>RESOLUTION NO. 05-2017</u>	Approving Economic Development Agreement (Manning Project)(VRC)
3/14/2017	<u>ORDINANCE NO. 04-2017</u>	Revenue Bonds (Manning Project)
3/14/2017	<u>RESOLUTION NO. 06-2017</u>	Proposed Economic Development Revenue Bonds (VEDC)
3/14/2017	<u>RESOLUTION NO. 07-2017</u>	Approving Economic Development Agreement (Manning Project)

4/25/2017	<u>RESOLUTION # 08-2017</u>	Establishing Cumulative Capital Development Fund
4/25/2017	<u>RESOLUTION # 09-2017</u>	Authorize the Purchase of a Vac-Com Truck
5/9/2017	<u>ORDINANCE # 05-2017</u>	Adopting Economic Development Rider
6/5/2017	<u>RESOLUTION NO. 10-2017</u>	Approving an Amendment to Specifics (re: Manning Project)(VRC)
6/15/2017	<u>RESOLUTION NO. 11-2017</u>	Approving VRC Resolution No. 10-2017
6/15/2017	<u>RESOLUTION #12-2017</u>	Additional Appropriation
7/11/2017	<u>RESOLUTION NO. 13-2017</u>	Confirming Adoption of Resolution No. 11-2017
7/25/2017 (void)	<u>ORDINANCE # 06-2017</u>	Amended Salary Ordinance for 2017
9/12/2017	<u>ORDINANCE NO. 2017-07</u>	Placing STOP Sign at State Street and Mill Street
9/26/2017 (Expired)	<u>Ordinance Number 08-2017</u>	Budget for 2018
9/26/2017 (void)	<u>Ordinance # 09-2017</u>	Salary Ordinance for 2018
9/26/2017	<u>RESOLUTION 2017-14</u>	Personnel Policy on Gifts
11/28/2017	<u>ORDINANCE NO. 2017-11</u>	Amending Utility Deposit Amounts

2018

1/9/2018	<u>RESOLUTION 2018-01</u>	Approving a Statement of Benefits for Masterguard Corporation
3/27/2018	<u>ORDINANCE # 01-2018</u>	Creates a Local Road and Bridge Matching Grant Fund
3/27/2018	<u>RESOLUTION #2-2018</u>	Transfer Funds to Local Road and Bridge Matching Funds
3/27/2018	<u>RESOLUTION #3-2018</u>	Declare the Cumulative Fire Special Fund Dormant
5/22/2018	<u>RESOLUTION #04-2018</u>	Additional Appropriation
5/26/2018	<u>RESOLUTION #05-2018</u>	Additional Appropriation
6/4/2018	<u>RESOLUTION #05-2018</u>	Need to Capture Incremental Assessed Valuation (VRC)
6/26/2018	<u>ORDINANCE # 02-2018</u>	Amendment Regarding the Operation of Off-Road Vehicles and Golf Carts
8/28/2018	<u>RESOLUTION #06-2018</u>	Additional Appropriation
9/25/2018	<u>Ordinance Number 03-2018</u>	Budget for 2019
9/25/2018	<u>Ordinance # 04-2018</u>	Salary for 2019
10/9/2018	<u>RESOLUTION #7-2018</u>	Transfer Funds from Local Road and

		Bridge Matching Funds to MVH Funds
11/13/2018	<u>ORDINANCE NO. 05-2018</u>	Amends Overtime Provisions in Employee Manual
12/11/2018	<u>RESOLUTION #08-2018</u>	Authorizes Submittal of CFF Planning Grant Application

ORDINANCE NO. 04-2012

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #04-2012: Amending Salary Ordinance 11-11 (--/--/2012)

RESOLUTION NO. 01-12

**TOWN COUNCIL
TOWN OF VEEDERSBURG, INDIANA
Resolution No. 01 -12**

**A RESOLUTION APPOINTING A COMMISSIONER TO THE
INDIANA MUNICIPAL POWER AGENCY**

WHEREAS, the Town Council of the Town of Veedersburg has enacted Ordinance No. 01 -12 making the Town of Veedersburg a member of the Indiana Municipal Power Agency (the Agency); and

WHEREAS, under I.C. 8-1-2.2-8, the governing body of the Agency is the Board of Commissioners, which consists of one Commissioner appointed by each of the Agency's municipal members; and

WHEREAS, it is therefore necessary to appoint a Commissioner to represent the Town of Veedersburg on said Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Veedersburg hereby nominates, appoints and selects Keith K. Smith , as Commissioner for the Town of Veedersburg to the Board of Commissioners of said Indiana Municipal Power Agency, pursuant to the laws of the Town of Veedersburg, this 24 day of January, 2012.

Adopted this 24 day of January, 2012.

Keith K. Smith
President, Veedersburg Town Council

ATTEST:

Kathy J. Pugh
Clerk-Treasurer, Town of Veedersburg

Supporting Documents:



Oath of Office



Certificate of City Clerk-Treasurer



Certificate of City Clerk-Treasurer

ORDINANCE NO. 2012-8

AN ORDINANCE ESTABLISHING A POLICE RESERVE OFFICER PROGRAM

WHEREAS, the Veedersburg Police Department has a need for Police Reserve Officers in order to protect the public safety of the Town of Veedersburg; and

WHEREAS, I.C. §36-8-3-20 allows for the establishment of Police Reserve Officers.

NOW, THEREFORE, the Town Council of Veedersburg states and adopts as follows:

- A. The Town Marshal, at his discretion and with the advice and consent of the Town Council, is authorized to implement a police reserve officer program for Veedersburg Police Department pursuant to I.C. §36-8-3-20.
- B. The number of Police Reserve Officers shall not exceed eight (8) at any one time.
- C. The Police Reserve Officers shall be appointed by the same authority of the Town Council who appoints regular members of the Veedersburg Police Department.
- D. Police Reserve Officers shall not be members of the regular Veedersburg Police Department but shall have all of the same police powers as regular members of the Veedersburg Police Department except as limited by statute and the rules of the Veedersburg Police Department.
- E. The Town Marshal, with the advice and consent of the Town Council, shall adopt rules to limit the authority of Police Reserve Officers.
- F. At the discretion of the Town Marshal and with the concurrence of the Town Council, to the extent that money is appropriated for the purposes listed in this subsection, Police Reserve Officers may receive any of the following:
 - 1. A uniform allowance;
 - 2. Compensation for time lost from other employment because of court appearances.
- G. Police Reserve Officers are not eligible to participate in any pension program provided for regular members of the Veedersburg Police Department.
- H. Veedersburg Police Reserve Officers may not be appointed until he or she has completed the training and probationary period specified by the rules of the Veedersburg Police Department.
- I. A Reserve Police Officer appointed by the Department may not:

1. Make an arrest;
2. Conduct a search of seizure property; or
3. Carry a firearm.

Unless the Police Reserve Officer successfully completes the pre-basic course under I.C. §5-2-1-9.

J. A Reserve Police Officer may be covered by the medical treatment and burial expense provisions of the Workman's Compensation Law (I.C. §22-3-6) and the Worker's Occupational Diseases Law (I.C. §22-3-7). If compensability of the injury is an issue, administrative procedures of I.C. §22-3-2 through 7 shall be used to determine the issue.

ADOPTED by the Town Council of Veedersburg, Fountain County, Indiana this 23rd day of October, 2012.

Town Council of Veedersburg

By: Keith K. Smith

By: Tim Shumaker

By: Stephen R. Cates

By: Troy Finley

By: Teresa K. Cooper

Attest:

Kathy J. Pugh
Clerk Treasurer

ORDINANCE 4-08

AN ORDINANCE AMENDING [ORDINANCE NO 10-05](#) TO MAKE A CORRECTION REGARDING THE AMOUNT TO BE PAID BY THE TOWN OF VEEDERBURG AS FIRE HYDRANT RENTAL WHICH WAS OMITTED.

Be it ordained by the Town Council of the Town of Veedersburg, Indiana that the following item be added to the Section 1: Schedule of rates:

- (H) The amount to be paid by the Town of Veedersburg as fire hydrant rental shall be One Hundred Dollars (\$100.00) per hydrant per year.

Adopted this 13th day of May, 2008.

Keith K. Smith
Keith Smith

Stephen R. Cates
Stephen Cates

Will C. Rahm
William Rahm

Bob Barker
Bob Barker

Seth A. Hoagland
Seth Hoagland

Attest: Laura Bennett
Laura Bennett: Clerk-Treasurer

ELECTRIC DEPARTMENT ON CALL AGREEMENT

1. On call employee will be paid \$10.00 per day; duty will begin at 7:00 a.m. Thur. morning and end at 6:59 the following Thursday morning. Employees will rotate duty.
2. On call employees must be available for duty after normal working hours and on weekends. A cell phone will be provided so they can be contacted if they leave home. The employee must remain within 30 minutes of home when on call.
3. If the employee is found to be unavailable during their duty, they forfeit the pay for that day and are subject to disciplinary measures as outlined in the Town policy. Exceptions will be made for emergencies. In the event of an emergency, the on call employee is responsible for finding a fellow employee of the electric department to cover his hours, and must notify the electric superintendent, clerk-treasurer and street superintendent of the change.
4. On call phones are for business use only. If any personal use is detected, the employee will be responsible for those charges.
5. Employee who is called out will receive a minimum of 2 hours overtime pay for that day.

Dated this 11th day of October, 2000

Carl Hoagland

Kevin R. George

Amy Keeling

Joseph M. Cox

Richard C. Burton

Attest: Laura Bennett
Clerk-Treasurer

Editor's Note: Town electrical employees (Lewis, Wayne, and George) also signed this document. Please refer to the original document for those signatures.

AN ORDINANCE CONCERNING THE MAINTENANCE OF FARM ANIMALS WITHIN TOWN LIMITS

WHEREAS, the Town Council of Veedersburg is concerned about the health hazards, sanitary conditions and nuisance of farm animals being kept and raised within the town limits.

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

SECTION 1.0 No person, corporation or other entity shall be allowed to keep, raise or maintain for any purpose on any property within the Town limits, any farm animals or livestock including but not limited to cattle, horses, pigs, chickens, sheep or turkeys.

SECTION 2.0 Anyone violating this ordinance shall be given thirty (30) days after written notification of said violation to remove the animals.

(Amended by [Ord. No. 1996-13](#), adopted 8/20/1996.)

 { *view archive* }

SECTION 3.0 Anyone who fails to remove the prohibited animals within the time period specified in Section 2.0 shall be fined \$100.00 under I.C. 36-1-7- 8(10).

(Amended by [Ord. No. 1996-13](#), adopted 8/20/1996.)

 { *view archive* }

SECTION 3.1 Each day may constitute a new and separate violation until compliance occurs or the violation is abated. The penalty shall begin to accrue on the date the written notification is given pursuant to Section 2.0 above, but no fine shall be levied if the violation is abated within the 30 day period specified in Section 2.0 above.

(Amended by [Ord. No. 1996-13](#), adopted 8/20/1996.)

SECTION 4.0 If any provision of this ordinance shall be adjudged invalid or unenforceable by a court of proper jurisdiction, such provision shall be ineffective only to the extent of such invalidity or unenforceability without in any way affecting the remaining provisions of this ordinance.

SECTION 5.0 This ordinance shall be in full force and effect from and after its passage, promulgation and publication in accordance with the law.

PASSED AND ADOPTED BE THE TOWN COUNCIL OF VEEDERSBURG ON THE 4th DAY OF MAY, 1992

Donald L. Bailey
Donald Bailey, President of the
Town Council of Veedersburg

VEEDERSBURG TOWN ATTORNEY DUTIES

The town attorney will be required to provide the following:

1. Attend the first regular Council meeting of each month.
2. Attend Executive sessions as requested by the Council.
3. Attend Informational meetings as requested by the Council.
4. Attend Financial meetings as requested by the Council.
5. Provide legal work as requested by the Council.
6. Attend any other meetings as requested by Resolution of the Council.
7. Provide legal work as requested by Resolution of the Council.
8. Items 1-5, to be performed as covered by \$1,800.00 yearly retainer.
9. Items 6 and 7, covered at a rate of \$60.00 per hour with itemized billing to include: date, time, place, those present, and length of meeting in minutes.

This 2 day of February 1993

Donald L. Bailey
Town Council - President

Ralph Cushman
Town Council - Member

Terri J. Gadd
Town Council - Member

ORDINANCE #02-2015

AN ORDINANCE AMENDING ORDINANCE 1-02 STATING THE PAID HOLIDAYS OF THE TOWN OF VEEDERSBURG

- A. PAID HOLIDAYS**
- 1. New Year's Day**
 - 2. President's Day**
 - 3. Memorial Day**
 - 4. Independence Day**
 - 5. Labor Day**
 - 6. Columbus Day**
 - 7. Veteran's Day**
 - 8. Thanksgiving Day**
 - 9. Day after Thanksgiving**
 - 10. Christmas Eve Day**
 - 11. Christmas Day**
 - 12. New Year's Eve**
 - 13. Election Days if Voting at the Municipal Building**

If the holiday falls on Saturday, Friday will be taken.
If the holiday falls on Sunday, Monday will be taken.
An employee must work 60 days before being paid for holidays.

This ordinance shall be in full force and effect upon passage by the Town Council of the Town of Veedersburg, Indiana

Adopted this 24th day of February, 2015.

Troy Finley

Mark Rusk

Stephen R. Cates
Town Council

Attest: Kathy J. Pugh **Clerk-Treasurer**

Salary Ordinance # 04-2018

An ordinance fixing the salaries of the officials and employees of the Town of Veedersburg, Fountain County, Indiana for the year 2019 with certain exceptions and repealing all other salary ordinances and amendments heretofore made.

SECTION 1

Be it ordained by the Town Council of Veedersburg, Indiana that the salaries and wages of the following officials and employees of said Town be fixed as follows:

Town Council Members	\$6000.00 per year
Town Manager	
1 st Year	45000.00 per year
2 nd Year	49000.00 per year
3 rd Year	53000.00 per year
4 th Year	57000.00 per year
Building Inspector	50.00 per inspection
Town Clerk–Treasurer	10860.00 per year
Collector of Lights, Water, Sewer	36625.00 per year
Longevity Pay-Kathy J. Pugh, Collector of Lights, Water, Sewer	10000.00 per year
Town Marshal	48200.00 per year
Deputy Marshal with academy	45200.00 per year
Student Resource Officer	44200.00 per year
Part–time Deputy Marshal	18.00 per hour
Part–time Deputy Marshal	17.00 per hour
Water, Sewer, Street Operator in Charge	23.72 per hour
Electric Foreman	33.42 per hour
Electric Lineman/5 or more years experience as Lineman	32.00 per hour
Electric Lineman	
After 1 st year apprenticeship	22.21 per hour
After 2 nd year apprenticeship	23.27 per hour
After 3 rd year apprenticeship	25.27 per hour
After 4 th year apprenticeship	26.84 per hour
After 4 th year apprenticeship with certification	28.42 per hour
Starting Apprentice Lineman	21.20 per hour
Starting Laborer	16.00 per hour
Laborer after 90 days	18.67 per hour

Laborer with Grade DSS Certification	19.17 per hour
Laborer with WT2 Certification	19.67 per hour
Wastewater Treatment Operator	
Plant Supt/Foreman	23.72 per hour
Apprentice after 3000 hours	19.67 per hour
Apprentice after 4500 hours with Certification	20.17 per hour
Office Full-time	18.67 per hour
Office Part-time	12.50 per hour
Pool Manager	500.00 per week
Lifeguards after one season	7.65 per hour
Starting Lifeguards	7.40 per hour
Summer Help– 1 st year	10.00 per hour
Summer Help– Subsequent years	11.50 per hour

Non supervisory employees requested in writing by the town to perform supervisory duties will receive \$2.00 per hour premium.

If a fulltime employee is enrolled and contributes to the 457 plan, the town will make a matching contribution of up to \$20.00 per week into a 401 A plan for the employee.

This ordinance shall be in effect from Jan 1, 2019 through and including Dec. 31, 2019.

Keith K. Smith

Teresa K. Cooper

Mark Rusk

Stephen R. Cates

Troy Finley

Veedersburg Town Council

Attest: Kathy J. Pugh
Clerk/Treasurer

Date 09/25/18

Attachment(s):

+/-

#04-2018: Salary for 2019 (9/25/2018) - Email Attachment

RESOLUTION 2017-14

WHEREAS, The Town has adopted a personnel policy regarding accepting gifts, and

WHEREAS, The Town deems it proper to clarify its policy on gifts.

BE IT RESOLVED by the Town Counsel as follows:

No Public official or employee shall accept any gift, favor, service, entertainment, or item that exceeds \$200 in value on any one occasion that may tend to influence the public official or employee in the discharge of his or her official duties.

Resolved this 26th day of September , 2017.

VEEDERSBURG TOWN COUNCIL

Teresa K. Cooper
Member

Troy Finley
Member

Mark Rusk
Member

Stephen R. Cates
Member

Member

ATTEST:

Kathy J. Pugh
Kathy Pugh, Clerk-Treasurer

Editor's Note: The "Employee Manual" has not been published with these materials.

ORDINANCE NO. 05-2018
AN ORDINANCE AMENDING
OVERTIME PROVISIONS IN EMPLOYEE MANUAL

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG,
INDIANA, AMENDING OVERTIME PROVISIONS IN EMPLOYEE MANUAL**

WHEREAS, the Town of Veedersburg, Indiana (the “Town”), owns and operates a municipal utilities for water and electric, and hires employees to perform duties, and

WHEREAS, the Town has previously adopted an Employee Manual containing provisions on Overtime; and

WHEREAS, it is necessary to amend the overtime provisions; and

WHEREAS, this Town Council has the power, authority and responsibility to amend its Employee Manual;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, THAT THE OVERTIME PROVISIONS CONTAINED IN SECTION G OF THE EMPLOYEE MANUAL IS AMENDED AS FOLLOWS:

OVERTIME (Excluding Clerk’s office and police department)

G.

1. All hourly and salaried employees must use the time clock. Each employee will get time and a half pay for hours worked over forty in a week. A holiday or personal day counts as eight (8) hours.
2. Employees shall be paid a minimum of two (2) hours when they are on call and called into work (even if the actual time worked is less than 2 hours). If employees are called in a second time the same day, they again will get paid for a minimum of two (2) hours. If employees are called in a third time or more on the same day, they will only be paid for the amount of time actually worked. When working mandatory overtime, employees will be paid time and a half for the amount of time worked.

SO ADOPTED this 13th day of November, 2018.

TOWN COUNCIL OF THE TOWN OF
VEEDERSBURG, INDIANA

President
Teresa K. Cooper

Troy Finley

Mark Rusk

Stephen R. Cates

ATTEST:

Kathy J. Pugh
Clerk-Treasurer

Editor's Note: The "Employee Manual" has not been published with these materials.

Ordinance 2-92

AN ORDINANCE ESTABLISHING SPECIFIC DEPARTMENTAL RESPONSIBILITY TO
SPECIFIC COUNCIL MEMBERS

WHEREAS, The Veedersburg Town Council, pursuant to its legislative powers under I.C. 36-5-2-9 desires to divide departmental responsibility among the council members.

NOW THEREFORE, BE IT ORDAINED by the Town Council of Veedersburg, Indiana, that:

Section 1. The departments of the Town of Veedersburg shall consist of the Police Department, The Street Department, and the Utility Department.

Section 2. The President of the Town Council at a regularly scheduled meeting shall appoint council members for a period of one (1) year to act as administrative head of each department.

Section 3. This Ordinance shall be in full force and effect from and after its passage, promulgation and publication in accordance with the laws.

PASSED AND ADOPTED BY THIS TOWN COUNCIL OF VEEDERSBURG, FOUNTAIN
COUNTY, INDIANA this 21 day of January , 1992.

Donald Bailey
Donald Bailey, Council President

ATTEST:

Kathryn M. York
Kathryn York, Clerk Treasurer

RESOLUTION NO. 13-93

**RESOLUTION SUBMITTING TO THE VOTERS OF THE TOWN OF
VEEDERSBURG, INDIANA THE QUESTION OF WHETHER THE NUMBER
OF MEMBERS OF THE VEEDERSBURG TOWN COUNCIL SHOULD BE
INCREASED FROM THREE TO FIVE**

BE IT RESOLVED BY THE VEEDERSBURG TOWN COUNCIL:

1. The Town Council of the Town of Veedersburg proposes that the number of members of the Veedersburg Town Council be increased from three to five.
2. The question of whether to make the increase in the number of members of the Veedersburg Town Council from three to five shall be placed on the ballot at the general election to be held November 8, 1994.
3. The following question shall be placed on the ballot on November 8, 1994 in the form provided by IC 3-10-9-4:

"Shall the number of town council members be increased from three to five?"
4. The Clerk-Treasurer of the Town of Veedersburg is authorized and directed to certify the foregoing public question to the Clerk of the Fountain Circuit Court in accordance with IC*3- 10-9-3 .

Adopted at a regular meeting on November 16 , 1993.

VEEDERSBURG TOWN COUNCIL

Ralph Cushman
Ralph Cushman, President

Donald L. Bailey
Donald Bailey

Terri Gadd

Attest:

Kathryn York
Kathryn York, Clerk-Treasurer

ORDINANCE NO. 7-90

AN ORDINANCE REPEALING ORDINANCE 2-1934 ENACTED ON JANUARY 1, 1934.

Whereas, the Town Council of the Town of Veedersburg has heretofore authorized the Town Marshal to hire his own deputy marshals in Ordinance 2-1934, and

Whereas, for quite some period of time this ordinance has not been followed as a matter of practice, now:

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, IN:

Section 1. That Ordinance 2-1934 is hereby repealed effective immediately.

Section 2. That the Town Council shall hire all deputy marshals under the general authority of I.C. 36-1-4-14.

Section 3. This ordinance shall become effective immediately in signing.

Approved and adopted by the Town Council of the Town of Veedersburg, this 20th day of November, 1990.

TOWN COUNCIL

Ralph Cushman
Ralph V. Cushman

Catherine Dismore
Catherine Dismore

Gregory F. Seibold
Gregory Seibold

Attest:

Kathryn York
Kathryn York, Clerk-Treasurer

ADDENDUM

VEEDERSBURG POLICE DEPARTMENT RULES AND REGULATIONS

All officers on duty will maintain the Daily Duty Log Book. This log book will kept in the patrol car and be available to Council members at all times.

1. The Daily Duty Log Book is to contain the following:
 - a. time signing on and off duty.
 - b. full odometer readings at start and end of shift. for both cars.
 - c. officers shall not leave town limits at anytime, except for emergencies, or when call out by the County, State police, Fire department(s), or other Town police departments. Then the reason and time are to be recorded.
 - d. the time when downtown foot patrol is carried out.
 - e. if an officer uses the police car for official business reason, time and mileage are to be recorded.
 - f. after rounds, officers will return to police station to be available for the public.
 - g. a report is to be submitted to the council each meeting of police activities.
 - h. failure to maintain a current and accurate daily duty log book will be considered justifiable reason for disciplinary action against the offending officer.

This 2nd day of February 1993

Donald L. Bailey
Town Council - President

Ralph Cushman
Town Council - Member

Terri J. Gadd
Town Council - Member

ORDINANCE NO. 2012-7

AN ORDINANCE REGARDING FEES FOR ACCIDENT REPORTS

WHEREAS, the Veedersburg Police Department regularly receives requests for copies of police accident reports; and

WHEREAS, I.C. §9-29-11-1 authorizes the collection of a fee for providing copies of accident reports.

NOW, THEREFORE, the Town Council of Veedersburg states and adopts as follows:

- A. A fee of Five Dollars (\$5.00) shall be charged by the Town when any request is made for a copy of a police accident report.
- B. Fees collected for police accident reports shall be deposited into a continuing education fund established under I.C. §5-2-8-2.

ADOPTED by the Town Council of Veedersburg, Fountain County, Indiana this 23rd day of October , 2012.

Town Council of Veedersburg

By: Keith K. Smith

By: Tim Shumaker

By: Stephen R. Cates

By: Troy Finley

By: Teresa K. Cooper

Attest:

Kathy J. Pugh
Clerk Treasurer

TOWN OF VEEDERSBURG

118 Railroad Avenue

VEEDERSBURG, INDIANA 47987

RESOLUTION NO. 1-72

WHEREAS the year 1972 marks the 100th year of the founding of Veedersburg, Indiana, and

WHEREAS this important milestone provides an opportunity to focus our attention on the growth and progress of our town, and

WHEREAS there has been formed a Celebration Corporation to carry out plans for commemorating this memorable event, and

WHEREAS it is the desire of us all that this event be a self-sustaining one financially,

BE IT HEREBY KNOWN that the Celebration Committee anticipates revenue from such projects as admissions to an Historical Spectacle and historical program advertising booklet, a carnival and the sale of such novelties and souvenirs as Booster Badges, Membership Certificates, Commemorative Coins, Hats, Bonnets, Old Fashioned Wearing Apparel, plus Ties, Plates, and other similar items.

BE IT HEREBY ORDAINED that no individual, company, or organization will sell, trade, or give away anything that has a Celebration reference or connotation without first obtaining written permission from the Executive Committee or its selected representative, and that no permits, franchises, or privileges pertaining to Celebration activities will be granted to anyone by the Town of Veedersburg, Indiana, unless such written permission is granted by the aforementioned Executive Committee.

APPROVED BY THE VEEDERSBURG TOWN BOARD

James O. Songer
President, James O. Songer

Leslie Howard
Leslie Howard

Glenn Forkner
Glenn Forkner

RESOLUTION 1-85

A Resolution concerning the Weatherization Program for Fountain County.

Whereas, the Veedersburg Town Board voted unanimously there now exists a need for a Weatherization Program for low income residents of Veedersburg, Fountain County.

Now therefore be it resolved that a need exists for this program

Be it Further Resolved this Resolution is to become effective immediately.

Dated this 28 day of February, 1985

Ralph Cushman
President Town Board

RESOLUTION 2-89

WHEREAS, NJK Farms proposes to build a 189-acre landfill in Fountain County; and

WHEREAS, this proposal is not intended to serve primarily Fountain County residents, but other cities, counties and states, many of which are located great distances from Fountain County; and

WHEREAS, large quantities of out-of-county waste poses special risks, such as drinking water contamination, traffic accidents, litter and loss of property value; and

WHEREAS, the cost of correcting any problems from these landfill proposals may become the responsibility of the taxpayers of Fountain County, including residents of Veedersburg; and

WHEREAS, the Veedersburg Town Board takes seriously its duty to protect the health, safety and welfare of Veedersburg residents;

THEREFORE BE IT RESOLVED, that the Veedersburg Town Board opposes 1.) the importation of more waste into Fountain County and 2.) the NJK Farms Landfill proposal.

BE IT FURTHER RESOLVED, that the Veedersburg Town Board encourages the Fountain County Commissioners to take all actions necessary to halt these proposals, including defending the county's waste ordinances and moratorium. Copies of this resolution shall be sent to the Fountain County Commissioners, Fountain County Council, Indiana Department of Environmental Management, Governor Bayh, Senator Harrison, and Representative Grubb.

Date: 9-19-89

Ralph Cushman

Catherine Dismore

Gregory F. Seibold

RESOLUTION 9-92

A RESOLUTION SUPPORTING THE ALLOCATION OF AT LEAST 25% OF LOTTERY REVENUES TO LOCAL GOVERNMENT

WHEREAS, there is a growing need to return revenues to local units of government and strengthen their basic infrastructure; and,

WHEREAS, local elected officials are in the best position to determine the needs of their communities; and,

WHEREAS, much of the initial support for the creation of the Hoosier Lottery was based upon the belief that lottery funds would be used to help meet the infrastructure needs of Indiana cities, town and counties; and,

WHEREAS, lottery funds have instead been used to replace operating expenses in state and local budgets, forcing a reliance on an unstable source of revenue; and

WHEREAS, the lack of availability of lottery revenues to local units of government has caused further delays in meeting local capital needs, causing further deterioration and higher long-term costs; and,

WHEREAS, many Hoosier citizens have become confused and disenchanted with the way lottery funds have been used, resulting in lower ticket sales; and,

WHEREAS, a certain and significant local return of lottery revenues would likely lead to higher ticket sales;

BE IT THEREFORE RESOLVED that the undersigned Council of the Town of Veedersburg call upon the Indiana General Assembly to enact, and the Governor to support, legislation to guarantee that a minimum of 25% of lottery revenues, after administration and prizes, be directly distributed to cities, towns and counties to be used for capital needs, using an impartial and equitable formula to ensure that all communities share in the benefits of the Hoosier Lottery.

PASSED THIS 4th DAY OF NOVEMBER, 1992.

Donald L. Bailey
President

Terri J. Gadd
Council-Member

Ralph Cushman
Council-Member

RESOLUTION - 11-92

BE IT RESOLVED by the Veedersburg Town Council.

WHEREAS, the surface transportation system in Fountain county and all the municipalities, including Veedersburg, are of key importance to the quality of life, future economic development and safety of our citizens.

WHEREAS, the 1991 Intermodal Surface Transportation Efficiency Act, ISTEA, is going to provide additional funds requiring local match.

WHEREAS, Fountain County and its communities have taken advantage of tools given to them by the Legislature to raise local funds for highway and bridge projects.

WHEREAS, there are still tremendous needs locally.

WHEREAS, local government did not receive any of the last state highway fund increase in 1988.

WHEREAS, funding in the 1991 Intermodal Surface Transportation Efficiency Act increases throughout the term of six year program, making our needs for local match is even greater in the future.

WHEREAS, spending money on public works project and infrastructure is the best thing the state can do for the economy and Public works spending will create tremendous jobs throughout the state and provide an increase in the capacity of our infrastructure system that will allow for future growth and economic development.

WHEREAS, improvements to the state highway system in Fountain County are imperative to the economic health of Fountain County.

BE IT THEREFORE resolved, that the Veedersburg Town Council request action from the Legislature and the Governor of the state of Indiana, to provide additional funds for local units of government, and the state to meet our increased highway needs during the 1993 General Assembly.

Passed this 17th day of November, 1992.

Donald L. Bailey Council - President

Terri J. Gadd
Council - Member

Ralph Cushman
Council - Member

RESOLUTION 3-93

RESOLUTION IN SUPPORT OF THE FOUNTAIN COUNTY COUNCIL ADOPTING THE ECONOMIC DEVELOPMENT INCOME TAX (EDIT)

Whereas, the Veedersburg Town Council recognizes the need for economic development projects that lead to gainful employment and higher quality of life for the citizens and;

Whereas, the EDIT revenues could be used to provide the local contribution for projects and bonding payment.

We therefor support the Fountain County Economic Development Corporation request that the EDIT be incorporated in the county income tax structure.

Attest: _____

Ralph Cushman

Terri J. Gadd

Adopted this 16th day of March ,1993

Vote-Ralph Cushman and Terri Gadd aye - Don Bailly no

Attached Documents:

+/-

Letter from Fountain County Economic Development Corporation (3/8/1993)

+/-

Relevant Indiana Code - Page 1

+/-

Relevant Indiana Code - Page 2

+/-

Relevant Indiana Code - Page 3

+/-

Relevant Indiana Code - Page 4

ORDINANCE NO. 10 -95

AN ORDINANCE ESTABLISHING AN ORDINANCE VIOLATIONS BUREAU IN THE TOWN OF VEEDERSBURG AND SETTING THE PENALTIES TO BE COLLECTED BY THE BUREAU WITH RESPECT TO CERTAIN ORDINANCE VIOLATIONS

WHEREAS, Indiana Code 33-6-3 authorizes the Town of Veedersburg to establish an ordinance violations bureau, and the Town Council of the Town of Veedersburg has determined that it is in the best interests of the Town of Veedersburg to establish such a bureau and to establish the amount of the civil penalties to be collected by the clerk of such bureau for the violation of certain ordinances of the Town;

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Veedersburg as follows:

Section 1. Establishment of Ordinance Violations Bureau. An ordinance violations bureau is hereby established in the Town of Veedersburg to accept written appearances, admissions of violations, and payments of civil penalties for violations of ordinances of the Town of Veedersburg.

Section 2. Violations Clerk. The clerk-treasurer of the Town of Veedersburg is hereby designated the Violations Clerk of the Town of Veedersburg.

Section 3. Schedule of Ordinances and Penalties Subject to Settlement by the Violations Clerk. Violations of the following ordinances may be settled by the Violations Clerk by receipt of the sum set forth next to such Ordinance.

<u>Ordinance</u>	<u>Subject</u>	<u>Penalty</u>
8-94	Speeding on Harrison Street (but less than 35 m.p.h.)	\$50
10-94	Speeding on Streets in Hub Park (but less than 35 m.p.h.)	\$50
14-94	Speeding on 8th Street East of Sterling Avenue (but less than 35 m.p.h.)	\$50
16-94	Loitering (First Offense; Minimum Fine Greater if Goes to Court)	\$50
17-94	Parents whose Children Violate Curfew (First Offense Only)	\$50
5-79	Public Nuisances (Per Day)	\$50

Dated this 18th day of July, 1995.

VEEDERSBURG TOWN COUNCIL

Donald L. Bailey
Don Bailey, President

Ralph Cushman
Ralph Cushman

Richard L. Rusk
Richard Rusk

Greg F. Seibold
Greg Seibold

Richard C. Burton
Richard Burton

Attest:

Kathryn M. York
Kathryn York, Clerk-Treasurer

AN ORDINANCE ESTABLISHING THE HOURS IN WHICH PUBLIC PARKS IN THE TOWN OF VEEDERSBURG SHALL BE OPEN

WHEREAS, vandals have damaged or destroyed public property in the parks of the Town of Veedersburg; and

WHEREAS, most of such vandalism has occurred after dark, and the Town Council of the Town of Veedersburg has determined that such vandalism may be reduced if the public parks are open only during daylight hours;

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Veedersburg as follows:

Section 1. Hours Parks to Be Open. The public parks of the Town of Veedersburg shall be open from the later of (a) 7 a.m. or (b) sunrise, until sunset each day. No one shall enter into or remain in the parks of the Town of Veedersburg after sunset and before the later of (a) 7 a.m. or (b) sunrise the following day, except as authorized in Section 2.

Section 2. Exceptions. Persons participating in or observing the following activities shall be permitted to be in the parks of the Town of Veedersburg during the times that such activities are occurring:

- (a) Organized baseball and softball games.
- (b) Swimming in the municipal pool during such times as are authorized by the pool manager.
- (c) Activities at the park pavilions or shelters during such hours as the same have been reserved at the Clerk-Treasurer's office.
- (d) Activities in or around the scout cabin during such hours as the cabin has been reserved for such activities.
- (e) The operation of motor vehicles on the public streets located within the parks, but no standing, stopping or parking of such vehicles shall occur on such streets after sunset and before the later of (a) 7 a.m. or (b) sunrise.
- (f) Such other activities as are specifically authorized by the Town Council from time to time.

Section 3. Sign Posting. The employees of the Town of Veedersburg are authorized and directed to post sign(s) at the entrances to the parks and at other conspicuous locations in the parks giving notice of the park hours herein established.

Section 4. Penalty for Violation. Any person who violates the provisions of this Ordinance shall be subject to a penalty of \$50. In lieu of such a penalty, violators may be prosecuted for criminal

trespass in appropriate cases.

Section 5. Effective Date. This Ordinance shall be in full force and effect upon its passage by the Town Council of the Town of Veedersburg and publication in accordance with law.

Dated this 13 day of October , 1998.

VEEDERSBURG TOWN COUNCIL

Richard L. Rusk
Richard Rusk, President

Greg Seibold
Greg Seibold

Richard C. Burton
Richard C. Burton

Tim Shumaker
Tim Shumaker

Kevin George
Kevin George

Attest:

Kathryn M. York
Kathryn York, Clerk-Treasurer

RESOLUTION NO. 00- 02

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA,
AUTHORIZING CERTAIN ADDITIONS, IMPROVEMENTS AND EXTENSIONS TO THE
SEWER WORKS OF THE TOWN PAYABLE FROM THE REVENUES OF SAID SEWAGE
WORKS**

WHEREAS, the Town of Veedersburg, Indiana (the "Town"), has heretofore established and constructed and currently owns and operates a sewer works by and through its Town Council (the "Town Council"), furnishing sanitary sewer services to the Town and its inhabitants (the "Sewage Works"), pursuant to Indiana Code 36-9-23, as amended and

WHEREAS, the Town has previously issued its \$1,725,000 original principal amount Town of Veedersburg, Indiana, Junior Sewage Works Revenue Bonds, Series 1997 (the "Bonds"), pursuant to Ordinance No. 96-11, adopted by the Town Council on July 8, 1996 (the "Ordinance"), the principal and interest upon which is payable from the net revenues of the Sewage Works-, and

WHEREAS, this Town Council hereby finds that the purpose for which the Bonds were issued has been accomplished, and that certain additions, improvements and extensions to the Sewage Works, specifically the purchase of a street sweeper and a sewer jet to keep the Sewage Works operating properly and free of clogs (the "Sewage Equipment") are necessary: and

WHEREAS, Section 11(c) of the Ordinance authorizes net revenues deposited in the Improvement Account established thereunder to be used to pay the costs of additions, improvements and extensions to the Sewage Works so long as all required amounts have been deposited in the Operation and Maintenance Account and the Bond and Interest Redemption Account established under Section 11(a) and Section 11(b), respectively, of the Ordinance; and

WHEREAS, Indiana Code § 5-1-13-2(c)(2) authorizes surplus bond proceeds to be expended for the same purpose or type of project for which the bonds were originally issued, and

WHEREAS, this Town Council desires to authorize the additions, improvements and extensions constituting the Sewage Equipment;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. This Town Council hereby finds that all required payments to the Operation and Maintenance Account and the Bond and Interest Redemption Account required under Section 1 1(a) and Section 11(b), respectively, of the Ordinance have been made, that the purchase of the Sewage Equipment constitutes the same purpose or type of project for which the Bonds were originally issued, and that the purchase of the Sewage Equipment is necessary and hereby authorizes the purchase of the Sewage Equipment, the costs of which are to be paid from the net revenues deposited in the Improvement Account established under Section 11(c) of the Ordinance.

Section 2. This Resolution shall be in full force and effect from and after its passage and adoption.

Passed and adopted by the Town Council of the Town of Veedersburg, Indiana, on the 13th day of April, 2000.

TOWN OF VEEDERSBURG TOWN COUNCIL

By Carl Hoagland
Presiding Officer

ATTEST:

Laura Bennett
Clerk-Treasurer

Presented by me to the President of the Town Council of the Town of Veedersburg, Indiana on the 13th day of April, 2000 at 7:00 o'clock p.m.

Laura Bennett
Clerk-Treasurer

This Resolution approved and signed by me on the 13th day of April, 2000, at _____ o'clock p.m.

By Carl Hoagland
President of the Town Council

ORDINANCE 12-08

AN ORDINANCE ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AS THE STANDARD FOR INCIDENT MANAGEMENT BY THE CITY OF VEEDERSBURG, IN.

WHEREAS, on February 28, 2003 the President issued Homeland Security Presidential Directive (HSPD)-5 that directed the Department of Homeland Security, in cooperation with representatives of federal, state, and local government, to develop a National Incident Management System (NIMS) to provide a consistent approach to the effective management of situations involving natural disasters, man-made disasters or terrorism; and

WHEREAS, the final NIMS was released on March 1, 2004, and

WHEREAS, the NIMS contains a practice model for the accomplishment of the significant responsibilities associated with prevention, preparedness, response, recovery and mitigation of all major and national hazards situations, and

WHEREAS, the HSPD-5 requires that state and local governments adopt the NIMS by fiscal year 2005 as a pre-condition to the receipt of federal grants, contract and activities related to the management and preparedness for certain disaster and hazard situations; and

WHEREAS, the Common Council for the Town of Veedersburg, IN desires to adopt the NIMS as required by HSPD-5.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE TOWN OF VEEDERSBURG, IN.

Hereby adopts the National Incident Management System dated March 1, 2004.

Keith K. Smith

Stephen R. Cates

Will C. Rahm

Bob Barker

ATTEST: Laura Bennett
 CLERK-TREASURER

TOWN OF VEEDERSBURG, INDIANA RESOLUTION # 5-10

1. WHEREAS, The Town of Veedersburg has participated jointly in the planning process with the other local units of government within Fountain County, Indiana to prepare an Fountain County, Indiana Multi-Hazard Mitigation Plan; and,

2. WHEREAS, The Town of Veedersburg recognizes the threat that natural hazards pose to people and property; and,

3. WHEREAS, undertaking hazard mitigation actions before disasters occur will reduce the potential for harm to people and property and save taxpayer dollars; and,

4. WHEREAS, an adopted multi-hazard mitigation plan is required as a condition of future grant funding for mitigation projects; and,

NOW, THEREFORE, BE IT RESOLVED, that Town of Veedersburg hereby adopts the Fountain County Multi-Hazard Mitigation Plan as an official plan for the Town of Veedersburg, Indiana; and

BE IT FURTHER RESOLVED, that the Fountain County Emergency Management Agency will submit on behalf of all Fountain County participating municipalities the adopted Fountain County Multi-Hazard Mitigation Plan to the Indiana Department of Homeland Security and the Federal Emergency Management Agency for final review and approval.

ADOPTED THIS 26 DAY OF October , 2010.

Keith K. Smith
Town Board Member

Travis Covault
Town Board Member

Bob Barker
Town Board Member

Seth A. Hoagland
Town Board Member

Town Board Member

**Resolution 2011-13 RESOLUTION AUTHORIZING APPLICATION
SUBMISSION AND LOCAL MATCH COMMITMENT**

**RESOLUTION OF THE VEEDERSBURG TOWN COUNCIL OF THE TOWN OF VEEDERSBURG
FOUNTAIN COUNTY, INDIANA, AUTHORIZING THE SUBMITTAL OF THE CFF
APPLICATION TO THE INDIANA OFFICE OF COMMUNITY AND RURAL AFFAIRS AND
ADDRESSING RELATED MATTERS**

WHEREAS, the Council of the Town of Veedersburg, Indiana recognizes the need to stimulate growth and to maintain a sound economy within its corporate limits; and

WHEREAS, the Housing and Community Development Act of 1974, as amended, authorizes the Indiana Office of Community and Rural Affairs to provide grants to local units of government to meet the housing and community development needs of low- and moderate-income persons; and

a.

WHEREAS, the Housing and Community Development Act of 1974, as amended, authorizes the Indiana Office of Community and Rural Affairs to provide grants to local units of government for the elimination and prevention of blight; and

WHEREAS, the Town of Veedersburg, Indiana has conducted or will conduct public hearings prior to the submission of an application to the Indiana Office of Community and Rural Affairs, said public hearings to assess the housing, public facilities and economic needs of its low- and moderate-income residents;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Veedersburg, Indiana that:

1. The Council President. is authorized to prepare and submit an application for grant funding to address planning activities related to water and wastewater improvements and to execute and administer a resultant grant including requisite general administration and project management, contracts and agreements pursuant to regulations of the Indiana Office of Community and Rural Affairs and the United States Department of Housing and Urban Development.
2. The Town of Veedersburg, Indiana hereby commits the requisite local funds in the amount of four thousand four hundred dollars (\$4,400) in the form of funds from the TIF Redevelopment Commission fund, as matching funds for said program, such commitment to be contingent upon receipt of CFF funding from the Indiana Office of Community and Rural Affairs.

Adopted by the Town Council of Veedersburg, Indiana this 13th day of December, 2011 at 6:30 pm.

SIGNATURE: Keith K. Smith
Chief Elected Official, Title
Kenneth K. Smith, Council President

ATTEST: Keri Lynn Grubb
Chief Financial Officer, Title
Keri Grubbs, Clerk Treasurer

SLUM AND BLIGHT AREA DECLARATORY RESOLUTION

Town of Veedersburg, Indiana

RESOLUTION # 2-12

WHEREAS, the Town of Veedersburg desires to eliminate blighted areas within the corporate limits of Veedersburg Indiana, and specifically downtown Veedersburg and

WHEREAS, identifying such areas is necessary for effective action to eliminate blighting conditions, and

WHEREAS, public improvements such as sidewalks, curbs, street lighting, and infrastructure have severely deteriorated, contributing to blighting conditions, and

WHEREAS, the downtown area has experienced a cessation of private investment since 1995 , and

WHEREAS, (40%) percent of first floor commercial space, (90%) percent of second floor commercial space, and () percent of total commercial space in downtown Veedersburg is currently vacant, and

WHEREAS, (40%) percent of downtown commercial buildings are deteriorated as evidenced by unsafe and unstable foundation, wall and roof collapse, and raw sewage in the basement areas,

BE IT RESOLVED by the Town of Veedersburg that the following areas of downtown Veedersburg hereby be designated as an area in need of redevelopment as defined by Indiana Code 36-7-14: boundaries defined as:

Signed,

Keith K. Smith
Keith K. Smith, President 5/22/2012

Attest:

Kathy Pugh
Kathy Pugh, Clerk Treasurer 5/22/2012

**RESOLUTION AUTHORIZING APPLICATION SUBMISSION AND LOCAL MATCH
COMMITMENT**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA,
AUTHORIZING THE SUBMITTAL OF THE MSRP APPLICATION TO THE INDIANA OFFICE
OF COMMUNITY AND RURAL AFFAIRS AND ADDRESSING RELATED MATTERS**

WHEREAS, the Council of the Town of Veedersburg Indiana recognizes the need to stimulate growth and to maintain a sound economy within its corporate limits; and

WHEREAS, the Housing and Community Development Act of 1974, as amended, authorizes the Indiana Office of Community and Rural Affairs to provide grants to local units of government for the elimination and prevention of blight; and

WHEREAS, the Town of Veedersburg Indiana has a designated Main Street Program and this project is part of Veedersburg Revitalization Association's overall strategy; and

WHEREAS, the Town of Veedersburg, Indiana has conducted or will conduct public hearings prior to the submission of an application to the Indiana Office of Community and Rural Affairs, said public hearings to assess the housing, public facilities and economic needs of its low- and moderate-income residents;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Veedersburg Indiana that:

1. The Town Council President is authorized to prepare and submit an application for grant funding to address the downtown revitalization and beautification, and to execute and administer a resultant grant including requisite general administration and project management, contracts and agreements pursuant to regulations of the Indiana Office of Community and Rural Affairs and the United States Department of Housing and Urban Development.
2. The Town of Veedersburg, Indiana hereby commits the requisite local funds in the amount of _____ (\$ 999,595), in the form of TIF funds, as matching funds for said program, such commitment to be contingent upon receipt of MSRP funding from the Indiana Office of Community and Rural Affairs.

Adopted by the Town Council of the Town of Veedersburg, Indiana this 22nd day of May, 2012 at 6:30 pm

SIGNATURE: Keith K. Smith
Keith K. Smith, President

ATTEST: Kathy Pugh
Kathy Pugh, Clerk Treasurer

ORDINANCE NO. 03-2012

AMENDING ORDINANCE 11-92

AN ORDINANCE ALLOWING PAYMENT BY THE CLERK-TREASURER OF CERTAIN CLAIM PAYMENTS IN ADVANCE OF COUNCIL ALLOWANCE:

WHEREAS: The Veedersburg Town Council, pursuant to IC 36-4-8014 and IC 5-4-12 desires the Clerk-Treasurer to pay certain claim payments prior to Council Allowance.

NOW THEREFORE BE IT ORDAINED BY THE VEEDERSBURG TOWN COUNCIL OF VEEDERSBURG INDIANA THAT;

SECTION 1, the following claims may be paid in advance of Council Allowance:

1. Property or services purchased or leased from the United States Government, its agencies or its political subdivisions.
2. License or Permit Fees.
3. Insurance Premiums.
4. Utility payments or utility connection charges.
5. General grant programs where advance funding is not prohibited and the contracting party posts sufficient security to cover the amount advanced.
6. Grants of State Funds authorized by Statute.
7. Maintenance or Service Agreements.
8. Leases or Rental Agreements
9. Bond or Coupon Payments
10. Payroll
11. State, Federal, or County Taxes
12. Preapproved Travel Reimbursements

SECTION 2, Each payment of expenses must be supported by a fully itemized claim.

SECTION 3, The Town Council of Veedersburg, Indiana shall review and allow - the claim at its next regular or special meeting following the preapproved payment of the expense.

SECTION 4, This ordinance shall be in full force and effect after passage.

Dated this 28th day of February , 2012

Keith K. Smith

Stephen R. Cates

Tim Shumaker

Troy Finley

Teresa K. Cooper

ATTEST:

Kathy J. Pugh
Clerk-Treasurer

An Ordinance Adopting Nepotism and Conflict of Interest Policies

WHEREAS, in 2012 the Indiana Legislature passed, and the Governor signed, HEA 1005 entitled Nepotism; Conflict of Interest;

WHEREAS, IC 36-1-20.2, as added by P.L. 135-2012, SECTION 7, requires the Town to establish a policy concerning nepotism;

WHEREAS, IC 36-1-21, as added by P.L. 135-2012, SECTION 8, requires the Town to establish a policy concerning contracting with relatives of elected officials;

WHEREAS, these two new chapters, IC 36-1-20.2 Nepotism and IC 36-1-21 Contracting with a Unit, respectively, are effective July 1, 2012;

WHEREAS, in both of the new Indiana Code chapters, the municipal legislative bodies are mandated to adopt a policy that includes, as a minimum, the requirements set forth in those new chapters;

WHEREAS, in both of the new Indiana Code chapters "relative" is defined as a spouse, parent, stepparent, child (nature or adopted), stepchild, brother, half-brother, sister, half-sister, stepbrother, stepsister, niece, nephew, aunt, uncle, daughter-in-law or son-in-law;

WHEREAS, after consideration and in order to comply with the two new chapters of the Indiana Code mentioned above, the Town believes it is in the best interest of its citizens to adopt as its policies the minimum requirements of IC 36-1-20.2 Nepotism and IC 36-1-21 Contracting with a Unit as state in the said new chapters of the Indiana Code; and

Now, therefore, the Town Council of Veedersburg states as follows:

1. The Town finds that it is necessary and desirous to adopt a policy of conduct with regard to nepotism in the employment with the Town and in contracting with the Town in order to continue to be able to provide local government services to its residents and to comply with the new laws effective July 1, 2012 known as IC 36-1-20.2 and IC 36-1-21,
On July 1, 2012 the Town shall have a Nepotism and a Contracting with a Unit policy that
2. complies with the minimum requirements of IC 36-1-20.2(herein after "Nepotism Policy") and IC 36-1-21 (hereinafter "Contracting with a Unit by a Relative Policy") and implementation will begin.
The Town Nepotism Policy is hereby established effective July 1, 2012 by adopting the minimum requirements provisions of IC 36-1-20.2, and including all future supplements and
3. amendments thereto which become law from time to time, and making them a part hereof as if fully set out herein. In addition a copy of IC 36-1-20.2 Nepotism in effect on July 1, 2012 is attached hereto.
The Town Contracting with a Unit by a Relative Policy is hereby established effective July 1, 2012 by adopting the minimum requirements provisions of IC 36-1-21, and including all

4. future supplements and amendments thereto which become law from time to time, and making them a part hereof as if fully set out herein. In addition a copy of the IC 36-1-21 Contracting with a Unit by a Relative Policy in effect on July 1, 2012 is attached hereto.

5. The Town finds that both IC 36-1-20.2 and IC 36-1-21 specifically allow a unit to adopt requirements that are "more stringent or detailed" and that more detailed are necessary.

6. The Town further finds that a single member of the legislative body cannot act for the body to make work assignments, compensation, grievances, advancement or a performance evaluation without prior authority of a majority of the body and therefore without such authority by the majority he/she will not be in the direct line of supervision. See, [IC 36-4-6-11] [IC 36-5-2-9.4].

7. The Town finds that a single member of governing bodies with authority over employees in the Town cannot act for the governing body to make work assignments, compensations, grievances, advancement or a performance evaluation without prior authority of a majority of the body, when a statute provides that a majority is needed to act, and therefore, without such authority by the majority the single member will not be in the direct line of supervision.

8. All elected and appointed officials and employees of the Town are hereby directed to cooperate fully in the implementation of the policies created by this Ordinance and demonstrating compliance with these same policies.

9. Failure to abide by or cooperate with the implementation, compliance and certifications connected with the Nepotism Policy is a violation and may result in the discipline, including termination, of an employee or a transfer from the direct line of supervision or other curative action. An elected or appointed official of the Town who fails to abide by or cooperate with the implementation, with the compliance and with mandated certifications of either the Nepotism Policy may be subject to action allowed by law.

10. Failure to abide by or cooperate with implementation, compliance and certifications connected with the Nepotism Policy is a violation and may result in the discipline, including termination, of an employee or a curative action. An elected or appointed official of the Town who fails to abide by or cooperate with the implementation, with the compliance and with mandated certifications of either the Nepotism Policy or the Contracting with Unit by a Relative Policy may be subject to action allowed by law.

11. The policies created by this Ordinance are hereby directed to be implemented by any of the following actions: a) posting a copy of this Ordinance in its entirety in at least one of the locations in the Town where it posts employer posters or other notices to its employees; b) providing a copy of this Ordinance to its employees and elected and appointed officials; c) providing or posting a notice of the adoption of this Ordinance; or d) any such other action or actions that would communicate the policies established by this Ordinance to its employees and elected and appointed officials. Upon any of these actions these policies are deemed implemented by the Town.

12. A copy of the provisions of IC 36-1-20.2 and IC 36-1-21 effective July 1, 2012 are annexed hereto.

13. Two (2) copies of IC 36-1-20.2 and IC 36-1-21, and as supplemented or amended, are on file in the office of the Clerk or Clerk-Treasurer for the Town for public inspection as maybe required by IC 36-1-5-4.

Adopted this 12th day of June , 2012.

Town Council of Veedersburg, Indiana

Keith K. Smith

Tim Shumaker

Troy Finley

Teresa K. Cooper

Attest:

Kathy J. Pugh
Clerk-Treasurer

SLUM AND BLIGHT AREA DECLARATORY RESOLUTION

TOWN OF VEEDERSBURG RESOLUTION # 05-2013

WHEREAS, the Town of Veedersburg desires to eliminate blighted areas within the corporate limits of Town, Indiana, and specifically downtown Town, and

WHEREAS, identifying such areas is necessary for effective action to eliminate blighting conditions, and

WHEREAS, public improvements such as sidewalks, street lighting, curbs, and infrastructure have severely deteriorated, contributing to blighting conditions, and

WHEREAS, the downtown area has experienced a cessation of private investment since 1995, and

WHEREAS, (40) percent of first floor commercial space, (90) percent of second floor commercial space, and (40) percent of total commercial space in downtown Town is currently vacant, and

WHEREAS, (40) percent of downtown commercial buildings are deteriorated as evidenced by unsafe foundation and unstable structural walls, roof collapse, vacancy, and raw sewage running through the downtown business basements.

WHEREAS, the project activities are designed to address slums or blight on an area basis as defined by 24 CFR 570.483(c)(1),

BE IT RESOLVED by the Town of Veedersburg that the following areas of downtown Town hereby be designated as an area in need of redevelopment as defined by Indiana Code 36-7-14: The corridor encompasses 2nd Street (U.S. 136) from Mill Street at the east end to Railroad Avenue and Main Street from 1st Street up to 3rd Street. 300 North Main to 100 South Main and 200 West 2nd Street to 100 East 2nd Street.

Signed,

Keith K. Smith
Keith K. Smith, President

5-14-13

Attest:

Kathy Pugh
Kathy Pugh, Treasurer

5-14-13

RESOLUTION 06-2013

AUTHORIZING APPLICATION SUBMISSION AND LOCAL MATCH COMMITMENT

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA,
AUTHORIZING THE SUBMITTAL OF THE MSRP APPLICATION TO THE INDIANA OFFICE
OF COMMUNITY AND RURAL AFFAIRS AND ADDRESSING RELATED MATTERS**

WHEREAS, the Council of the Town of Veedersburg, Indiana recognizes the need to stimulate growth and to maintain a sound economy within its corporate limits; and

WHEREAS, the Housing and Community Development Act of 1974, as amended, authorizes the Indiana Office of Community and Rural Affairs to provide grants to local units of government for the elimination and prevention of blight; and

WHEREAS, the Town of Veedersburg, Indiana has a designated Main Street Program and this project is part of Veedersburg Revitalization Association's overall strategy; and

WHEREAS, the Town of Veedersburg, Indiana has conducted or will conduct public hearings prior to the submission of an application to the Indiana Office of Community and Rural Affairs, said public hearings to assess the housing, public facilities and economic needs of its low- and moderate-income residents;

NOW, THEREFORE, BE IT RESOLVED by the Council of Veedersburg, Indiana that:

1. The Town Council President is authorized to prepare and submit an application for grant funding to address downtown revitalization in the Veedersburg downtown corridor for sidewalks, lighting, and infrastructure and to execute and administer a resultant grant including requisite general administration and project management, contracts and agreements pursuant to regulations of the Indiana Office of Community and Rural Affairs and the United States Department of Housing and Urban Development,
2. The Town of Veedersburg, Indiana hereby commits the requisite local funds in the amount of six hundred nine thousand five hundred dollars, \$609,500, in the form of TIF dollars and in-kind contributions, as matching funds for said program, such commitment to be contingent upon receipt of MSRP funding from the Indiana Office of Community and Rural Affairs

Adopted by the Town Council of the Town of Veedersburg, Indiana this 14th day of May, 2013 at 6:30 pm.

SIGNATURE: Keith K. Smith
Keith K. Smith, President
Town Council

ATTEST: Kathy Pugh

Kathy Pugh, Treasurer

AN ORDINANCE PRESCRIBING REGULATIONS ON USE OF TOWN CREDIT CARD

Whereas, the Town of Veedersburg believes that it is advantageous for departments to have access to a town credit card for conducting certain town business; and

Whereas, the Town Council of the Town of Veedersburg has determined that regulations should be in place regarding the use of a town credit card.

BE IT, THEREFORE, ORDAINED BY THE TOWN BOARD OF THE TOWN OF VEEDERSBURG, FOUNTAIN COUNTY, INDIANA, AS FOLLOWS:

- (A) The issuance and use of a credit card is hereby authorized and allowed.
- (B) The issuance and use of credit card shall be the responsibility of the Clerk-Treasurer and that person shall be the custodian of said credit card.
- (C) Town credit card may be used only for lawful charges of expenses related to and necessary for the effective operation of the Town of Veedersburg. Such uses include but are not limited to:
 - (1) Purchasing of supplies and equipment for the use and benefit of the department;
 - (2) Travel and lodging expenses of departmental personnel while on approved town business;
 - (3) Meal expenses of departmental personnel while traveling on approved town business. provided that any such expense may not exceed any authorized per diem for meals;
 - (4) Approved training and education costs for departmental personnel; and
 - (5) Any other use required for the efficient operation of the department when use of vouchers, checks or other means of credit are not possible, provided that said use has been approved by the Clerk-Treasurer or Town Council.
- (D) When the purpose for which the credit card has been used is accomplished, the card must be returned to the authorized custodian of the card.
- (E) The authorized custodian of the credit card must maintain an accounting system concerning its use. The custodian shall also obtain and keep all charge receipts and other documentation supporting the charges.
- (F) Any interest, late charges or other fees resulting from the tardy submission of credit card receipts by any officer or employee shall be the personal responsibility of that officer or employee to pay.

(G) This ordinance shall be effective upon passage.

SO ADOPTED this 13th day of January, 2015.

TOWN COUNCIL OF THE TOWN OF
VEEDERSBURG, INDIANA

Teresa K. Cooper
President
Stephen R. Cates

Troy Finley

Mark Rusk

L. Michael Booe

ATTEST:

Kathy J. Pugh
Clerk-Treasurer

TOWN OF VEEDERSBURG, INDIANA

RESOLUTION AUTHORIZING APPLICATION SUBMISSION AND LOCAL MATCH COMMITMENT

RESOLUTION NO. 08-2015

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AUTHORIZING THE SUBMITTAL OF THE CDBG APPLICATION TO THE INDIANA OFFICE OF COMMUNITY AND RURAL AFFAIRS AND ADDRESSING RELATED MATTERS

WHEREAS, the Council of the Town of Veedersburg, Indiana recognizes the need to stimulate growth and to maintain a sound economy within its corporate limits; and

WHEREAS, the Housing and Community Development Act of 1974, as amended, authorizes the Indiana Office of Community and Rural Affairs to provide grants to local units of government for the elimination and prevention of blight; and

WHEREAS, the Town of Veedersburg, Indiana has conducted or will conduct public hearings prior to the submission of an application to the Indiana Office of Community and Rural Affairs, said public hearings to assess the housing, public facilities and economic needs of its low- and moderate-income residents;

NOW, THEREFORE, BE IT RESOLVED by the Council of Veedersburg, Indiana that:

1. The Town Council President is authorized to prepare and submit an application for grant funding to address spot blight in the downtown area of the Town and to execute and administer a resultant grant including requisite general administration and project management, contracts and agreements pursuant to regulations of the Indiana Office of Community and Rural Affairs and the United States Department of Housing and Urban Development.
2. The Town of Veedersburg, Indiana hereby commits the requisite local funds in the amount of Eighteen Thousand, Sixty-Eight Dollars and Zero Cents (\$18,068), in the forms of: (1) \$3,800 previously expended pre- demolition haz mat survey, ACM Testing and Phase I ESA, (2) \$2,268 in previously expended preliminary engineering, and (3) \$12,000 in Town Redevelopment Funds, as matching funds for said program, such commitment to be contingent upon receipt of CDBG funding from the Indiana Office of Community and Rural Affairs.

Adopted by the Town Council of the Town of Veedersburg, Indiana this 9th day of July, 2015 at 5:00 pm.

Teresa K. Cooper Pres.

SIGNATURE: Chief Elected Official, Title
(Teresa K. Cooper, Town Council President)

ATTEST: Kathy J. Pugh
Chief Financial Officer, Title
(Kathy J. Pugh, Clerk-Treasurer)

Attachments:



#08-15R, 7/9/2015, Letter to Indiana Office of Community and Rural Affairs

TOWN OF VEEDERSBURG, INDIANA

GENERAL ORDINANCE 05-2015

WHEREAS, in accordance with the Civil Rights Act of 1968, as amended, the Housing and Community Development Act of 1974, as amended, and Indiana Code 22-9.5-1, et. Seq., the following provisions are necessary and appropriate to prevent discrimination in the area of housing because of race, color, religion, sex, handicap, familial status or national origin:

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE Town of Veedersburg, Indiana, AS FOLLOWS:

Section 1 Policy Statement

It shall be the policy of the Town of Veedersburg to provide, within constitutional limitation, for fair housing throughout its corporate limits as provided for under the federal Civil Rights Act of 1968, as amended, the federal Housing and Community Development Act of 1974, as amended, and Indiana Code 22-9.5-1 et. seq.

Section 2 Definitions

The definitions set forth in this Section shall apply throughout this Ordinance:

A. Dwelling means any building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as, a residence by one (1) or more families; or any vacant land which is offered for sale or lease for the construction or location of a building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as a residence by one (1) or more families (I.C. 22-9.5-2-8).

B. Family includes a single individual (I.C. 22-9.5-2-9), with the status of such family being further defined in subsection (H) of this Section.

C. Person (I.C. 22-9.5-2-11), includes one (1) or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, non-incorporated organizations, trustees, trustees in cases under Title 11 of the United States Code, receivers, and fiduciaries.

D. To Rent (I.C. 22-9.5-2-13), includes to lease, to sublease, to let and otherwise to grant for a consideration the rights to occupy the premises owned by the occupant.

E. Discriminatory Housing Practice means an act that is unlawful under Sections 4,5,6,7 or 8 of this Ordinance or I.C. 22-9.5-5.

Handicap means, with respect to a person:

- 1. a physical or mental impairment which substantially limits one or more of such person's major life activities.
 - 2. a record of having such an impairment, or
 - 3. being regarded as having such an impairment,
 - 4. an impairment described or defined pursuant to the federal Americans with Disabilities Act of 1990.
 - 5. Any other impairment defined in 910 IAC 2-3.
- F.

The term 'Handicap' shall not include current illegal use of or addictions to a controlled substance as defined in Section 802 of Title 21 of the United States Code 910 IAC 2-3-2(14); nor does the term 'Handicap' include an individual solely because that individual is a transvestite 910 IAC 2-3-2(14).

An Aggrieved Person includes any person who (I.C. 22-9.5-2-2):

- 1. claims to have been injured by a discriminatory housing practice; or
 - 2. believes that such person will be injured by a discriminatory housing practice that is about to occur.
- G.

Familial Status means one or more individuals who have not attained the age of 18 years being domiciled with a parent or another person having legal custody of such individual or the written permission of such parent or other person.

- H. The protections afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

Commission (I.C. 22-9.5-2-3) means the Indiana Civil Rights Commission created pursuant to I.C. 22-9-1-4, et. Seq.

I.

Complainant (I.C. 22-9.5-2-4) means a person, including the Commission, who files a complaint under I.C. 22-9.5-6.

J.

Section 3 Unlawful Practice

Subject to the provisions of subsection (B) of this Section, Section 9 of this Ordinance and Title 22-9.5-3 of Indiana Code, the prohibitions against discrimination in the sale or rental of housing set forth Title 22-9.5-5-1 of Indiana Code and in Section 4 of this Ordinance shall apply to:

A. All dwellings except as exempted by subsection (B) and Title 22-9.5-3 of Indiana Code.

Other than the provisions of subsection (C) of this Section, nothing in Section 4 shall apply to:

Any single-family house sold or rented by an owner where the private individual owner does not own more than three such single-family houses at any one time; provided that in the sale of such single family house by a private individual owner not residing in the house at the time of sale or exemption shall apply only to one such sale within any twenty-four (24) month period. The private individual owner may not own any interest in, nor have owned or reserved on his behalf, title to or any right to all or a portion of the proceeds from the sale or rental of more than three such single-family houses at any one time. The sale or rental of any such single family house shall be exempted from application of this section only if such house is sold or rented:

- 1. without the use in any manner of the sales or rental facilities or services of any real estate broker, agent or salesman, or any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent or salesman, or person and

B.

- a. without the publication, posting or mailing, after notice of advertisement or written notice in violation of Section 4(C) of this Ordinance, but noting in this provision shall prohibit the use of attorneys, escrow agents, abstracters, title companies and other such professional assistance as necessary to perfect or transfer this title, or

Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.

2.

For the purposes of subsection (B), a person shall be deemed to be in the business of selling or renting dwellings if:

They have, within the preceding twelve (12) months, participated as principal in three or

- 1. more transactions involving the sale or rental of any dwelling or any interest therein, or

C.

They have, within the preceding twelve (12) months, participated as agent, other than in the sale of his own personal residence, in providing sales or rental facilities or services

- 2. in two or more transactions involving the sale or rental of any dwelling or any interest therein, or

- 3. They are the owner of any dwelling unit designed or intended for occupancy by, or occupied by, five (5) or more families.

Section 4 Discrimination in the Sale or Rental of Housing

As made applicable by Section 3 and except as exempted by Section 3(B) and 9, it shall be unlawful:

- A. To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, handicap, familial status or national origin.
- B. To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, handicap, familial status or national origin.
- C. To make, print, or publish, or cause to be made, printed, or published any notice, statement or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status or national origin, or an intention to make any such preference, limitation or discrimination.
- D. To represent to any person because of race, color, religion, sex, handicap, familial status or national origin that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available.
- E. For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or perspective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, handicap, familial status or national origin.
- To discriminate in the sale or rental, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a handicap of:
1. that buyer or renter;
- F.
2. a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or
 3. any person associated with that person.
- To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a handicap of:
1. that person; or
- G.
2. a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or
 3. any person associated with that person.

For purposes of this subsection, discrimination includes:

a refusal to permit, at the expense of the handicapped person, reasonable modifications

1. of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises except that, in the case of a rental, the landlord may where it is reasonable to do so condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modifications, reasonable wear and tear excepted;

2. a refusal to make reasonable accommodations in rules, policies, practices, or services when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling; or

H. in connection with the design and construction of covered multi-family dwellings for first occupancy after the date that is 30 months after September 13, 1998, a failure to design and construct those dwellings in such a manner that;

- a. the public use and common use portions of such dwellings are readily accessible to and usable by handicapped persons;
- b. all the doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by handicapped persons in wheelchairs; and
3. all premises within such dwellings contain the following features of adaptive design:
 - i. an accessible route into and through the dwelling;
 - c. ii. light, switches, electrical outlets , thermostats, and other environmental controls in accessible locations;
 - iii. reinforcements in bathrooms such that an individual in a wheelchair can maneuver about the space.

Compliance with the appropriate requirement Americans with Disabilities Act of 1990 and of the American National Standard for Buildings and Facilities providing accessibility an usability for physically handicapped people (commonly cited as ANSI A117.1") suffices to satisfy the requirements of paragraph (3) (C)(iii).

Nothing in this subsection requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health of safety of other individuals of whose tenancy would result in substantial physical damage to the property of others.

Section 5 Discrimination in Residential Real Estate-Related Transactions

It shall be unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available
A. such a transaction, or in the terms or conditions of such a transaction, because of race, color, religion, sex, handicap, familial status, or national origin.

As used in this section, the term residential real estate-related transaction means any of the

B. following:

The making or purchasing of loans or providing other financial assistance:

1.
 - i. for purchasing, constructing, improving, repairing, or maintaining a dwelling; or
 - ii. secured by residential real estate.
2. The selling, brokering, or appraising of residential real property.

C. Nothing in this Ordinance prohibits a person engaged in the business of furnishing appraisals of real property to take into consideration factors other than race, color, religion, national origin, sex, handicap, or familial status.

Section 6 Discrimination in the Provision of Brokerage Service

It shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership, or participation, on account of race, color, religion, sex, handicap, familial status or national origin.

Section 7 Interference, Coercion, or Intimidation

It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by sections 3, 4, 5 or 6 of this Ordinance.

Section 8 Prevention of Intimidation in Fair Housing Cases

Whoever, whether or not acting under code or law, by force or threat of force willfully injures, intimidates or interferes with, or attempt to injure, intimidate or interfere with:

A. any person because of his race, color, religion, sex, handicap, familial status, or national origin and because he is or has been selling, purchasing, renting, financing, occupying, or contracting or negotiating for the sale, purchase, rental, financing or occupation of any dwelling, or applying for or participating in any service, organization, or facility relating to the business of selling or renting dwellings; or

B. any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from:

1. participating, without discrimination on account of race, color, religion, sex, handicap, familial status, or national origin, in any of the activities, services, organizations or facilities described in subsection (A); or

2. or affording another person or class of persons opportunity or protection so to participate;

- any citizen because he is or has been, or in order to discourage such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion, sex, handicap, familial status, or national origin, in any of the activities, services, organizations or facilities described in subsection (A), or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to participate shall be fined according to local, state and federal law; and if bodily injury results shall be fined not more than \$10,000 or imprisoned not more than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life.

Section 9 Equal Access to Housing in HUD Programs

Pursuant to 24 CFR Part 5.403 and 24 CFR Part 574.3 the definition of "family" is revised to include families regardless of the actual or perceived sexual orientation, gender identity, or marital status of its members.

Section 10 Exemptions

- A. Exemptions defined or set forth under Title 22-9.5-3 et. seq. of Indiana Code shall be exempt from the provisions of this Ordinance to include those activities or organizations set forth under subsections (B) and (C) of this Section.

- B. Nothing in this Ordinance shall prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color or national origin. Nor shall anything in this Ordinance prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodging to its members or from giving preference to its members.

- C. Nothing in this Ordinance regarding familial status shall apply with respect to housing for older persons. As used in this Section, ‘housing for older persons’ means housing:

- provided under any state or federal program that the Secretary of the Federal Department of Housing and Urban Development or the state civil rights commission determines is
1. specifically designed and operated to assist elderly person (as defined in the state or federal program) or;
 2. intended for, and solely occupied by, person 62 years of age or older; or
 - 3.

intended and operated for occupancy by at least one person 55 years of age or older per unit.

Section 11 Administrative Enforcement of Ordinance

A. The authority and responsibility for properly administering this Ordinance and referral of complaints hereunder to the Commissioner as set forth in subsection (B) hereof shall be vested in the Chief Elected Official of the Town of Veedersburg, Indiana.

Notwithstanding the provisions of I.C. 22-9.5-4-8, the Town of Veedersburg, Indiana, because of lack of financial and other resources necessary to fully administer enforcement proceedings and possible civil actions under the Ordinance, herein elects to refer all formal complaints of violation of the articles of this Ordinance by complainants to the Indiana Civil Rights Commission for administrative enforcement actions pursuant to Title 22-9.5-6 of Indiana Code and the Chief Elected Official of the Town of Veedersburg, Indiana, shall refer all said complaints to the Commission as provided for under subsection (A) of this Section to said Commission for purposes of investigation, resolution and appropriate relief as provided for under Title 22-9.5-6 of Indiana Code.

C. All executive departments and agencies of the Town of Veedersburg, Indiana shall administer their departments, programs and activities relating to housing and urban development in a manner affirmatively to further the purposes of this Ordinance and shall cooperate with the Chief Elected Official and the Commission to further such purposes.

D. The Chief Elected Official of the Town of Veedersburg, Indiana, or the Chief Elected Official's designee, shall provide information on remedies available to any aggrieved person or complainant requesting such information.

Section 12 Severability of Provisions

If any provision of this Ordinance or the application thereof to any person or circumstances shall be determined to be invalid, the remainder of the Ordinance and the application of its provisions to other persons not similarly situated or to other circumstances shall not be affected thereby.

Certification of Adoption

It is hereby certified that this Ordinance Number 05-2015 was passed by the Common Council of the Town of Veedersburg, Indiana, at its legally convened meeting on July 9, 2015 at 5:00 pm.

Teresa K. Cooper Pres.

Signature, Chief Elected Of icial

Teresa K. Cooper, Town Council President
Name and Title, Chief Elected Official

7-9-15
Date

Attested By:

Kathy J. Pugh
Signature, Town Clerk Treasurer

Kathy J. Pugh, Town Clerk Treasurer
Name and Title, Town Clerk Treasurer

7-9-15
Date

TITLE VI TRAINING November 14, 2014

Veedersburg Clerk-Treasurer
Kathy Pugh, ADA Coordinator
Title VI Coordinator
ERC

TITLE VI POLICY

No person shall be discriminated against on the basis of race, color, national origin, gender, age, disability, religion, ancestry, income status or limited English proficiency by the Town of Veedersburg.

No program or activity in the Town of Veedersburg shall be discriminated against on the basis of race, color, national origin, gender, age, disability, religion, ancestry, income status or limited English proficiency

The Town of Veedersburg will promote enforcement of all health and environmental statutes in areas with minority populations and low-income populations.

The Town of Veedersburg will make all attempts to ensure greater public participation in its programs, policies, planning, and rulemaking by having access for persons with disabilities and limited English proficiency.

Employment discrimination is strictly prohibited by the Town of Veedersburg.

The Town of Veedersburg has made arrangements for an interpreter to be available for persons with limited English proficiency when needed.

TOWN OF VEEDERSBURG, INDIANA

Drug Free Workplace Ordinance

GENERAL ORDINANCE # 12-2015

Section 1 Overview

WHEREAS, the Town of Veedersburg, Indiana makes a commitment to provide employees a safe working environment, to ensure that employees, equipment and operating practices comply with health and safety standards, and to maintain public confidence in the Town and its employees. Since the Town of Veedersburg values each employee, the Town offers employees assistance in dealing with alcohol and drug abuse problems.

Section 2 Policy

WHEREAS, the Town of Veedersburg requires all employees to report for work in a condition that allows them to perform their duties in a safe and efficient manner. Employees will not be permitted to work under the influence of alcohol or with prohibited drugs in their systems thereby affecting job performance.

Violation of any provision of this Ordinance will be considered just cause for disciplinary action up to and including discharge, even for a first offense. In addition, refusal to adhere to any part of the policy may be considered an act of insubordination and also may lead to disciplinary action up to and including discharge.

This Ordinance and related procedures may be modified by the Town at any time in order to comply with any applicable federal, state or local laws or to better serve the needs of the Town.

Section 3 Prohibited Drugs

Prohibited drugs are defined as illegal substances, including controlled substances as defined in the Controlled Substance Act (21 U.S.C. 8120 and the Code of Federal Regulations (21 C.F.R. 1308.11-1308.15) and prescription controlled substance which have not been prescribed by a licensed physician or dentist for specific treatment purposes for the employee. Abuse of prescription or over-the-counter drugs will also be treated as a substance abuse problem under this Ordinance.

This Ordinance prohibits the illegal use, sale, transfer, distribution, possession, or unlawful manufacture of narcotics, drugs, or other controlled substances while on the job or on Town premises (including vehicles used for Town business). These include but are not limited to marijuana, cocaine, crack, PCP, heroin, LSD, amphetamines, hallucinogens, and barbiturates. Any illegal substances found on such premises will be turned over to the state police and may lead to criminal prosecution.

Section 4 Alcohol

The use of alcohol on the job or on Town premises is prohibited, unless such use is non-abusive and is part of an authorized official event held off Town premises. The use of alcohol in vehicles used for

Town business is strictly prohibited.

Alcohol possession applies to all open or unsealed alcoholic beverage containers. Such containers are not allowed on the job or on Town premises, unless their possession is part of an authorized official event. Possession of such containers in vehicles used for Town business is never authorized.

Section 5 Reporting Violations

Employees must as a condition of employment, abide by the terms of this Ordinance and report any conviction to the Town under a criminal drug statute for violations occurring on or off Town premises when conducting Town business. Report of a conviction must be made to the Town within five (5) business days after the conviction. The Town will then notify the appropriate contracting officer within ten (10) days after receiving notice from either the employee or from another source. (These requirements are mandated by the Drug-Free Workplace Act of 1988.)

An employee who is involved with off the job illegal drug activity may be considered in violation of this Ordinance. In determining whether disciplinary action will be imposed for this activity, the Town will consider the circumstance of each incident, including but not limited to any adverse effect the employee's actions may have on its customers, other employees, the public, or the Town's reputation and image.

Any questions regarding the reporting of violations should be directed to the Clerk-Treasurer.

Section 6 Employee Rehabilitation

Health maintenance is primarily a personal responsibility and it is the individual's responsibility to correct unsatisfactory job performance or behavioral problems caused by alcohol or drug abuse. In an effort to assist employees, the Town will provide various means for employees and their family members to remain aware of the dangers of substance abuse in the workplace and to overcome drug and alcohol related problems.

Employees with a personal, alcohol or drug related problem are encouraged to volunteer to participate in a approved rehabilitation program upon referral from the Employee and Family Assistance Program, before work performance becomes affected.

Participation in a rehabilitation program will not be considered a barrier to employment nor a cause for disciplinary action. Employees will not be disciplined merely because of participation in a rehabilitation program or excused from the disciplinary consequences of conduct which is in violation of this Ordinance or any other Town policies or job requirements.

Any employee identified through a Town investigation as having a substance abuse problem also may not avoid disciplinary action by requesting to participate in an approved rehabilitation program.

Circumstances in each case will be evaluated to determine the course of action to be taken (i.e., whether the employee will be offered the opportunity to participate in a rehabilitation program and/or will be subject to discipline.)

Section 7 Testing

The Town of Veedersburg, Indiana will not ask employees to submit to random alcohol or drug tests.

Alcohol or drug tests may be required for employees in the following circumstances:

- 1 When unsatisfactory job performance or other employee behavior is reasonably indicative of substance abuse.
- 2 During and after participation in a drug or alcohol rehabilitation program for a reasonable period of time as determined by the Town.
- 3 When required by law.

If a supervisor identifies an employee with a behavior pattern and/or job performance reasonably indicative of substance abuse, the supervisor (with the concurrence of the next level of supervision) may recommend that the employee have a fitness for duty examination by a physician designated by the Town. The physician will determine whether a fitness for duty examination is necessary and whether alcohol or drug tests will be required.

Pre-employment drug testing is part of the pre-employment physical. The method of testing will be determined by the Town. Applicants who test positive for prohibited drugs in their systems will not be offered employment. Any questions regarding reapplication opportunities should be directed to the Clerk-Treasurer.

Certification of Adoption

It is hereby certified that this Ordinance Number 12-2015 was passed by the Town Council of the Town of Veedersburg, Indiana, at its legally convened meeting on December 8, 2015 at 6:00 pm.

Teresa Cooper, Veedersburg Town Council President
Name, Title (Chief Elected Official)

Teresa K. Cooper
Signature

Attested By:

Kathy J. Pugh, Veedersburg Clerk Treasurer
Name, Title

Kathy J. Pugh
Signature

Date: December 8, 2015

Ordinance Regarding Policy on Materiality and Process for Reporting Material Items

WHEREAS, IC 5-11-14-27(j) requires erroneous or irregular material variances, losses, shortages, or thefts of political subdivision funds or property shall be reported immediately to the State Board of Accounts; and

WHEREAS, State Examiner Directive 2015-6 directs each political subdivision to determine its own policy on materiality; and

WHEREAS, the Town of Veedersburg does not condone any erroneous or irregular material variances, losses, shortages, or thefts of political subdivision funds or property but recognizes that relatively small items may not justify the cost of the involvement of the State Board of Accounts;

NOW THEREFORE, the Board of the Town of Veedersburg, Fountain County, Indiana, hereby ordains as follows:

Section I: All erroneous or irregular variances, losses, shortages, or thefts of Town funds or property, or funds or property the Town holds in trust, shall be reported to the Clerk Treasurer and Town Board President or his/her designee promptly.

Section II: It will be the policy of the Town to report to the State Board of Accounts any erroneous or irregular variances, losses, shortages, or thefts of cash in excess of \$200.00, except for inadvertent clerical errors that are identified timely and promptly corrected with no loss to the Town.

Section III: It will be the policy of the Town to report promptly to the State Board of Accounts any erroneous or irregular variances, losses, shortages, or thefts of non-cash items in excess of \$500, estimated market value, except for those resulting from inadvertent clerical errors or misplacements that are identified timely and promptly corrected with no loss to the Town, and except for losses from genuine accidents.

Section IV: All elected town officials shall, and all Town employees and agents are directed, to comply with this policy

Section V: This Ordinance shall be effective upon passage.

Adopted this 26th day of January , 2016.

VEEDERSBURG TOWN BOARD

Teresa K. Cooper

Keith K. Smith

Mark Rusk

ATTEST:

Kathy Pugh
Kathy Pugh Clerk-Treasurer

Ordinance of the Town of Veedersburg, Indiana, Adopting Uniform Internal Control Standards for Indiana Political Subdivision

WHEREAS, I.C. § 5-11-1-27 requires each political subdivision to maintain a system of internal controls in order to promote accountability and transparency; and

WHEREAS, in September 2015 pursuant to I.C. § 5-11-1-27(e) the Indiana State Board of Accounts developed and published the Uniform Internal Control Standards for Indiana Political Subdivisions in order to provide the basis of common understanding to assist public sector managers in complying with the internal control requirements; and

WHEREAS, the Uniform Internal Control Standards for Indiana Political Subdivisions Manual is available on the government website at www.in.gov/sboa and contains the acceptable minimum level of internal control standards; and

WHEREAS, I.C. § 5-11-1-27(g) after June 30th, 2016 all Indiana Political Subdivisions must develop local policies regarding internal controls and insure that personnel receive training on internal controls; and

WHEREAS, the Veedersburg Town Board finds that the Town’s policy regarding internal controls should be the internal control standards as set forth by the Indiana State Board of Accounts Uniform Internal Control Standards for Indiana Political Subdivisions Manual; and

WHEREAS, the fiscal officer of the Town of Veedersburg is the Clerk Treasurer and pursuant to the Uniform Internal Control Standards for Indiana Political Subdivisions, the fiscal officer shall certify in writing that the Uniform Internal Control Standards have been adopted; and

WHEREAS, the Uniform Internal Control Standards require and mandate that the legislative body insures that personnel as defined in I.C. § 5-11-1-27 shall receive training concerning the Uniform Internal Control Standards for Indiana Political Subdivisions and that the Clerk Treasurer as the fiscal officer shall certify in writing that the personnel as defined by statute have received the required training.

NOW THEREFORE THE TOWN BOARD OF THE TOWN OF VEEDERSBURG, INDIANA, ORDAINS AND ENACTS THE FOLLOWING:

- 1) That the above recitations are adopted as findings by the Town Board; and
- 2) It is further ordered and determined that the Town of Veedersburg hereby adopts as policy the internal control standards as set forth by the Indiana State Board of Accounts Uniform Internal Control Standards for Indiana Political Subdivisions Manual as expressly written and published by the Indiana State Board of Accounts in September, 2015, and as amended from time to time; and

3) It is further ordained that at the time the annual financial report is electronically filed, the Clerk Treasurer as fiscal officer of the Town of Veedersburg shall certify in writing that the Uniform Internal Control Standards for Indiana Political Subdivisions have been adopted and shall certify that the personnel have been trained as required by law; and

4) It is further ordained that the Town Code shall be amended and it is hereby added to the Veedersburg Town Code a new section which shall read as follows:

"INTERNAL CONTROL STANDARDS

The Town of Veedersburg adopts as policy the Internal Control Standards as set forth by the Indiana State Board of Accounts Uniform Internal Control Standards for Indiana Political Subdivisions Manual as expressly written and published by the Indiana State Board of Accounts in September, 2015, and as amended from time to time. In order to implement these standards, the Clerk Treasurer shall certify in writing that personnel as defined in statute have received the required training. All officers, elected officials and employees are required to comply with the policy. Employees who fail to comply with this policy are subject to discipline, including but not limited to termination of their employment."

5) It is further ordained that this Ordinance takes effect upon its adoption by the Town Board.

6) It is further ordained that any ordinances inconsistent or in conflict with the terms of this ordinance are of no further force and effect and are specifically repealed. This ordinance shall be in full force and effect immediately upon adoption as set forth herein.

DULY PASSED on this 28th day of June , 2016 by the Town Board of the Town of Veedersburg, Fountain County, Indiana.

Town of Veedersburg, Indiana, by its Town Board

Teresa K. Cooper

Keith K. Smith

Troy Finley

Mark Rusk

Stephen R. Cates

ATTEST:

Kathy J. Pugh
Clerk Treasurer

ORDINANCE ESTABLISHING DEPARTMENT OF ECONOMIC DEVELOPMENT AND
AUTHORIZING RELATED MATTERS

WHEREAS, Indiana Code 36-7-11.9, as amended, and 36-7-12, as amended (collectively, the “Act”) provides that the financing of single, identified economic development or pollution control facilities (as defined in the Act) and the provision of a program to finance multiple, unidentified economic development or pollution control facilities that promote a substantial likelihood of:

- (1) creating or retaining opportunities for gainful employment;
- (2) creating business opportunities;
- (3) providing reliable water services;
- (4) the abatement, reduction or prevention of pollution; or
- (5) the removal or treatment of substances in materials being processed that otherwise would cause pollution when used;

serve a public purpose and will be of benefit to the health or general welfare of the unit; and

WHEREAS, the Act provides that, if the fiscal body of a unit finds it necessary to finance economic development or pollution control facilities under the Act, the fiscal body may establish a department of economic development, to be controlled by an economic development commission;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Veedersburg, Indiana (the “Town”), as follows:

Section 1. This Town Council hereby establishes a department of economic development, to be controlled by a commission known as the “Veedersburg Economic Development Commission.”

Section 2. The Town Council hereby nominates the following person to serve on the Veedersburg Economic Development Commission: Phil DeSutter.

Section 3. Any officer of the Town is hereby authorized and directed, for and on behalf of the Town, to execute and deliver any instrument or take any other action as such officer determines to be necessary or desirable to accomplish the purposes of this ordinance, such determination to be conclusively evidenced by such officer’s having executed such instrument or having taken such action, and any such officer’s having executed and delivered any such instrument or having taken any such action is hereby ratified and approved.

Section 4. This ordinance shall be effective immediately upon its adoption.

DULY PASSED on this 14th day of February, 2017.

VEEDERSBURG TOWN COUNCIL

Keith K. Smith
Member

Teresa K. Cooper
Member

Troy Finley
Member

Mark Rusk
Member

Member

ATTEST:

Kathy J. Pugh
Kathy Pugh, Clerk-Treasurer

RESOLUTION #09-2017

A RESOLUTION TO AUTHORIZE THE PURCHASE OF VAC-COM TRUCK FROM THE CITY OF RUSHVILLE, INDIANA

WHEREAS, Indiana Code 5-22-22-10 provides for the exchange of property between governmental bodies upon terms and conditions agreed upon by the governmental bodies as evidenced by adoption of substantially identical resolutions by each entity; and

WHEREAS, the City of Rushville, Indiana, and the Town of Veedersburg, Indiana, have entered into an agreement for the sale by Rushville to Veedersburg one (1) Vac-com truck ;

NOW THEREFORE, BE IT RESOLVED, as follows:

1. The Town of Veedersburg, Indiana, by its Town Council, agrees to purchase from the City of Rushville, for the sum of Thirty Five Thousand Dollars (\$35,000) the following property:

2004 Sterling Vac-com Truck VIN# 2FZAAJAKX2AK51027

2. The City of Rushville shall keep the vehicle in good condition, general wear and tear excepted, until the Town of Veedersburg takes possession of the vehicle on or before May 31, 2017.

3. To comply with the requirements of IC 5-22-22-10, the City of Rushville, Indiana shall adopt a substantially identical resolution to complete the transaction.

PASSED AND ADOPTED at a posted public meeting of the Town of Veedersburg, Indiana, Town Council held on the 25th day of April 2017.

VEEDERSBURG TOWN COUNCIL

Troy Finley

Mark Rusk

Keith K. Smith

ATTEST:

Kathy J. Pugh

Kathy Pugh Clerk-Treasurer

**A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF VEEDERSBURG,
INDIANA, AUTHORIZING THE SUBMITTAL OF THE CFF PLANNING GRANT
APPLICATION TO THE INDIANA OFFICE OF COMMUNITY AND RURAL AFFAIRS AND
ADDRESSING RELATED MATTERS**

WHEREAS, the Common Council of the Town of Veedersburg, Indiana recognizes the need to stimulate growth and to maintain a sound economy within its corporate limits; and

WHEREAS, the Housing and Community Development Act of 1974, as amended, authorizes the Indiana office of Community and Rural Affairs to provide grants to local units of government to meet the housing and community development needs of low-and moderate-income persons and/or the elimination of blight; and

WHEREAS, the Town of Veedersburg, Indiana has conducted or will conduct public hearings prior to the submission of an application to the Indiana Office of Community and Rural Affairs, said public hearings to assess the housing, public facilities and economic needs of its low and moderate-income residents.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the Town of Veedersburg, Indiana that:

1. The Town Council President is authorized to prepare and submit an application for grant funding to address a stormwater utility study, and to execute and administer a resultant grant including requisite general administration and project management, contracts and agreements pursuant to regulations of the Indiana Office of Community and Rural Affairs and the United States Department of Housing and Urban Development.
2. The Town of Veedersburg, Indiana hereby commits the requisite local funds in the amount of three thousand eight hundred fifty dollars (\$3,850.00), in the form of cash from the wastewater utility fund, as matching funds for said program, such commitment to be contingent upon receipt of CFF funding from the Indiana Office of Community and Rural Affairs.

It is therefore resolved and adopted by the Common Council of the Town of Veedersburg, Indiana this 11th day of December , 2018.

SIGNATURE: Ken Smith
 Ken Smith
 Town Council President

ATTEST: Kathy Pugh
 Kathy Pugh

Clerk Treasurer

ORDINANCE NUMBER: 9-77

Concerning the appropriation and spending of insurance proceeds received by the Town of Veedersburg.

WHEREAS, certain casualty losses were suffered by the Town of Veedersburg on its buildings and property due to a hail storm which occurred on September 30, 1977, and

WHEREAS, various settlements have been made with insurance carriers covering said damage, and

WHEREAS, an emergency exists in repairing said city property to eliminate further damage.

NOW THEREFORE, BE IT ORDAINED by the Town Board of Veedersburg, Indiana, as follows:

1. That the insurance proceeds in the amount of \$ 3120.00 be appropriated to cover the repair of various municipal buildings; and
2. That, due to the emergency nature, said repairs are to be authorized without formal bidding procedures; and
3. That the Veedersburg Town Board are empowered to do any and all things necessary to effect such repairs resulting from the storm damage caused on September 30, 1977.

TOWN BOARD MEMBERS:

Donald L. Keller

Lee Roy Dismore

ATTEST:

Dorothy Dice
Dorothy Dice, Clerk-Treasurer

ORDINANCE NO. 3-78

Concerning the appropriation and spending of insurance proceeds received by the Town of Veedersburg.

WHEREAS, certain casualty losses were suffered by the Town of Veederburg on its buildings and property due to a hail storm which occurred on September 30, 1977, and

WHEREAS, various settlements have been made with insurance carriers covering said damage, and

WHEREAS, an emergency exists in repairing said city property to eliminate further damage,

NOW THEREFORE, BE IT ORDAINED by the Town Board of Veedersburg, Indiana, as follows:

1. That the insurance proceeds in the amount of \$ 2099.25 be appropriated to cover the repair of various municipal buildings; and
2. That, due to the emergency nature, said repairs are to be authorized without formal bidding procedures; and
3. That the Veedersburg Town Board are empowered to do any and all things necessary to effect such repairs resulting from the storm damage caused on September 30, 1977.

TOWN BOARD MEMBERS:

ATTEST:

Clerk-Treasurer

We, Janet Brown and Doris Cates, wish to donate to the Town of Veedersburg a parcel of land that is east of the Apple Tree Restaurant, south of State Road 136 to the railroad right-of-way, and from State Road 41 west to the fence line containing approximately 4 to 6 acres.

This land north of the railroad right-of-way is flat and could be used by the town for future expansion of the county land east of 41 or the Dice property such as a substation or power station.

We ask that the town be responsible for the deed, title insurance or abstract work, surveying, etc. at no cost to us.

Dated this 14th day of March , 1994.

Janet L. Brown
Janet Brown

Doris J. Shields Cates
Doris J. Shields Cates

RESOLUTION NO. 5 -95

RESOLUTION TO ESTABLISH A CUMULATIVE FIRE FUND

Be it resolved by the Veedersburg Town Council of Veedersburg, Fountain County, State of Indiana that it is desired and deemed necessary to proceed with the proposed plan to establish a cumulative FIRE FUND for the following purpose or purposes:

TO BUY FIRE TRUCK AND OR FIRE EQUIPMENT

And the levying of an additional tax at the rate of ten cents (\$.10) on each one hundred dollars (\$100.00) of taxable real and personal property within the taxing district to provide monies for said fund, said tax to be first levied in 1995, payable in 1996, and annually thereafter until reduced or rescinded, as provided for in I.C. 36-8-14.

Be it further resolved that proof of publication and posting of notices of the public hearing held on this 16th day of May 1995, and certified copy of this resolution and such proposed plan be submitted to the State Board of Tax Commissioners of the State of Indiana, as provided by law.

ADOPTED THIS 16th day of MAY 1995.

THE VEEDERSBURG TOWN COUNCIL

Donald L. Bailey

Ralph Cushman

Richard L. Rusk

Greg F. Seibold

Richard C. Burton

ATTEST:

Kathryn M. York
Clerk-Treas.

RESOLUTION NO. 96-2

**RESOLUTION OF THE TOWN OF VEEDERSBURG, INDIANA ESTABLISHING ITS
INTENT TO ISSUE WATERWORKS REVENUE AND SEWAGE WORKS REVENUE BONDS
AND THAT CERTAIN PRELIMINARY COSTS BE REIMBURSED FROM THE PROCEEDS
OF SAID BONDS**

WHEREAS, the Town of Veedersburg, Indiana (the "Town") intends to issue its Town of Veedersburg, Indiana Waterworks Revenue Bonds (the "Water Bonds") and its Town of Veedersburg, Indiana Sewage Works Revenue Bonds (the "Sewage Bonds") to finance various improvements to its Waterworks facility and Sewage Works facility, respectively (the "Project"); and

WHEREAS, certain preliminary costs in financing the Project have been or will be incurred by or on behalf of the Town prior to the issuance and delivery of the Water Bonds and Sewage Bonds; and

WHEREAS, the Town desires to establish its intent, pursuant to IC 5-1-14-6(b) and in compliance with Section 1.150-2 of the Treasury Regulations, that said preliminary costs be reimbursed from the proceeds of the Water Bonds and Sewage Bonds.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Veedersburg as follows:

Section 1. The Town hereby establishes its intent to issue its Bonds pursuant to IC 36-7-14.5 for the purpose of financing the Project.

Section 2. The Town hereby establishes its intent, pursuant to IC 5-1-14-6(b), that preliminary costs incurred by or on behalf of the Town in financing the Project be reimbursed from the proceeds of the Water Bonds and Sewage Bonds pursuant to IC 5-1-14-6(b) and in compliance with Section 1.150-2 of the Treasury Regulations.

Section 3. This resolution shall be in full force and effect from and after its passage, signing by the President of the Town Council and legal publication as provided by law.

PASSED and adopted by the Town Council of the Town of Veedersburg on the 18 day of June , 1996 at 7:20 o'clock P.M.

Donald L. Bailey
Presiding Officer

ATTEST:

Kathryn M. York
Clerk-Treasurer

PRESENTED by me to the President of the Town Council of the Town of Veedersburg on the 18 day of June , 1996, at 7:22 o'clock .M.

Kathryn M. York
Clerk-Treasurer

APPROVED by me this 18 day of June , 1996, at 7:22 o'clock .M.

Donald L. Bailey
President of the Town Council

RESOLUTION NO. 98-4

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG,
INDIANA, REGARDING THE REIMBURSEMENT OF CERTAIN PRELIMINARY
EXPENDITURES FROM PROCEEDS OF A PROPOSED ISSUE OF BONDS TO BE ISSUED
BY A BUILDING CORPORATION**

WHEREAS, the Town of Veedersburg, Indiana (the "Town"), intends to enter into a Lease with the Van Buren-Hub City Building Corporation (the "Building Corporation") whereby the Building Corporation will issue its bonds for the construction, acquisition and equipping of a Fire House and offices for the Town and Van Buren Township (the "Project") in an amount not to exceed \$695,000 (the "Bonds"); and

WHEREAS, certain preliminary expenses related to the Project have been or will be incurred by the Town prior to the issuance and delivery of the Bonds; and

WHEREAS, the Town desires to express its intention to reimburse such expenditures as have been or may be incurred prior to the issuance of the Bonds, pursuant to Indiana Code 5-1-14-6 and in compliance with Section 1.150-2 of the Treasury Regulations;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

1. The Town hereby declares that it reasonably expects to reimburse with the proceeds of the Bonds expenditures for the Project made by the Town prior to the issuance of the Bonds during the period beginning sixty (60) days before July 1, 1998, until the date of issuance of the Bonds, which expenditures are expected to be paid initially from the Cumulative Fire Fighting Fund(s).
2. The Town hereby declares that this Resolution is being adopted for purposes of evidencing compliance with Indiana Code 5-1-14-6 and Section 1.150-2 of the Treasury Regulations.

ADOPTED AND APPROVED this 1 day of July , 1998.

TOWN COUNCIL OF THE TOWN OF
VEEDERSBURG, INDIANA

Richard C. Burton

Kevin George

Tim Shumaker

Kevin George

ATTEST:

Kathryn M. York
Clerk-Treasurer

**RESOLUTION OF THE TOWN OF VEEDERSBURG, INDIANA
APPROVING THE REFUNDING OF PREVIOUSLY ISSUED SEWAGE
WORKS BONDS OF THE TOWN OF VEEDERSBURG, INDIANA**

WHEREAS, pursuant to (i) Ordinance No. 3-66, adopted on February 9, 1966, the Board of Trustees of the Town of Veedersburg, Indiana (the "Town"), authorized the issuance of the Town's \$755,000 original principal amount Sewage Works Revenue Bonds, currently outstanding in the aggregate principal amount of \$80,000 (the "1966 Bonds"), (ii) Ordinance No. 9-92, adopted on June 16, 1992, the Town Council of the Town (the "Town Council") authorized the issuance of the Town's \$940,000 original principal amount Junior Sewage Works Revenue Bonds of 1992, currently outstanding in the aggregate principal amount of \$940,000 (the "1992 Bonds") and (iii) Ordinance No. 96-11, adopted on July 8, 1996, the Town Council authorized the issuance of the Town's \$1,725,000 original principal amount Junior Sewage Works Revenue Bonds, Series 1997, currently outstanding in the aggregate principal amount of \$1,725,000 (the "1997 Bonds" and, collectively with the 1966 Bonds and the 1992 Bonds, the "Refunded Bonds"); and

WHEREAS, this Town Council is authorized under Indiana Code 36-9-23 and 5-1-5 to issue Sewage Works Revenue Refunding Bonds in order to refinance all or a portion of the Refunded Bonds, resulting in interest cost savings over the period that the Refunded Bonds would, if not refinanced, be outstanding; and

WHEREAS, this Town Council now desires to authorize the Financial Advisor (as hereinafter defined) to investigate the issuance of and proceed with the sale of the Refunding Bonds, provided that the net present value savings as a result of the refinancing of the Refunded Bonds is equal to or greater than \$40,000, including any savings that may be realized with respect to the debt service reserve account established with respect to the Refunded Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. The Town is hereby authorized to issue Refunding Bonds in such amount and bearing interest at such rates in order to accomplish net present value savings as a result of the refinancing of the Refunded Bonds of at least \$40,000, including any savings that may be realized with respect to the debt service reserve account established with respect to the Refunded Bonds.

Section 2. In order to accomplish the refinancing of the Refunded Bonds, Baker & Daniels is hereby appointed as bond counsel with respect to the Refunding Bonds, Thurber, Brock & Kramer, Inc., is hereby employed as financial advisor with respect to the Refunding Bonds (the "Financial Advisor") and City Securities Corporation is hereby employed as underwriter (the "Underwriter") with respect to the Refunding Bonds.

Section 3. The President of the Town Council is hereby authorized to execute, and the Clerk-Treasurer is hereby authorized to attest, a purchase contract with the Underwriter upon

successful negotiation of the terms of the sale of the Refunding Bonds, provided that such terms fit within the parameters set forth herein.

Passed and adopted by the Town Council of the Town of Veedersburg, Indiana, on the 11th day of May, 1999.

TOWN OF VEEDERSBURG COMMON COUNCIL

By Richard L. Rusk
Presiding Officer

ATTEST:

Clerk-Treasurer

Presented by me to the President of the Town Council of the Town of Veedersburg, Indiana, on the _____ day of May, 1999, at _____ o'clock _____.m.

Clerk-Treasurer

This Resolution approved and signed by me on the _____ day of May, 1999, at _____ o'clock _____.m.

Richard L. Rusk
President of the Town Council

RESOLUTION NO. 99-1

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AUTHORIZING THE PREPARATION, APPROVAL AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND A FINAL OFFICIAL STATEMENT IN CONNECTION WITH THE ISSUANCE AND SALE OF SEWAGE WORKS REVENUE REFUNDING BONDS OF THE TOWN

WHEREAS, pursuant to a resolution of this Town Council on May 8, 1999 (the "Preliminary Resolution"), this Town Council authorized the investigation of cost savings to the Town of Veedersburg, Indiana (the "Town"), by the refunding of certain outstanding sewage works revenue bonds of the Town through the issuance and sale of sewage works revenue refunding bonds of the Town (the "Refunding Bonds"); and

WHEREAS, in connection with the marketing and ultimate sale of the Bonds, the Town is required under Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") to approve and deem final as of its date a Preliminary Official Statement (the "Preliminary Official Statement") regarding the Refunding Bonds and authorize the distribution of the Preliminary Official Statement and a final Official Statement (the "Final Official Statement") regarding the Refunding Bonds and certain other actions required under the Rule; and

WHEREAS, this Town Council now desires to authorize the preparation, approval and distribution of the Preliminary Official Statement and the Final Official Statement, and to authorize certain other actions required by the Rule;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. Disclosure. The President of the Town Council and Clerk-Treasurer of the Town, following the recommendation of the financial advisor to the Town and bond counsel appointed in the Preliminary Resolution, and either of them, are authorized to cause to be prepared the final form of the Preliminary Official Statement and to find and determine it to be final as of its date, except for the omission of the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, any other terms or provisions required to be specified in a competitive bid, ratings, other terms of the Bonds depending on such matters, and the identity of the underwriter(s). The form of the Preliminary Official Statement as approved shall be maintained in the records of the Clerk-Treasurer. The Preliminary Official Statement and the Final Official Statement are hereby authorized for distribution to prospective purchasers and other interested parties subject to the prior approval authorized herein.

The President of the Town Council and Clerk-Treasurer, and either of them, is authorized and directed to execute and deliver the Final Official Statement in substantially the form of the Preliminary Official Statement, with such changes in form or substance as such official shall approve, such approval to be conclusively evidenced by the execution thereof.

The Town hereby covenants to deliver or cause to be delivered to the initial purchaser of the Refunding Bonds within seven (7) business days after any final agreement to purchase, offer or sell the Refunding Bonds copies of the Final Official Statement if prepared as authorized herein, in sufficient quantity to comply with Section 15c2-12(b)(4) of the Rule and the applicable rules of the Municipal Securities Rulemaking Board.

The Town further hereby covenants to enter into a continuing disclosure agreement in substantially the form approved by the President of the Town Council and the Clerk-Treasurer of the Town, and either of them, in connection with the approval of the Preliminary Official Statement, with such changes in form or substance as such officials shall approve, such approval to be conclusively evidenced by their execution thereof for purposes of permitting the initial purchaser of the Bonds to comply with Section 15c2-12(b)(5) of the Rule.

Section 2. Effective Date. This Resolution shall be in full force and effect from and after its passage and adoption.

Passed and adopted by the Town Council of the Town of Veedersburg, Indiana, on the 25th day of May, 1999.

TOWN OF VEEDERSBURG TOWN COUNCIL

By Richard L. Rusk
Presiding Officer

ATTEST:

Kathryn M. York
Clerk-Treasurer

Presented by me to the President of the Town Council of the Town of Veedersburg, Indiana, on the 25 day of May, 1999, at 7:00 o'clock p.m.

Kathryn M. York
Clerk-Treasurer

This Resolution approved and signed by me on the 25 day of May, 1999, at 8:00 o'clock p.m.

Richard L. Rusk
President of the Town Council

RESOLUTION NO. 2000- 1

RESOLUTION TO AUTHORIZE EXPENDITURE OF INSURANCE PROCEEDS

WHEREAS, one of the police cars of the Town of Veedersburg was involved in an accident; and

WHEREAS, the Town maintained insurance on the car, and the Town has received \$8,250 from the insurer in settlement of the Town's damages on the car; and

WHEREAS, the Town has appropriated \$5,000 in its 2000 budget for a police car out of the general fund, and the Town Council desires to deposit the insurance proceeds in the general fund and expend the same on a police car in addition to the sums previously appropriated for such purpose,

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Veedersburg that the insurance proceeds received by the Town from its insurer in settlement for damages to a Town police car shall be deposited in the general fund of the Town, and accounted for and expended as part of the existing appropriation for a police car.

SO RESOLVED this 14th day of March, 2000.

VEEDERSBURG TOWN COUNCIL

Carl Hoagland

Kevin George

Amy S. Keeling

Joseph M. Cox

Attest:

Laura Bennett
Laura Bennett, Clerk-Treasurer

RESOLUTION NO. 01-02

WHEREAS, it has now become possible to generate accounts payable vouchers using the existing software, and

WHEREAS, this would facilitate the completion of vouchers and save the expense of purchasing the same from a printer, and

WHEREAS, the State Board of Accounts has made provision for the use of said forms, therefore

BE IT NOW ORDAINED, that the Veedersburg Town Council of the Town of Veedersburg, Fountain County, Indiana now desires to use forms generated by the budget program, pending approval by the State Board of Accounts.

Passed this 13th day of November, 2001.

Carl Hoagland

Kevin R. George

Al Goodson

Joseph M. Cox

Attest: Laura Bennett
Clerk-Treasurer

RESOLUTION NO. 6-10

RESOLUTION TRANSFERRING FUNDS WITHIN SAME BUDGET CLASSIFICATION

WHEREAS, the Town of Veedersburg has budgeted funds for 2010 to pay monies for MVH equipment and labor; and

WHEREAS, there has been an increase in expenditures for MVH labor but a decrease for MVH equipment expenditures; and

WHEREAS, monies have been budgeted for a MVH equipment, but these monies should be made available to the labor incurred for MVH purposes; and

WHEREAS, the Town Council deems it necessary and appropriate to transfer Six Thousand Five Hundred Dollars (\$6,500) budgeted for MVH equipment into the budget to pay for MVH labor;

NOW, THEREFORE BE IT ESTABLISHED AND RESOLVED by the Veedersburg Town Council as follows:

1. That Six Thousand Five Hundred Dollars (\$6,500) budgeted for MVH equipment (#2001001444) shall be transferred into the budget classification for payment of MVH labor (#2001001112).
2. This transfer of appropriations does not require the expenditure of more money than the total amount set out in the 2010 budget.
3. This Resolution is being made at a regularly scheduled public meeting.
4. That the Clerk Treasurer is authorized to make certification of this appropriation transfer to the Fountain County Auditor.

Hereby resolved this 26 DAY OF Oct , 2010.

Town Council, Town of Veedersburg, Indiana

Keith K. Smith
Council President

Travis Covault
Council Member

Bob Barker
Council Member

Seth A. Hoagland
Council Member

Council Member

CERTIFICATION TO AUDITOR

I hereby certify that the attached Resolution is a true and accurate copy of the Resolution passed by the Veedersburg Town Council on October 26 , 2010, and pertains to the transfer of appropriations from one budget classification to another within the same department or office.

Keri Lynn Grubb
Keri Grubb, Clerk-Treasurer
Town of Veedersburg

RESOLUTION NO. 14 -10

RESOLUTION AUTHORIZING ADDITIONAL APPROPRIATION AND PAYMENT OUT OF CASINO REVENUE SHARING FUND

WHEREAS, the Town of Veedersburg has budgeted funds for 2010 in its Casino Revenue Sharing Fund; and

WHEREAS, a need has arisen to expend funds out of the Casino Revenue Sharing Fund that were not appropriated in the Town's 2010 Budget; and

WHEREAS, monies not budgeted should be made available to pay for office upgrades including the purchase of computers, hardware and software; and

WHEREAS, the Town Council deems it necessary to appropriate Ten Thousand Nine Hundred and Ninety Nine Dollars and Twenty Cents (\$10,999.27) for payment of computers, hardware and software used in the operation of the Town of Veedersburg;

NOW, THEREFORE BE IT ESTABLISHED AND RESOLVED by the Veedersburg Town Council as follows:

1. That Ten Thousand Nine Hundred and Ninety Nine Dollars and Twenty Cents (\$10,999.27) shall be additionally appropriated out of the Casino Revenue Sharing Fund to pay for office upgrades including the purchase of computers, hardware and software.
2. This additional appropriation does not require the expenditure of more money than the total amount available in the 2010 budget line item for the Casino Revenue Sharing Fund.
3. This Resolution is being made at a regularly scheduled public meeting.
4. That the Clerk Treasurer is authorized to make certification of this additional appropriation to the Fountain County Auditor, DLGF or other appropriate entity.

Hereby resolved this 14 day of December, 2010.

Town Council, Town of Veedersburg, Indiana

Keith K. Smith
Council President

Stephen R. Cates
Council Member

Bob Barker
Council Member

Travis Covault
Council Member

Council Member

CERTIFICATION TO AUDITOR

I hereby certify that the attached Resolution is a true and accurate copy of the Resolution passed by the Veedersburg Town Council on December 14th , 2010, and pertains to an additional appropriation from the Casino Revenue Sharing Fund.

Keri Lynn Grubb
Keri Grubb, Clerk-Treasurer
Town of Veedersburg

RESOLUTION NUMBER: 2011- 1

RESOLUTION TRANSFERRING FUNDS WITHIN SAME BUDGET CLASSIFICATION

WHEREAS, the Town of Veedersburg has budgeted funds for 2011 in its General Fund to pay monies for General Marshal and Deputy expenses; and

WHEREAS, there has been a decrease in costs for Marshal and Deputy and an increase in gasoline and oils costs for 2011; and

WHEREAS, the monies have been budgeted for General Marshal and Deputy expenses, but these monies should be made available for gasoline and oil costs; and

WHEREAS, the Town Council deems it necessary and appropriate to transfer Five Thousand Dollars (\$5,000.00) budgeted for General Marshal and Deputy (#101001113) into the budget line item to pay for gasoline and oil (#101001221);

NOW, THEREFORE BE IT ESTABLISHED AND RESOLVED by the Veedersburg Town Council as follows:

1. That Five Thousand Dollars (\$5,000.00) of amounts budgeted for General Marshal and Deputy (#101001113) shall be transferred into the budget classification for payment of gasoline and oil (#101001221).
2. This transfer of appropriations does not require the expenditure of more money than the total amount set out in the 2011 budget.
3. This Resolution is being made at a regularly scheduled public meeting.
4. That the Clerk Treasurer is authorized to make certification of this appropriation transfer to the Fountain County Auditor.

Hereby resolved this 26th **DAY OF** July , 2011.

Town Council, Town of Veedersburg, Indiana

Keith K. Smith
Council President

Travis Covault
Council Member

Bob Barker
Council Member

Council Member

Council Member

CERTIFICATION TO AUDITOR

I hereby certify that the attached Resolution is a true and accurate copy of the Resolution passed by the Veedersburg Town Council on July 26th , 2011, and pertains to the transfer of appropriations from one budget classification to another within the same department or office.

Keri Lynn Grubb
Keri Grubb, Clerk-Treasurer
Town of Veedersburg

RESOLUTION NUMBER: 2011- 11

RESOLUTION TRANSFERRING FUNDS WITHIN SAME BUDGET CLASSIFICATION

WHEREAS, the Town of Veedersburg has budgeted funds for 2011 in its General Fund to pay monies for General Office Equipment expenses; and

WHEREAS, there has been a decrease in costs for General Office Equipment and an increase in gasoline and oils costs for 2011; and

WHEREAS, the monies have been budgeted for General Office Equipment expenses, but these monies should be made available for gasoline and oil costs; and

WHEREAS, the Town Council deems it necessary and appropriate to transfer One Thousand Five Hundred Dollars (\$1,500.00) budgeted for General Office Equipment (#1010011490) into the budget line item to pay for gasoline and oil (#100001221);

NOW, THEREFORE BE IT ESTABLISHED AND RESOLVED by the Veedersburg Town Council as follows:

1. That One Thousand Five Hundred Dollars (\$1,500.00) of amounts budgeted for General Office Equipment (#1010011490) shall be transferred into the budget classification for payment of gasoline and oil (#101001221).
2. This transfer of appropriations does not require the expenditure of more money than the total amount set out in the 2011 budget.
3. This Resolution is being made at a regularly scheduled public meeting.
4. That the Clerk Treasurer is authorized to make certification of this appropriation transfer to the Fountain County Auditor.

Hereby resolved this 22 DAY OF November , 2011.

Town Council, Town of Veedersburg, Indiana

Keith K. Smith
Council President

Stephen R. Cates
Council Member

Travis Covault
Council Member

Bob Barker
Council Member

Seth A. Hoagland
Council Member

CERTIFICATION TO AUDITOR

I hereby certify that the attached Resolution is a true and accurate copy of the Resolution passed by the Veedersburg Town Council on November 22 , 2011, and pertains to the transfer of appropriations from one budget classification to another within the same department or office.

Keri Lynn Grubb
Keri Grubb, Clerk-Treasurer
Town of Veedersburg

RESOLUTION NUMBER: 2011- 12

RESOLUTION TRANSFERRING FUNDS WITHIN SAME BUDGET CLASSIFICATION

WHEREAS, the Town of Veedersburg has budgeted funds for 2011 in its General Fund to pay monies for General Office Equipment expenses; and

WHEREAS, there has been a decrease in costs for General Office Equipment and an increase in general legal costs for 2011; and

WHEREAS, the monies have been budgeted for General Office Equipment expenses, but these monies should be made available for general attorney costs; and

WHEREAS, the Town Council deems it necessary and appropriate to transfer Five Thousand Dollars (\$5,000.00) budgeted for General Office Equipment (#101001490) into the budget line item to pay for General Attorney (#101001316);

NOW, THEREFORE BE IT ESTABLISHED AND RESOLVED by the Veedersburg Town Council as follows:

1. That Five Thousand Dollars (\$5,000.00) of amounts budgeted for General Office Equipment (#101001490) shall be transferred into the budget classification for payment of General Attorney (#101001316).
2. This transfer of appropriations does not require the expenditure of more money than the total amount set out in the 2011 budget.
3. This Resolution is being made at a regularly scheduled public meeting.
4. That the Clerk Treasurer is authorized to make certification of this appropriation transfer to the Fountain County Auditor.

Hereby resolved this 22 DAY OF November , 2011.

Town Council, Town of Veedersburg, Indiana

Keith K. Smith
Council President

Stephen R. Cates
Council Member

Travis Covault
Council Member

Bob Barker
Council Member

Seth A. Hoagland
Council Member

CERTIFICATION TO AUDITOR

I hereby certify that the attached Resolution is a true and accurate copy of the Resolution passed by the Veedersburg Town Council on November 22 , 2011, and pertains to the transfer of appropriations from one budget classification to another within the same department or office.

Keri Lynn Grubb
Keri Grubb, Clerk-Treasurer
Town of Veedersburg

RESOLUTION #03-2013

ADDITIONAL APPROPRIATION RESOLUTION

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget: now, therefore:

Be it resolved by the Veedersburg Town Council, Fountain County, Indiana that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the purpose specified, subject to the laws governing the same:

FUND NAME	PURPOSE	AMOUNT REQUESTED	AMOUNT APPROPRIATED
Cumulative Fire Special	Fire/Brush Truck	\$7,298.51	\$7,298.51

Adopted this 9th day of April, 2013.

Troy Finley

Keith K. Smith

Teresa K. Cooper

Tim A. Shumaker

Stephen R. Cates

Veedersburg Town Council

ATTEST: Kathy J. Pugh

Kathy J. Pugh, Clerk-Treasurer

RESOLUTION #04-2013

ADDITIONAL APPROPRIATION RESOLUTION

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget: now, therefore:

Be it resolved by the Veedersburg Town Council, Fountain County, Indiana that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the purpose specified, subject to the laws governing the same:

FUND NAME	PURPOSE	AMOUNT REQUESTED	AMOUNT APPROPRIATED
Rainy Day Fund	Fire/Brush Truck	\$3,001.49	\$3,001.49

Adopted this 9th day of April, 2013.

Troy Finley

Keith K. Smith

Teresa K. Cooper

Tim A. Shumaker

Stephen R. Cates

Veedersburg Town Council

ATTEST: Kathy J. Pugh

Kathy J. Pugh, Clerk-Treasurer

RESOLUTION 05-2014 AUTHORIZING LOCAL MATCH COMMITMENT

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AUTHORIZING THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE MSRP APPLICATION TO THE INDIANA OFFICE OF COMMUNITY AND RURAL AFFAIRS AND ADDRESSING RELATED MATTERS

WHEREAS, the Council of the Town of Veedersburg, Indiana recognizes the need to stimulate growth and to maintain a sound economy within its corporate limits; and

WHEREAS, the Housing and Community Development Act of 1974, as amended, authorizes the Indiana Office of Community and Rural Affairs to provide grants to local units of government for the elimination and prevention of blight; and

WHEREAS, the Town of Veedersburg, Indiana has a designated Main Street Program and this project is part of Veedersburg Revitalization Association's overall strategy; and

WHEREAS, the Town of Veedersburg, Indiana has conducted public hearings prior to the submission of an application to the Indiana Office of Community and Rural Affairs, said public hearings to assess the housing, public facilities and economic needs of its low- and moderate-income residents;

NOW, THEREFORE, BE IT RESOLVED by the Council of Veedersburg, Indiana that:

1. The Town Council President is authorized to appropriate matching funds for the grant award to address downtown revitalization in the Veedersburg downtown corridor for sidewalks, lighting, and infrastructure and to execute and administer a resultant grant including requisite general administration and project management, contracts and agreements pursuant to regulations of the Indiana Office of Community and Rural Affairs and the United States Department of Housing and Urban Development.
2. The Town of Veedersburg, Indiana hereby commits the requisite local funds in the amount of nine hundred fifteen thousand, nine hundred seventy one dollars and eighty-four cents, \$915,971.84, in the form of TIF dollars and in-kind contributions, as matching funds for said program.

Adopted by the Town Council of the Town of Veedersburg, Indiana this 21st day of May, 2014 at 6:00 pm.

SIGNATURE: Teresa K. Cooper
 Teresa Cooper, President
 Town Council

ATTEST: Kathy J. Pugh
 Kathy Pugh, Clerk Treasurer

ORDINANCE NO. 06-2016

AN ORDINANCE TO ESTABLISH A FUND FOR LOIT SPECIAL
DISTRIBUTIONS

BE IT RESOLVED by the Council of the Town of Veedersburg, Indiana that the need now exists for the establishment of a LOIT SPECIAL DISTRIBUTION Fund.

The sources of funding for the newly established fund are a special distribution of Local Option Income Tax pursuant to Senate Enrolled Act 67 and any other funding source not specifically prohibited by law.

Expenditures from the Fund are restricted to allowable purposes per I.C. 6-3.6-9-17(h)(A) as follows:

Engineering, land acquisition, construction, resurfacing, maintenance, restoration, or rehabilitation of both local and arterial road and street systems

Purchase, rental, or repair of highway equipment

The fund shall be subject to the same appropriation process as other municipal funds.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg on the 31st day of May, 2016.









Teresa K. Cooper

Keith K. Smith

Stephen R. Cates
Town Council Members

ATTEST: Kathy J. Pugh
Clerk-Treasurer

Attachments:

-  Email from Brian Gould, IACT, 5/02/2016
-  Mail from Paul Joyce, State Examiner, 4/22/2016
-  Email from Jenny Banks, DLGF Director of Communications, 4/22/2016 - Page 1
-  Email from Jenny Banks, DLGF Director of Communications, 4/22/2016 - Page 2
-  Listing of LOIT Special Distribution by County - Page 1
-  Listing of LOIT Special Distribution by County - Page 2
-  Listing of LOIT Special Distributions for Fountain County - Page 1
-  Listing of LOIT Special Distributions for Fountain County - Page 2

RESOLUTION #03-2016

ADDITIONAL APPROPRIATION RESOLUTION

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the Student Resource Officer salary & benefits: now, therefore:

Be it resolved by the Veedersburg Town Council, Fountain County, Indiana that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the purpose specified, subject to the laws governing the same:

FUND NAME	PURPOSE	AMOUNT REQUESTED	AMOUNT APPROPRIATED
General	Marshal & Deputy Payroll	\$41,080.00	\$41,080.00
General	Group Insurance	\$25,200.00	\$25,200.00

Adopted this 12th day of July, 2016.

Teresa K. Cooper Troy Finley

Keith K. Smith Mark Rusk

Stephen R. Cates

Veedersburg Town Council

ATTEST: Kathy J. Pugh

Kathy J. Pugh, Clerk/Treasurer

RESOLUTION #04-2016

ADDITIONAL APPROPRIATION RESOLUTION

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the Bond Construction Fund: now, therefore:

Be it resolved by the Veedersburg Town Council, Fountain County, Indiana that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the purpose specified, subject to the laws governing the same:

FUND NAME	PURPOSE	AMOUNT REQUESTED	AMOUNT APPROPRIATED
Bond Construction Fund	Capital Outlays	\$250,000.00	\$250,000.00

Adopted this 12th day of July, 2016.

Teresa K. Cooper Troy Finley

Keith K. Smith Mark Rusk

Stephen R. Cates

Veedersburg Town Council

ATTEST: Kathy J. Pugh

Kathy J. Pugh, Clerk/Treasurer

Ordinance Number: 09-2016

Editor's Note: Because this ordinance is adopted on a government form (Budget Form No. 4), it is provided here as digital images:



#09-2016: Budget and Tax Rates for 2017 (9/27/2016) - Page 1



#09-2016: Budget and Tax Rates for 2017 (9/27/2016) - Page 2

RESOLUTION #05-2016
ADDITIONAL APPROPRIATION RESOLUTION

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the Marshal & Deputy Marshal salary & benefits: now, therefore:

Be it resolved by the Veedersburg Town Council, Fountain County, Indiana that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the purpose specified, subject to the laws governing the same:

FUND NAME	PURPOSE	AMOUNT	AMOUNT
		REQUESTED	APPROPRIATED
General	Marshal & Deputy Payroll	\$2,900.00	\$2,900.00
General	Social Security & Medicare	\$600.00	\$600.00

Adopted this 29th day of November, 2016.

Veedersburg Town Council

ATTEST:

Kathy J. Pugh, Clerk-Treasurer

RESOLUTION #08-2017

A RESOLUTION ESTABLISHING CUMULATIVE CAPITAL DEVELOPMENT FUND
Under Indiana Code 36-9-15.5

BE IT RESOLVED by the Town Council of Veedersburg of Fountain, County, Indiana that a need now exists for the establishment of a Cumulative Capital Development Fund for the following purpose:

FIRE DEPARTMENT EQUIPMENT

BE IT FURTHER RESOLVED that this Board will adhere to the provisions of Indiana Code 36-9-15.5. The proposed fund will not exceed \$.0167 for 2017 payable 2018; \$.0333 for 2018 payable 2019; \$.05 for 2019 payable 2020 per \$100 of assessed valuation. Said tax rate will be levied beginning with taxes for 2017 payable 2018.

BE IT FURTHER RESOLVED that proofs of publication of the public hearing held on the 25th day of April, 2017, and a certified copy of this resolution shall be submitted to the Department of Local Government Finance of the State of Indiana as provided by law. This Cumulative Fund is subject to the approval of the Department of Local Government Finance.

Duly adopted by the following vote of the members of said Veedersburg Town Council this 25th day of April, 2017.

Keith K. Smith

Troy Finley

Mark Rusk

Veedersburg Town Council

Attest: Kathy J. Pugh
Clerk-Treasurer

RESOLUTION #12-2017

ADDITIONAL APPROPRIATION RESOLUTION

WHEREAS, it has been determined that it is now necessary to appropriate money from Casino funds for Fire Department Equipment, now, therefore:

Be it resolved by the Veedersburg Town Council, Fountain County, Indiana that for the expenses of the taxing unit the following sums of money are hereby appropriated out of the fund named and for the purpose specified, subject to the laws governing the same:

FUND NAME	PURPOSE	AMOUNT REQUESTED	AMOUNT APPROPRIATED
Casino	Fire Department Equipment	\$50,000.00	\$50,000.00

Adopted this 15th day of June, 2017.

Keith K. Smith

Mark Rusk

Troy Finley

Stephen R. Cates

Veedersburg Town Council

Attest: Kathy J. Pugh

Kathy J. Pugh, Clerk-Treasurer

AN ORDINANCE CREATING A LOCAL ROAD & BRIDGE MATCHING GRANT FUND

WHEREAS, the Town of Veedersburg may be eligible to receive funds from the State Community Crossings Grant under IC 8-23-30-3; and

WHEREAS, the Town of Veedersburg is required under IC 8-23-30-6 to provide a funding match; and

WHEREAS, in order to receive such funds, and/or State grants, it is necessary to establish, by ordinance, a fund into which such monies may be placed pending their appropriation and expenditure;

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

SECTION ONE. There is hereby established a Local Road & Bridge Matching Grant Fund for money received from the State through the Community Crossings Grant and for the Town's portion as required by the grant.

SECTION TWO. Appropriations from the Local Road & Bridge Matching Grant Fund shall be made only for the purpose of expenditures authorized or provided for by guidelines established and approved by the Community Crossings Grant program and must be approved by the Department of Local Government.

SECTION THREE. This ordinance shall be of full force and effect from and after its passage by the Town Council of Veedersburg, Indiana.

Adopted this 27th day of March, 2018.

Teresa K. Cooper

Mark Rusk

Troy Finley

Stephen R. Cates

Keith K. Smith
Town Council Members

ATTEST: Kathy J. Pugh Clerk-Treasurer

RESOLUTION #2-2018

A RESOLUTION TO TRANSFER FUNDS TO THE LOCAL ROAD AND BRIDGE MATCHING
FUND #258

WHEREAS, it has been determined that there is a need for a perpetual road improvement plan for all roads within the corporate limits of the Town of Veedersburg; and

WHEREAS, the Town of Veedersburg has adopted a Pavement Asset Management Plan prepared by HWC Engineering; and

WHEREAS, the Town of Veedersburg has established a Local Road and Bridge Matching Grant Fund to commit funds for the Community Crossings Grant Program.

NOW THEREFORE LET IT BE RESOLVED by the Veedersburg Town Council that a total of \$65,000.00 be transferred from the following funds: Motor Vehicle Highway Fund-\$43,442.48 and LOIT Special Distribution Fund-\$21,557.52 for a total transfer of \$65,000.00 to the Local Road and Bridge Matching Fund for the purpose of committing funds for the Community Crossings Grant Program.

Adopted by the Town Council of Veedersburg, Indiana, this 27th day of March, 2018.

Stephen R. Cates

Mark Rusk

Troy Finley

Keith K. Smith

Teresa K. Cooper
Town Council Members

Attest: Kathy J. Pugh
Clerk-Treasurer

RESOLUTION #3-2018

A RESOLUTION TO DECLARE THE CUMULATIVE FIRE SPECIAL FUND DORMANT &
TRANSFER THESE FUNDS TO THE TOWN GENERAL FUNDS

WHEREAS, it has been determined that the purposes of the Cumulative Fire Special Fund have been fulfilled and an unused and unencumbered balance of \$1.96 remains in the fund and;

WHEREAS, the Town of Veedersburg has now established a Cumulative Capital Development Fund for Fire Department Equipment

NOW THEREFORE LET IT BE RESOLVED AND ORDERED by the Veedersburg Town Council that the balance remaining (\$1.96) in the Cumulative Fire Special Fund be transferred to the General Fund.

Adopted by the Town Council of Veedersburg, Indiana, this 27th day of March, 2018.

Stephen R. Cates

Mark Rusk

Keith K. Smith

Teresa K. Cooper

Troy Finley
Town Council Members

Attest: Kathy J. Pugh
Clerk-Treasurer

RESOLUTION #04-2018
ADDITIONAL APPROPRIATION RESOLUTION

WHEREAS, it has been determined that it is now necessary to appropriate money from Local Road & Bridge Matching Grant funds for the Paving & Preservation Program (Community Crossings), now, therefore:

Be it resolved by the Veedersburg Town Council, Fountain County, Indiana, that for the expenses of the taxing unit the following sums of money are hereby appropriated out of the fund named and for the purpose specified, subject to the laws governing the same:

FUND NAME	PURPOSE	AMOUNT REQUESTED	AMOUNT APPROPRIATED
Local Road & Bridge Matching Grant Fund	Paving & Preservation Program	\$203,765.20	\$203,765.20

Adopted this 22nd day of May, 2018.

Teresa K. Cooper

Stephen R. Cates

Troy Finley

Mark Rusk

Veedersburg Town Council

ATTEST: Kathy J. Pugh

Kathy J. Pugh, Clerk-Treasurer

RESOLUTION #05-2018
ADDITIONAL APPROPRIATION RESOLUTION

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget: now, therefore:

Be it resolved by the Veedersburg Town Council, Fountain County, Indiana that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the purpose specified, subject to the laws governing the same:

FUND NAME	PURPOSE	AMOUNT REQUESTED	AMOUNT APPROPRIATED
Cum. Capital Improvement	Streets & Sidewalks	\$10,000.00	\$10,000.00

Adopted this 26th day of May, 2018.

Teresa K. Cooper

Troy Finley

Mark Rusk

Stephen R. Cates

Veedersburg Town Council

ATTEST: Kathy J. Pugh

Kathy J. Pugh, Clerk-Treasurer

RESOLUTION #06-2018
ADDITIONAL APPROPRIATION RESOLUTION

WHEREAS, it has been determined that it is now necessary to appropriate money from General funds for Personal Services-SRO Officer, now, therefore:

Be it resolved by the Veedersburg Town Council, Fountain County, Indiana that for the expenses of the taxing unit the following sums of money are hereby appropriated out of the fund named and for the purpose specified, subject to the laws governing the same:

FUND NAME	PURPOSE	AMOUNT REQUESTED	AMOUNT APPROPRIATED
General	Personal Services-SRO Officer	\$22,000.00	\$22,000.00

Adopted this 28th day of August, 2018.

Teresa K. Cooper

Troy Finley

Keith K. Smith

Mark Rusk

Stephen R. Cates

Veedersburg Town Council

ATTEST: Kathy J. Pugh

Kathy J. Pugh, Clerk-Treasurer

Editor's Note: As this ordinance is on State Form 55865 (7-15), it is represented here as digital images:

 #03-2018: Budget for 2019 (9/25/2018) - Page 1

 #03-2018: Budget for 2019 (9/25/2018) - Page 2

RESOLUTION #7-2018

A RESOLUTION TO TRANSFER FUNDS FROM THE LOCAL ROAD AND BRIDGE MATCHING
FUND BACK TO THE MOTOR VEHICLE HIGHWAY FUND

WHEREAS, the Town of Veedersburg transferred \$43,442.48 from the Motor Vehicle Highway Fund to the Local Road and Bridge Matching Fund for the purpose of committing funds for the Community Crossings Grant Program.

WHEREAS, the total bid for this project was under the estimated project cost and the Town's portion of matching funds was overpaid by \$6,693.30.

NOW THEREFORE LET IT BE RESOLVED by the Veedersburg Town Council that the total of \$6,693.30 be transferred back to the Motor Vehicle Highway fund.

Adopted by the Town Council of Veedersburg, Indiana, this 9th day of October, 2018.

Teresa K. Cooper

Mark Rusk

Troy Finley

Stephen R. Cates

Keith K. Smith
Town Council Members

Attest: Kathy J. Pugh
Clerk-Treasurer

ORDINANCE NO. 5-79

AN ORDINANCE PROHIBITING PUBLIC NUISANCES

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF VEEDERSBURG, AS FOLLOWS:

Section 1. In addition to what is declared in the Ordinance to be a public nuisance, those offenses which are known to the common law and the Statutes of Indiana as public nuisances, may, in case any thereof exist within the Town limits, be treated as such and be against as is provided in this Ordinance; or in accordance with any other provisions of the law. Wherever the word "Nuisance" is used in this Ordinance it refers to a public nuisance.

Section 2. Whenever the singular of the word person, owner, occupant, tenant, agent, representative, company, corporation, or any other word referring to a person or entity subject to this Ordinance is used, the use thereof shall likewise include the plural of such word and likewise when the plural of such word is used, it shall include the singular. Whenever the word person or persons is used to denote someone subject to the terms of this Ordinance, such word or words shall include companies, corporations, partnerships, and other legal entities, as the case may be.

Section 3. DEFINITIONS.

For the purpose of this Ordinance the definitions contained in this section shall be applied except when the context clearly indicated otherwise:

3a. Automobile - A vehicle, used to transport persons or property that is moved by an engine or motor that is apart of said vehicle, over streets, highways, tracks, or roads.

3b. Automobile parts - Any portion or parts of any motor driven vehicle, whether used in the transportation of persons, animals, personal property of merchandise of any nature, that is detached from the automobile as a whole.

3c. Debris - Broken scattered remains of anything, such as tree limbs, bottles, appliances, building material, and paper, that would create an unkempt condition.

3d. Junk - Scraps, parts or obsolete pieces of anything including but not limited to metal, glass, paper, rags, tires, or other rubber products, wood, masonry and plastics.

3e. Junk Vehicles - Any style or type of conveyance, whether for the transportation of persons or property that is unfit for further use as a vehicle that will conform to all the specifications required to pass a legal inspection; a conveyance not bearing a current license plate; or a conveyance that appears to be obsolete and derelict and that has been placed on blocks or jacks for a period exceeding 30 days.

3f. Noxious Weeds - Any weed, over 12" height, defined by the U.S.D.A. as of a prohibited or restricted nature and includes but is not limited to: Canadian and bull thistles, bind weed, wild garlic,

wild grasses, such as crab, johnson, peper, and quack giant fox tail, winter crest, buckhorn, corn cockle, curled dock, dodder, horse nettle, oxeye daisy, penny crest, wild mustard, and horse weeds.

3g. Rags - Cloth products of any such nature whether wearing apparel, bed clothing, towels or other usually in a dilapidated state or otherwise discontinued from use.

3h. Scrap Lumber - Anything of a wood nature that could not be construed as suitable for building in the commonly accepted manner.

3i. Scrap Metal - Pieces or parts of steel, iron, tin, zinc, copper, aluminum, or any alloy. Any pieces or parts of metal covered with porcelain, paint, or other material shall be considered scrap.

3j. Scrap Paper - Paper of any kind whether loose, baled, or bundled, and includes but is riot limited to: boxes, whether assembled or knocked down; newspapers, in whole or in part; wrapping paper, loose or in a roll whether it be brown, waxed, white or any color; plastics such as visqueen, saran wrap and such.

Section 4. For the purpose of this Ordinance, it shall not be essential that the Nuisance be created or contributed to by the owner, or tenants, or their agents or representatives, but it shall suffice if the nuisance be contributed to by licensees, invitees, and guest, habitual trespassers, or other persons whose presence on the premises is subject to the control of the conduct they have been made aware or ought to become aware by the exercise of reasonable care.

Section 5. It shall be unlawful, inside the corporation boundaries of the Town of Veedersburg, Indiana, for any person, firm, partnership or corporation:

5a. To store or keep junk vehicles or automobile parts on a public right-of-way or on a private or public lot exposed to the view of the general public.

5b. To put, throw, dump, leave or deposit or to cause or allow the putting, throwing, dumping, leaving or depositing of junk, scrap of any kind, rags, debris, or junk vehicles in or upon or within the limits of any street, alley, sidewalk, thoroughfare or public way.

5c. To allow any premises owned, occupied or controlled by him to become or remain in a filthy condition or the permission of the use or occupation of same in such a manner as to create noxious or offensive smells or odors in connection therewith, or the allowance of the accumulation or creation of scrap, junk, rags, or other unwholesome and offensive matter or the allowance of the breeding of flies, rodents or other vermin on the premises to the menace of the public health or the annoyance of people residing in the vicinity.

5d. To permit any building, house or structure owned by same to become so out of repair and dilapidated that it constitutes a fire hazard liable to catch on fire or communicate fire because of its condition and lack of repair or that due lack of adequate maintenance or neglect it endangers the public health, welfare or safety, or materially devalues and interferes with the peaceful enjoyment by owners or occupants of adjacent property.

5e. To erect use or maintain a dwelling which is unfit for human habitation. A "dwelling" shall include any part of any building or its premises used as a place of residence or habitation or for sleeping by any person. A dwelling is "unfit for habitation" when it is dangerous or detrimental to life or health because of want of repair, defects in the drainage, plumbing, lighting, ventilation or construction, infection with contagious disease, or the existence on the premises of an unsanitary condition likely to cause sickness among occupants of the dwelling.

5f. To cause or allow any tree, stack or other object to remain standing upon such premises in such condition that it shall, if the condition is suffered to continue, endanger the life, limb or property or cause hurt, damage or injury to persons or property upon the public streets or public ways adjacent thereto, by the falling thereof or of parts thereof.

5g. To permit to emit from premises into the surrounding atmosphere such odors, dusts, smoke or other debris as to render ordinary use or physical occupation of other property in the vicinity uncomfortable or impossible.

5h. To allow any pool of stagnant water to accumulate and stand on any property.

5i. To make or cause to be made any noise noxious enough to destroy the enjoyment of dwelling houses or other uses of property in the vicinity by interfering with the ordinary comforts of human existence, including but not limited to continual pounding, continual barking by one or more dogs, unnecessary sounding of horns, racing the motor or causing the screeching or squaling of tires on any vehicles, radios or phonographs or televisions, and sound tracks or public address systems.

5j. To cause or allow debris, junk, noxious weeds, such an accumulation on any premises of filth, trash, garbage or other waste materials that it endangers the public health, welfare or safety or materially interfere with the peaceful enjoyment by owners or occupants of adjacent property because of the danger of its catching or communicating fire, its attracting and propagating vermin, rodents or insects or its blowing into any street, sidewalk or property of another. It shall be the duty of the persons owning or being in charge of those business establishments whose patrons purchase goods or services from their automobiles, commonly known as "drive-ins", to furnish sufficient covered receptacles for the deposit of wastes created in the operation of such business, and to clean up such wastes as are not deposited in receptacles at the close of business of each day (if such business operates continuously, at least once each day) and at such other times when weather conditions are such that waste from the operation of such business is being blown to adjoining premises.

5k. It shall be the duty of every owner, occupant or person in charge of any lot of land within the Town to cause noxious weeds to be destroyed by spraying with a chemical approved by the Board of Trustees or by cutting them or digging them under.

Section 6. ADMINISTRATION AND ENFORCEMENT.

6a. In any case where any nuisance may exist, it shall be the duty of the Town Marshal at the direction of the Board of Trustees to serve notice upon the owner of the premises where such nuisance exists and upon any other person so causing such nuisance to abate such nuisance within fifteen (15) days of said notice.

6b. If the owner, occupant, and any other person or entity served with a notice to abate the nuisance shall refuse or neglect to abate such nuisance within the designated time:

6b -1. Such person, persons, or entity, shall be subject to the penalties provided in Section 9 of this Ordinance; and

6b -2. In addition thereto, the Board of Trustees may remove or cause to be removed or do or cause to be done such other acts as are necessary and reasonable to abate said nuisance, and the Town Clerk shall make a certified statement of the actual cost incurred by the Town in such removal, which statement shall be delivered to the owner of such real estate by the Town Marshal, or by certified mail, or where appropriate, by publication, provided such owner shall have been served with notice as provided in Sub-section (6a) and such owner shall have not more than ten (10) days within which to pay said amount to the Treasurer of the Town of Veedersburg. If such owner failed to pay said sum within the prescribed time, a certified copy of the statement of such costs shall be filed in the Auditor's office of Fountain County wherein said real estate is located, and the said Auditor shall place the amount so claimed on the tax duplicate against the real estate of the owner affected by said work, and the same shall be collected as taxes are collected or said costs may be collected by suit; or

6b -3. The Board of Trustees may cause such nuisance to be abated in any manner authorized by law, including the institution in the name of the Town of Veedersburg against the owner occupant, or other person, of any action therefor and for the recovery of the amount of expense of such abatement.

Section 6c. The requirement for service of notice under the provisions of this section of this section of this Ordinance may be complied with by the certified mailing of such notice to the person or persons sought to be notified, provided, however, that when the owner is unknown, notice shall be to the person or persons in whose name or names the real estate taxes on said real estate are shown on record in the office of the Auditor of Fountain County, wherein said real estate is located, by registered or certified mail to the last known address of the person or persons sought to be notified, or when the address of such persons or person is unknown, by publication of said notice once each week for three consecutive weeks in a newspaper of Countywide circulation, published in Fountain County.

Section 7. For the purpose of carrying the provisions of this Ordinance into effect, it is hereby made the duty of all officers and employees of the Town to report the existence of nuisances to the Board of Trustees or the Town Marshall and for this purpose the Town Marshal or other employees designated by the Board of Trustees, after reasonable notice to the occupant and at reasonable times, shall be permitted to visit, enter into or upon any building, lot, grounds, or premises, within the limits of the Town to investigate complaints of any such nuisances and to make examination thereof.

Section 8. If any clause, sentence, section, paragraph or part of this Ordinance shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its operation the clause,

sentence, section, paragraph, or part thereof, which is directly involved in the controversy in which such judgment shall have been rendered.

Section 9. Any person, firm or corporation who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be fined not less than Ten Dollars (\$10.00) and not more than Three Hundred Dollars (\$300.00). Each day the violation continues shall constitute separate offense.

Section 10. All ordinances, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed.

Section 11. This Ordinance shall be in full force and effect from the date of its passage by the Board of Trustees of the Town of Veedersburg and its publication, all in accordance with the law.

Dated this 3 day of July , 1979.

Lee Roy Dismore

Herman Holder

Donald L. Keller

BOARD OF TRUSTEES OF THE TOWN OF
VEEDERSBURG, INDIANA

ATTEST:

Dorothy Dice
CLERK-TREASURER

AN ORDINANCE ADMENDING ORDINANCE 5-79 PROHIBITING PUBLIC NUISANCES

WHEREAS, The Town of Veedersburg has previously passed [Ordinance 5-79](#) relating to public nuisances, and

WHEREAS, The Board desires to shorten the time for abatement of nuisances

NOW THEREFORE IS IS ORDERED BE THE BOARD OF TRUSTEES OF VEEDERSBURG, FOUNTAIN COUNTY, INDIANA:

Section 1. The Town hereby amends [Section 6a](#) by substituting "fifteen (15)" in place of "thirty (30)"

Passed and adopted on November 1, 1988

BOARD OF TRUSTEES OF
THE TOWN OF VEEDERSBURG

ATTEST:

Ralph Cushman
Ralph Cushman, Trustee

Kathryn M. York
Kathryn M. York,
Clerk-Treasurer

Catherine Dismore
Catherine Dismore, Trustee

Gregory F. Seibold
Gregory F. Seibold, Trustee

TOWN OF VEEDERSBURG

ORDINANCE NO. 9 -08

**ORDINANCE PROVIDING FOR THE FEES TO BE CHARGED FOR TOWN MANPOWER
INCURRED IN THE CASE OF NONCOMPLIANCE BY A LANDOWNER AFTER
RECEIVING A NOTICE TO ABATE NUISANCE REGARDING WEEDS AND/OR RANK OR
UNKEPT VEGETATION**

WHEREAS the Town Council of Veedersburg, Indiana has determined that landowners that fail to maintain their real property as required by [Ordinance 5-79](#) should be charged uniform amounts to reimburse the Town of Veedersburg for expenses incurred in the removal of weeds and/or rank or unkept vegetation;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section One: Fees to be charged and procedure for determining the same:

- A. If the landowner fails to remove such weeds and/or rank vegetation within the time prescribed by the applicable ordinance as passed by the Town Council of Veedersburg, the Town may remove such weeds and rank vegetation;
- B. The Clerk-Treasurer shall make a certified statement of the actual cost incurred by the city in such removal.
- C. Said certified statement shall be delivered to the owner of such real estate by the Town Marshall, or his or her authorized designee, or by registered mail.
- D. Such owner shall have not more than ten (10) days within which to pay said amount to the Clerk-Treasurer of the town.
- E. For the costs incurred for Town manpower and the use of Town equipment for the removal of noxious weeds and vegetation, the following fees shall be established:
 - 1. Thirty Dollars (\$30.00) per hour per employee;
 - 2. For the use of Town equipment the following:
 - a. Walking mower and weedeater \$15.00 per hour

- | | |
|----------------------|----------------|
| b. Riding lawn mower | 30.00 per hour |
| c. Backhoe | 60.00 per hour |
| d. Bobcat | 60.00 per hour |
| e. Dump truck | 60.00 per hour |

3. There shall be a three (3) hour minimum charge for the use of each employee and the use of equipment.

Section Two. Procedure for Collection When There is Non-Payment:

- A. If such owner fails to pay said sum within the time prescribed, a certified copy of the statement of costs shall be filed within the Office of the County Auditor where said real estate is located.
- B. The Auditor shall place the amount so claimed on the tax duplicate against the lands of the landowner affected by said work.
- C. The same shall be collected as taxes are collected, and when so collected shall be disbursed to the General Fund of the Town.

Section Three: Repeal of Conflicting Ordinances: All Ordinances, or any parts thereof, previously enacted which are in conflict with this Ordinance are hereby repealed.

Section Four: Effective Date of Ordinance: This ordinance shall become effective upon publication.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg on the 26th day of Aug , 2008.

TOWN OF VEEDERSBURG

Keith K. Smith	Bob Barker
Stephen R. Cates	Seth A. Hoagland
Will C. Rahm	Attest: Laura Bennett Laura Bennett, Clerk-Treasurer

(Publication instructions: Please publish one time after adoption and within thirty (30) days of adoption)

ORDINANCE 5-89

Town of Veedersurg has received more complaints of roaming dogs destroying property. Therefore the Town Council of Veedersburg through Ordinance 5-89, decree that all dogs running loose will be picked up by Town employees and taken to the dog pound. The dogs will be held for three days, after three days, if not claimed, the dogs will be destroyed.

Owners will be charged \$ 10.00 25.— plus \$ 5.00 10.00 per day if claimed.

It is not the intent of the Council to pick up pets, but to protect the rights of the residents of Veedersburg.

Ordinance 5-89 will be carried out effective on signing of this Ordinance.

Ralph Cushman
Town Council Member

Catherine Dismore
Town Council Member

Greg F. Seibold
Town Council Member

Signed this 5th day of July 1989

Supporting Documents:

☐ +/- Indiana Code 15-5-12-3, Failure to restrain dog - Penalties - Page 1

☐ +/- Indiana Code 15-5-12-3, Failure to restrain dog - Penalties - Page 2

☐ +/- Indiana Code 15-5-9-13, Harboring dog without a collar and tag; strays; violations *and* IC 15-2.1-21-8, Running at large

☐ +/- Various related Indiana Code sections

**AN ORDINANCE REQUIRING DOG OWNERS TO CLEAN UP AFTER THEIR ANIMALS
WHEN OFF THE OWNERS' PROPERTY**

WHEREAS, the Town Council of the Town of Veedersburg believes that there are certain responsibilities associated with dog ownership, including the duty to clean up after the animal when it defecates on public property or property belonging to others; and

WHEREAS, the Town Council has determined to adopt an ordinance to reinforce this duty on the part of dog owners;

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Veedersburg as follows:

Section 1. Duty to Clean Up After Dog. It shall be the duty of each owner or possessor of a dog who permits the animal to be off of the private property of the owner or possessor to clean up, remove and properly dispose of any and all feces voided by the dog on public property or on the private property of any person other than the owner or possessor of the dog.

Section 2. Penalty for Violation. Any owner or possessor of a dog who violates the provisions of Section 1 shall be subject to a penalty of not less than \$50 and not more than \$ 500 for each violation.

Section 3. Enforcement. This Ordinance shall be enforced by the town marshals of the Town of Veedersburg. Any person who witnesses or has information regarding a violation of this Ordinance shall report the same to a town marshal. Such person shall be informed that they may be required to testify in court if the matter is not otherwise resolved.

Section 4. Effective Date. This Ordinance shall be in full force and effect upon its publication in accordance with law.

So ordained this 13 day of May , 1997.

VEEDERSBURG TOWN COUNCIL

Donald L. Bailey
Don Bailey, President

Richard L. Rusk
Richard Rusk

Gregory F. Seibold
Greg Seibold

Richard C. Burton

Tim Shumaker
Tim Shumaker

Attest:

Kathryn M. York, Clerk-Treasurer

TOWN OF VEEDERSBURG
ORDINANCE NO. 2 - 08

**ORDINANCE PROHIBITING ANIMALS ROAMING AT LARGE IN THE TOWN OF
VEEDERSBURG**

WHEREAS, the Town Council of the Town of Veedersburg believes that animals roaming at large within the corporation limits pose a danger to the health and safety of the citizens.

WHEREAS, the Town of Veedersburg, has deemed it in the best interest of the citizens of the Town to prohibit animals from roaming at large.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1 Enforcement authority defined.

- A. For the purposes of this Ordinance, the enforcement authority shall consist of the Town of Veedersburg's Police Department, its animal care and control division and other divisions, contractors, agents, employees and designees.
- B. Town as used in this Ordinance shall refer to the Town of Veedersburg.

Section 2. Enforcement authority's rights and responsibilities.

- A. Persons who are individually charged with the enforcement of this Ordinance shall be designated animal care and control officers, and prior to the performance of any act in connection therewith, shall be appointed and sworn as such. Such animal care and control officers shall also receive appropriate and relevant training.
- B. It shall be the duty of the Town police department to assist in the enforcement of all provisions of this chapter and other ordinances in relation to animals, and it shall be the duty of all police officers to report at once all violations thereof to police headquarters.
- C. Such officers are authorized to enforce all provisions of this chapter and [Ordinance 5-89](#), including the right to proceed upon public and private property in the Town in pursuit of animals in violation of this chapter.
- D. Such officers are not authorized to enter a privately owned enclosure in pursuit of an animal without the consent of the owner, lessee or other occupant of the enclosure, or other legal process.

Section 3. Interference with enforcement authority:

It shall be unlawful for a person to interfere with an animal care and control officer or other enforcement authority officer in the performance of the officer's duties. A person who violates this section shall be punishable by a fine of not less than fifty dollars (\$50.00).

Section 4. Return of captured animal without impoundment.

A. When the owner of a captured animal is known, such animal need not be impounded but may be returned to its owner if, in the opinion of the animal care and control officer, the return would not present a danger to the public or otherwise result in a violation of this chapter.

- (1) Upon the first capture and return of an animal, a written warning shall be issued to the owner.
- (2) Upon the second capture and return of an animal, a fine of fifty dollars (\$50.00) shall be issued to the owner of such animal.
- (3) Upon the third capture and return of an animal, a fine of one hundred dollars (\$100.00) shall be issued to the owner of such animal.

Section 5. Impoundment and Disposition of Animals

A. Grounds for impoundment.

- (1) An animal found at large in violation of this chapter shall be captured and impounded.
- (2) An animal found abandoned on private property in violation of this ordinance shall be impounded.

Section 6. Notice to owner.

A. Upon the impoundment of an animal, a reasonable attempt shall be made to notify and inform the owner of the animal of the requirements of this article for regaining the custody of the animal.

B. Such attempt shall include, but not necessarily be limited to, the following:

- (1) In the instance of an impounded dog or cat, contact with the owner identified by the microchip or other permanent means of identification, if any, borne by the dog or cat;
- (2) In the instance of an impounded dog or cat not bearing a permanent means of identification, contact with the veterinarian facility listed on the animal's vaccination tag; and
- (3) Cooperation of effort with citizens of the Town or other persons who may possess knowledge of the owner of such animal.

Section 7. Report of impoundment.

A person who confines an animal found by that person to be at large in the city shall notify the Town Clerk within forty-eight (48) hours thereafter.

Section 8. This ordinance shall be interpreted in conjunction with [Ordinance 5-89](#) and any section within this ordinance which may be interpreted contrary to said ordinance shall be null and void.

Section 9. This ordinance shall become effective upon publication.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg on the 11th day of Mar , 2008.

TOWN OF VEEDERSBURG

Keith K. Smith	Stephen R. Cates
Bob Barker	Will C. Rahm
Seth A. Hoagland	Attest: Laura Bennett Laura Bennett, Clerk-Treasurer

(Publication instructions: Please publish one time after adoption and within thirty (30) days of adoption)

ORDINANCE NO. 04 - 12 AN ORDINANCE REGARDING ANIMAL CONTROL

WHEREAS, the Town of Veedersburg realizes that an excess of domestic pets raises concerns regarding both the safety and the health of the public;

WHEREAS, the Town has experienced problems with domestic pets in public including the noise, waste, and concern for safety associated with those animals;

WHEREAS, the Town finds it is necessary and advisable to regulate the number of domestic pets on each individual property within the Town limits.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Veedersburg, Fountain County, Indiana, as follows:

SECTION 1: DEFINITIONS

Wherever used in this Ordinance, capitalized terms shall have the meanings set forth below, unless the context clearly indicates or requires a different meaning:

AGENT: Any Individual eighteen (18) years of age or older who is authorized by an animal's Owner to have temporary or permanent custody of, shelter, have charge of, harbor, exercise control over, or otherwise act on such Owner's behalf with respect to such animal.

ANIMAL CONTROL AGENCY: The Town of Veedersburg, or any other governmental or private entity charged or contracted with for the implementation of animal control services for and on behalf of Veedersburg.

ANIMAL CONTROL AGENT: A civilian Individual employed or appointed by an Animal Control Agency for the purposes of carrying out the provisions of this Ordinance or any contract for animal control services.

ANIMAL CONTROL FACILITY: A facility, shelter or vehicle operated by the Town or an Animal Control Agency for promoting animal welfare and humane treatment of animals.

DOMESTIC LIVESTOCK: Any animal, other than a Domestic Pet, that is kept for agricultural or commercial purposes, or in connection with a 4-H or FFA activity, and is one (1) of the following: alpaca, bison, elk, cattle, donkey, goat, horse, llama, mule, ostrich, emu, swine, poultry (chicken, turkey, duck or goose), rabbit or sheep.

DOMESTIC PET: Any animal that is commonly kept for pleasure rather than for commercial purposes, including the following species:

- (1) Dogs (*canis lupus familiaris*);
- (2) Domestic cats (*felis catus*);

OWNER: Any Person owning, keeping or harboring one (1) or more animals.

PERSON: Any individual, firm, association, partnership, limited liability company, corporation, trust or estate.

SECTION 2: JURISDICTION.

This Ordinance shall apply to all areas in the corporate limits of the Town of Veedersburg.

SECTION 3: DOMESTIC PET CONTROL

Any person or agent found to have more than eight (8) domestic pets on their property that are deemed to be under the person's control shall be in violation of this ordinance. This accounting of domestic pets shall not include any domestic livestock.

A violation of this ordinance shall be punishable pursuant to Section 5 of this ordinance

SECTION 4: ANIMAL CONTROL FUND.

(A) Fines imposed and collected pursuant to this Ordinance shall be deposited into an Animal Control Fund which is hereby established under this Ordinance. This shall be a non-reverting fund.

(B) The Animal Control Fund may be used for the support of animal control in Veedersburg by providing funding to the Town of Veedersburg, or other Animal Control Agency.

SECTION 5: PENALTY

Any Person who violates the provisions of this Ordinance shall be subject to the following punishments:

A person in violation of this chapter shall be fined fifty dollars (\$50.00). Each day a violation occurs or continues constitutes a separate offense.

(B) If an owner is cited to be in violation of this ordinance more than three (3) times in any given 90 day period, the Animal Control Agent for Veedersburg shall be authorized to take all domestic pets to the Animal Control Facility. The Animal Control Facility shall notify the Owner by the end of the next business day that the animals have been impounded. Any costs associated with the work done by the Animal Control Agent, including a boarding fee of \$15 per day per animal, shall be borne by the Owner. The Owner may reclaim up to eight (8) of the offending animals from the Animal Control Agency upon payment of all costs incurred by the Animal Control Agent and fines owed under this ordinance. Unless the animal is claimed by the Owner within seven (7) days from the date of impoundment, any animal may be placed for adoption or humanely euthanized

Town of Veedersburg

Keith K. Smith

Tim Shumaker

Stephen R. Cates

Troy Finley

Teresa K. Cooper

Attest:

Kathy J. Pugh
Clerk-Treasurer

TOWN OF VEEDERSBURG
ORDINANCE NO. 1996- 13

AN ORDINANCE AMENDING ORDINANCE NO. 1992-8
CONCERNING THE MAINTENANCE OF FARM ANIMALS WITHIN TOWN LIMITS

WHEREAS, the Town Council of the Town of Veedersburg adopted [Ordinance No. 1992-8](#) concerning the maintenance of farm animals within town limits; and

WHEREAS, the Town Council has determined to modify Ordinance No. 1992-8 as hereafter set forth;

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Veedersburg, Indiana:

1. [Section 2.0](#) of Ordinance 1992-8 is hereby amended to read as follows:

"SECTION 2.0 Anyone violating this ordinance shall be given thirty (30) days after written notification of said violation to remove the animals."

2. [Section 3.0](#) of Ordinance 1992-8 is hereby amended to read as follows:

"SECTION 3.0 Anyone who fails to remove the prohibited animals within the time period specified in Section 2.0 shall be fined \$100.00 under I.C. 36-1-7- 8(10)."

3. [Section 3.1](#) of Ordinance 1992-8 is hereby amended by adding the following sentence at the end thereof:

"The penalty shall begin to accrue on the date the written notification is given pursuant to Section 2.0 above, but no fine shall be levied if the violation is abated within the 30 day period specified in Section 2.0 above."

4. Except as expressly amended hereby, Ordinance 1992-8 remains in full force and effect

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT IMMEDIATELY UPON ITS
PASSAGE AND PUBLICATION IN ACCORDANCE WITH LAW.

Passed and adopted by the Town Council of the Town of Veedersburg, Indiana, on the 20th day of
August, 1996.

Donald L. Bailey
Donald L. Bailey, President

Richard L. Rusk
Richard Rusk

Greg Seibold

Greg Seibold

Richard Burton
Richard Burton

Tim Shumaker
Tim Shumaker

Attest:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

ORDINANCE REGARDNG ANIMAL CONTROL

WHEREAS, the Town of Veedersburg desires to keep the town free of dangerous animals that threaten the safety of the public;

WHEREAS, the Town has experienced problems with animals threatening the public;

WHEREAS, the Town finds it is necessary and advisable to regulate dangerous animals within the Town limits.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Veedersburg, Fountain County, Indiana, as follows:

SECTION 1: DEFINITIONS

Wherever used in this Ordinance, capitalized terms shall have the meanings set forth below, unless the context clearly indicates or requires a different meaning:

AGENT: Any Individual eighteen (18) years of age or older who is authorized by an animal's Owner to have temporary or permanent custody of, shelter, have charge of, harbor, exercise control over, or otherwise act on such Owner's behalf with respect to such animal.

ANIMAL CONTROL AGENCY: The Town of Veedersburg, or any other governmental or private entity charged or contracted with for the implementation of animal control services for and on behalf of Veedersburg.

ANIMAL CONTROL AGENT: A civilian Individual employed or appointed by an Animal Control Agency for the purposes of carrying out the provisions of this Ordinance or any contract for animal control services.

ANIMAL CONTROL FACILITY: A facility, shelter or vehicle operated by the Town or an Animal Control Agency for promoting animal welfare and humane treatment of animals.

ANIMAL NUISANCE: Any animal that:

- (1) is an At Large animal;
- (2) molests passers-by or passing vehicles on public property without provocation;
- (3) attacks other animals without provocation;
- (4) barks, whines, howls or emits any other loud noise, in an excessive or continuous fashion; or
- (5) otherwise unreasonably interferes with the free use and comfortable enjoyment of life or property.

AT LARGE: An animal that is:

- (1) not on a leash and is off the property of its Owner or the Owner's Agent;
- (2) on a leash that does not adequately confine the animal to the property of the Owner or the Owner's Agent;
- (3) on a leash that is not otherwise under the immediate control of an Individual physically capable of restraining the animal; or
- (4) otherwise not under the direct control of the Owner or Owner's Agent.

Notwithstanding the foregoing, an animal that is engaged in legal hunting or farming activities and is under the control and supervision of the Owner or the Owner's Agent is not considered to be At Large under this Ordinance.

COYDOG: "Coydog" shall have the meaning prescribed by I.C. 15-20-1-5(a)(1), as amended or recodified from time to time.

DANGEROUS ANIMAL: The term "Dangerous Animal" includes any of the following:

- (1) Any animal which, when unprovoked, on two (2) separate occasions within the prior thirty-six (36) month period, engages in any behavior that requires a defensive action by any Individual to prevent Serious Bodily Injury when the Individual and the animal are off of the property of the Owner or harbinger of the animal;
- (2) Any animal which, when unprovoked, attacks or bites an Individual causing Serious Bodily Injury;
- (3) Any animal which, when unprovoked and off the property of the Owner or keeper of the animal, on two (2) separate occasions within the prior thirty-six (36) month period, has bitten or otherwise caused Severe Injury to Domestic Livestock or a Domestic Pet without provocation; or
- (4) Any Wolf Hybrid or Coydog.

Notwithstanding the foregoing, the term "Dangerous Animal" excludes any K-9 dog or police dog that is owned, used or maintained by a law enforcement agency.

DOMESTIC LIVESTOCK: Any animal, other than a Domestic Pet, that is kept for agricultural or commercial purposes, or in connection with a 4-H or FFA activity, and is one (1) of the following: alpaca, bison, elk, cattle, donkey, goat, horse, llama, mule, ostrich, emu, swine, poultry (chicken, turkey, duck or goose), rabbit or sheep.

DOMESTIC PET: Any animal that is commonly kept for pleasure rather than for commercial purposes, including without limitation the following species:

- (1) Dogs (*canis lupus familiaris*);

- (2) Domestic cats (*felis catus*);
- (3) Guinea pigs (*cavia porcellus*);
- (4) Hamsters (any species of the genus *mesocricetus*);
- (5) Gerbils (any species of the genus *gerbillus*); and
- (6) Ferrets (*mustela putorius furo*)

INDIVIDUAL: A human being.

LAW ENFORCEMENT OFFICER: A county sheriff; a state, county or city police officer; a town marshal, a prosecuting attorney; a conservation officer; or a deputy of any of such persons.

MICROCHIP: A computer chip implanted underneath the skin of an animal that contains identification information relating to that animal.

NON-DANGEROUS ANIMAL: Any animal which is not a Dangerous Animal.

OWNER: Any Person owning, keeping or harboring one (1) or more animals.

PERSON: Any Individual, firm, association, partnership, limited liability company, corporation, trust or estate.

SERIOUS BODILY INJURY: An injury to an Individual that: (1) results in death of the Individual; (2) creates a substantial risk of the Individual's death; or (3) causes serious permanent disfigurement, unconsciousness, extreme pain, permanent or protracted loss or impairment of the function of a bodily member or organ, or loss of a human fetus.

SEVERE INJURY: Any physical injury to a Domestic Pet or Domestic Livestock that results in death, multiple bites, broken bones, muscle tears or disfiguring lacerations, or requires multiple sutures or corrective or cosmetic surgery.

STRAY: Any animal that does not appear, upon reasonable inquiry, to have an Owner.

WOLF HYBRID: "Wolf Hybrid" shall have the meaning prescribed by I.C. 15-20-1-5(a)(3), as amended or recodified from time to time.

SECTION 2: JURISDICTION.

This Ordinance shall apply to all areas in the corporate limits of the Town of Veedersburg.

SECTION 3: ANIMAL NUISANCES.

(A) An animal Owner shall exercise due care and control of his animal so as to prevent it from becoming an Animal Nuisance.

(B) Animal Nuisances are hereby declared to be Public Nuisances within the meaning of [Ordinance 7-88](#) of the Town of Veedersburg Ordinances.

(C) The Owner of any Animal Nuisance shall be subject to fines imposed in accordance with the Town's Nuisance Ordinance, in addition to the provisions imposed by this Ordinance.

SECTION 4: WOLF HYBRIDS AND COYDOGS PROHIBITED.

It shall be unlawful for any Person to possess or harbor a Wolf Hybrid or Coydog anywhere in the Town of Veedersburg.

SECTION 5: IMPOUNDMENT.

(A) *Grounds for Impoundment.* Any Law Enforcement Officer or Animal Control Agent may immediately capture and impound any of the following animals:

- (1) Any At Large animal;
- (2) Any Stray animal;
- (3) Any Wolf Hybrid or Coydog;
- (4) Any unattended animal that is ill, injured, or otherwise in need of emergency care;
- (5) Any animal that is reasonably suspected of having rabies;
- (6) Any unattended animal that is exhibiting aggressive or dangerous behavior and is not sufficiently confined to the property of its Owner;
- (7) Any animal that a Law Enforcement Officer or Animal Control Agent has probable cause to believe is a Dangerous Animal; or
- (7) Any animal that a Law Enforcement Officer or Animal Control Agent has probable cause to believe has been the subject of or involved in a violation under I.C. 15-20-1-4 or I.C. 35-46-3.

(B) *Actions to Prevent Harm to Individuals or Other Animals.* If any animal is found At Large and cannot be safely captured, a Law Enforcement Officer may seek assistance from an Animal Control Agent, or take other action deemed appropriate, including tranquilizing or killing such animal to prevent Serious Bodily Injury to Individuals, or Severe Injury to Domestic Pets or Domestic Livestock.

(C) *Identification of Impounded Animals; Notice to Owners.*

(1) Any animals which are impounded pursuant to this Ordinance shall be scanned or examined by the Animal Control Facility for a Microchip, collar tag or other identification containing the Owner's name, address and/or phone number, unless doing so presents an unreasonable risk of Serious Bodily Injury to an Animal Control Agent.

(2) If an impounded animal's Owner can be identified, the Animal Control Facility shall notify the Owner by the end of the next business day that the animal has been impounded, and that unless the animal is claimed by the Owner within ten (10) days from the date of impoundment, the animal may be placed for adoption or humanely euthanized. Notwithstanding the foregoing, in the case of a second or subsequent impoundment, the impounded animal may be placed for adoption or humanely euthanized if not claimed within five (5) days after the Owner is notified.

(3) Stray animals without any means of identification of their Owners shall be held at the Animal Control Facility a minimum of three (3) days in order to permit an Owner adequate time to reclaim them. A Stray animal which is unclaimed after having been impounded for three (3) days may be placed for adoption or humanely euthanized, except that the Stray shall be euthanized if it is a Dangerous Animal.

(D) Release from Impoundment.

(1) Subject to the requirements and conditions of Section 7 of this Ordinance, a Non-Dangerous Animal may be returned to its Owner.

(2) The return of a Dangerous Animal to its Owner is subject to the requirements and conditions of both Sections 6 and 7 of this Ordinance.

(E) Treatment or Euthanizing of Sick or Injured Animals. The Animal Control Facility shall have authority to take whatever action is reasonably necessary, including humane euthanization, to deal with a sick or injured animal, to prevent unnecessary suffering of the animal, or to prevent the spread of communicable diseases. Nothing in this Ordinance shall limit the Animal Control Facility's ability to take whatever action is reasonably necessary to provide veterinary care by a veterinarian for a sick or injured animal.

SECTION 6: DANGEROUS ANIMALS.

(A) Impoundment. A Dangerous Animal which has been captured and impounded by a Law Enforcement Officer or Animal Control Agent shall remain impounded subject to the requirements of this Section. If, in the discretion of a Law Enforcement Officer or Animal Control Agent, an impounded Dangerous Animal is too dangerous to keep in any home, dwelling, or enclosure, an emergency court order may be requested to have the animal humanely euthanized.

(B) Costs of Impoundment. The Owner shall be responsible for all costs of caring for a Dangerous Animal during the period of impoundment, including the costs of boarding, and veterinary treatment if necessary.

(C) Dangerous Animal Registration. Upon the impoundment of a Dangerous Animal pursuant to this

Section, the Owner shall be given forty-eight (48) hours to show proof of, or to complete, a Dangerous Animal Registration. A Dangerous Animal may not be released from impoundment until the Owner has registered the Dangerous Animal with Clerk's Office and has paid a registration fee of \$ 500.00 . As part of the registration process, the registrant shall provide:

- (1) A valid driver's license or government issued picture identification showing the Owner's name and current address;
- (2) Proof that the applicant owns or has possessory rights to the animal and is eighteen (18) years of age or older;
- (3) One copy of the current immunization and health records for an dog, cat or ferret over the age of three (3) months, showing that the animal has a current rabies vaccination;
- (4) Proof that the registrant has insurance coverage for not less than \$ 300,000 for any injury, damage, or loss caused by the animal;
- (5) Four photographs of the animal from four different sides taken not more than one month before the date of the registration. Such photographs shall consist of a front, back, left, and right side view of the animal;
- (6) The name, address, and phone number of the animal's previous Owner, if applicable;
- (7) Proof that the animal is spayed or neutered, or otherwise altered to prevent it from procreating; and
- (8) Proof of Microchip implanting and the identification information implanted.

(D) *Euthanization of Dangerous Animals.* A Dangerous Animal which has been impounded shall be euthanized if

- (1) The Owner fails to show proof of or to complete a Dangerous Animal Registration within forty-eight (48) hours of having been notified of the impoundment;
- (2) The Owner waives in writing all ownership interests in the Dangerous Animal; or
- (3) The Dangerous Animal's Owner cannot be identified or located, and the animal remains unclaimed for three (3) days after having been impounded.

(E) *Dangerous Animal Enclosure and Confinement*

(1) A Dangerous Animal shall be confined, at all times, within a habitable locked and secured dwelling and/or a locked and secured kennel. At any time, the secured area may be inspected by a Law Enforcement Officer or Animal Control Agent, and shall meet the following minimum requirements:

- (a) If chain-link fencing is used for the kennel, it must be made of at least 11-gauge chain-link steel.

Other fencing must be of such material that the animal cannot chew, dig, or otherwise free itself from inside the enclosure.

- (b) The top must be chain-link or of an engineered roofing material from which the animal cannot escape;
 - (c) The floor must be cement, brick, or engineered flooring from which the animal cannot escape;
 - (d) Sides of the enclosure must be buried at least two feet (2') into the ground, or securely fastened to the floor;
 - (e) An outdoor enclosure must include an adequate structure to protect the animal from the elements, such as a doghouse;
 - (f) The enclosure must be kept locked at all times to prevent both escape and accidental entry; and
 - (g) Habitable dwellings, such as a house or garage, must be capable of being locked and secured. Such dwellings may be required to be modified on a case-by-case basis to ensure the Dangerous Animal cannot exit the dwelling of its own volition, such as when a door or window screen are the only obstacles that prevent the animal from exiting.
- (2) The enclosure for a non-dog Dangerous Animal must be adequate to contain the species of animal kept. It may be inspected on a case-by-case basis to ensure that it is indeed escape-proof, as well as a humane method for the type of animal to be kept. This inspection will be made by or with a person competent to evaluate the type of animal involved.
- (3) Except for medical treatment or examination, the Owner will maintain the Dangerous Animal exclusively on the Owner's property. When taken off of the Owner's property for medical treatment or examination, a Dangerous Animal shall at all times be fitted with a securely attached muzzle.
- (4) If a Dangerous Animal is lost or escapes, the Owner and Owner's agent shall report the incident immediately to a Law Enforcement Officer or Animal Control Agency.
- (5) The Owner of a Dangerous Animal shall post signs on the Owner's property where such animal will be kept, clearly visible from the public roadway or from fifty feet (50'), whichever is less. These signs shall advise the general public about such animal's presence on the premises.
- (6) A Law Enforcement Officer or Animal Control Agent may visually inspect the premises and enclosure where the Dangerous Animal is kept. The inspection may also include the placement of warning signs, the animal leash, the muzzle, and the locks. An Animal Control Agent must be satisfied that the Owner has met all Dangerous Animal requirements. If the Owner refuses to allow access to the premises for an inspection, a Law Enforcement Officer or Animal Control Agent may apply to a court for warrant for the right to conduct an investigatory inspection of the premises.
- (7) The Owner of a Dangerous Animal shall have fourteen (14) days after registering to meet the enclosure and confinement requirements of this sub-section. If the requirements are not met within the

fourteen (14) days, the Dangerous Animal may be re-impounded until such requirements are met.

(8) If the Owner or Owner's Agent of a Dangerous Animal violates any provisions of this Section, the Dangerous Animal may be impounded and held until a hearing is held. At such hearing, the court shall determine whether, in fact, a violation of this Section has occurred. If the court determines that a violation of this Section has occurred, it shall have the authority to impose a fine and/or order the animal humanely euthanized.

(9) In the event that a Dangerous Animal changes Owner, the new Owner must meet the Dangerous Animal requirements of this Section. The original Owner shall notify the Clerk- Treasurer that ownership of the animal has been transferred and provide the name and address of the new Owner.

(11) The Owner of a Dangerous Animal shall notify the Clerk-Treasurer if the address changes where the Dangerous Animal will be kept. The Owner must report the new address so an inspection may be made of the premises.

(12) The Owner and Owner's agent of a Dangerous Animal under this Section shall notify the Veedersburg Town Marshal and the Animal Control Agency immediately if the Dangerous Animal is running at large, has been stolen, or has attacked an Individual, Domestic Pet or Domestic Livestock.

SECTION 7: OTHER CONDITIONS FOR RELEASE FROM IMPOUNDMENT.

(A) *Microchip Implantation.* Prior to the return to its Owner of any impounded dog or cat which at the time of impoundment did not bear a Microchip, collar tag or other means of identification, the Animal Control Agency shall cause a Microchip with a registered identification number to be implanted in the dog or cat at the Owner's expense. The fee for such service shall be \$ 50.00 , per animal, payable to the Animal Control Agency, which shall be entitled to retain the dog or cat until the fee is paid.

(B) *Payment of Delinquent Personal Property Tax.* No animal impounded pursuant to this Chapter shall be released to its Owner until the Owner produces a certificate of clearance from the Fountain County Treasurer verifying that the Owner is not delinquent in the payment of any personal property taxes. Any animal so impounded shall be considered to be unclaimed until such tax is paid.

(C) *Payment of Ordinance Violation Fines.* No animal impounded pursuant to this Chapter shall be released to its Owner until the Clerk Treasurer certifies that the Owner is not delinquent in the payment of any judgment entered against the Owner for violation of any Town ordinance. Any animal so impounded shall be considered to be unclaimed until all such judgments are paid.

SECTION 8: ANIMAL CONTROL FUND.

(A) Fines imposed and collected pursuant to this Ordinance shall be deposited into a Animal Control Fund which is hereby established under this Ordinance. This shall be a non-reverting fund.

(B) The Animal Control Fund may be used for the support of animal control in Veedersburg by providing funding to the Town of Veedersburg, or other Animal Control Agency.

SECTION 9: PENALTY

Any Person who violates the provisions of this Ordinance (other than Section 3) shall be subject to the following fines:

- (A) \$ 25.00 for the first violation in a 12-month period;
- (B) \$ 100.00 for the second violation in a 12-month period;
- (C) \$ 200.00 for the third violation in a 12-month period; and
- (D) \$ 200.00 for four or more violations in a 12-month period.

Town of Veedersburg

Teresa K. Cooper

Tim Shumaker

Stephen R. Cates

Troy Finley

Mark Rusk

Attest:

Kathy J. Pugh
Clerk-Treasurer

AN ORDINANCE REGULATING AND LICENSING JUNKYARDS AND PROVIDING PENALTY
FOR THE VIOLATION THEREOF

WHEREAS, the Board of Trustees of the Town of Veedersburg, for the purpose of promoting the public safety, health, welfare, convenience, and enjoyment of property within the Town of Veedersburg; to protect the public interest in public streets; and to preserve and enhance the scenic beauty of lands bordering public streets, it is hereby declared to be in the public interest to regulate and restrict the establishment, operation and maintenance of junkyards within the Town of Veedersburg;

NOW THEREFORE BE IT ORDAINED by the Board of Trustees of the Town of Veedersburg:

Section 1: DEFINITIONS

As used in this ordinance the following definitions shall apply unless a different meaning is required by the context or may be necessary to effectuate the purposes of this ordinance:

- (a) "Junk" shall mean old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste or junked, dismantled or wrecked automobiles or parts thereof, iron, steel and other old or scrap ferrous or nonferrous material.
- (b) "Automobile Graveyard" shall mean any establishment or place of business which is maintained, used, or operated, for storing, keeping, buying or selling wrecked, scrapped, ruined or dismantled motor vehicles or motor vehicle parts.
- (c) "Junkyard" shall mean an establishment or place of business which is maintained, operated, or used for storing, keeping, buying or selling junk, or for the maintenance or operation of an automobile graveyard, and the terms shall include garbage dumps and sanitary fills, but shall not include a scrap metal processing facility.
- (d) "Scrap metal processing facility" shall mean an establishment having facilities for processing iron, steel or nonferrous metal and whose principal product is scrap iron, steel or scrap for sale or for remelting, or reprocessing metals.
- (e) "Visible" shall mean capable of being seen by a person of normal visual activity using the public streets of the Town of Veedersburg.
- (f) "Person" shall mean any individual, firm, partner, corporation, group or association.

Section 2:

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF VEEDERSBURG, INDIANA, that it shall be unlawful for any person to exercise, carry on or engage in the business of operating a junkyard without first having obtained a license from the Town of

Veedersburg, Indiana, for such purposes.

Any person engaging in the business of operating a junkyard shall make application in writing to the Clerk-Treasurer of the Town of Veedersburg, Indiana, for such license, and such applicant shall designate in his application the place at which such applicant intends to conduct such business. The Board of Trustees shall grant a license to such person as soon as said person shall produce satisfactory evidence that said person has complied with the requirements of this ordinance. No person shall carry on or engage in any such business at any other place other than that designated in his license. The license fee for each junkyard shall be \$100.00 per annum.

Section 3: Requirements as to Screening

All persons operating a junkyard are hereby required to provide adequate screening for such junkyard as may be necessary to properly screen such business from the visible view of all persons. If there are no natural barriers, screening shall be of a sufficient height so that such business or businesses are not visible from any public street within said town. Said screening may be from natural objects, plantings, fences or other appropriate means. Said screening shall be completed before the operating of the business is begun.

Any junkyard lawfully in existence on the effective date of this ordinance, shall be given six (6) months from the effective date of this ordinance to comply herewith.

Section 4:

Upon violation of this ordinance or any part thereof, the Board of Trustees shall cause a notice to be served upon the person wrongfully operating such business or businesses, ordering them to comply with this ordinance. Any person failing to comply with this ordinance within thirty (30) days after the above said notice, shall be fined a sum of not less than \$5.00 or more than \$25.00, and each days violation shall be construed as a separate offense. All laws or parts of laws in conflict herewith are hereby repealed; and in the event any provisions or sections of this ordinance shall be held void and unconstitutional, all other provisions and all other sections of this ordinance which are not expressly held to be void and unconstitutional shall continue in full force and effect and to this end the provisions and sections of this ordinance are declared to be severable.

This ordinance shall be in full force and effect from and after the 2nd day of March, 1971.

Passed and adopted by the Board of Trustees of the Town o Veedersburg, at its regular meeting on the 2nd day of March , 1971.

BOARD OF TRUSTEES OF THE TOWN OF
VEEDERSBURG

Leslie M. Howard

Glenn Forkner

James O. Songer

Attested:
Dorothy Dice
Clerk-Treasurer

ORDINANCE NO. 3-90

AN ORDINANCE PROHIBITING THE USE OF SKATEBOARDS ON ALL TOWN PROPERTY

Whereas, The Town Council of the Town of Veedersburg has heretofore determined that the use of skateboards has created a hazard and physical danger to other people and their property.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA:

Section 1. That the use of skateboards shall be illegal and prohibited on all town property within the town corporate limits.

Section 2. That the penalty for any violation shall consist of confiscation of the skateboard until a \$50 fine is paid and the parents of any juvenile involved are notified and said skateboard shall be returned only to said parents.

Section 3. This ordinance shall become effective immediately upon signing.

Approved and adopted by The Town Council of the Town of Veedersburg, this 21st day of August, 1990.

TOWN COUNCIL

Ralph Cushman
Ralph V. Cushman

Catherine Dismore
Catherine Dismore

Gregory F. Seibold
Gregory Seibold

Attest:

Kathryn York
Kathryn York, Clerk-Treasurer

ORDINANCE 6 -92

AN ORDINANCE ESTABLISHING NO ALCOHOLIC BEVERAGES ON TOWN PROPERTY

WHEREAS, The Veedersburg Town Council desires to establish a policy re alcoholic beverage ban on Town property.

NOW THEREFORE BE IT ORDAINED by the Town Council of Veedersburg, Fountain County, Indiana, that:

Section 1. That the use and/or possession of alcoholic beverages on any Town of Veedersburg property including after acquired property shall be strictly forbidden.

Section 2. Violation of this ordinance shall be construed as a Class A infraction under State of Indiana law.

PASSED AND ADOPTED BY THIS TOWN COUNCIL OF VEEDERSBURG, FOUNTAIN COUNTY, INDIANA, this 3rd day of March, 1992.

Donald Bailey
Donald Bailey, Council President

ATTEST:

Kathryn M. York
Kathryn York, Clerk-Treasurer

RESOLUTION 1-92

A RESOLUTION BANNING SMOKING OR TOBACCO USE IN TOWN OF VEEDERSBURG
BUILDINGS

Be it resolved by the Town Council of Veedersburg, Indiana that;

SECTION 1. NO SMOKING or TOBACCO USE will be allowed in the utility building offices, log cabin, or community room.

SECTION 2. Smoking and tobacco use will be permitted outside the community room, log cabin, and in the back anteroom of the utility building.

SECTION 3. This resolution shall be in full force and effect after passage.

Dated this 19th day of May 1992.

THE VEEDERSBURG TOWN COUNCIL

Donald L. Bailey

Terri J. Gadd

Ralph Cushman

ATTEST:

Kathryn M. York
Clerk-Treas.

AN ORDINANCE REGULATING OPEN BURNING IN THE TOWN OF VEEDERSBURG

WHEREAS, the Town Council of the Town of Veedersburg has determined that it is in the interests of the public health of citizens of the Town of Veedersburg to regulate the open burning of materials in the Town of Veedersburg as a type of air pollution, and

WHEREAS, Indiana Code § 13-17-12-1 authorizes towns to enforce local air pollution ordinances consistent with air pollution control laws and to adopt and enforce more restrictive ordinances to further the express purposes of air pollution control laws;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG as follows:

Section 1. Incorporation by Reference of State Laws Regulating Open Burning. Indiana Code 13-17-9, and all regulations of the Indiana Air Pollution Control Board promulgated thereunder, as the same may be amended from time to time, are hereby adopted as part of this Ordinance and made a part hereof.

Section 2. Additional Restrictions on Open Burning. In addition to the restrictions imposed by state laws and regulations incorporated by reference pursuant to Section 1 of this Ordinance, the following restrictions shall be observed with respect to open burning within the Town of Veedersburg:

2.1. Materials Which May Be Burned. The only materials which may be burned in the Town of Veedersburg are clean wood products, including lumber (unpainted and unvarnished), trees, logs, branches, twigs, wood pulp, paper and paper products, and leaves. No trash (other than paper and paper products) shall be burned in the Town of Veedersburg.

2.2. No Burning on Pavement. Nothing shall be burned on the paved portion of any street or alley.

2.3. Time for Burning. No fire permitted by this Ordinance shall be started before the later of 8 a.m. or sunrise and all fires shall be extinguished before the earlier of sunset or 6 p.m., except for fires celebrating school pep rallies, scouting activities or campfires

2.4. Adult Attending Fire. An adult shall tend the fire until the fire is completely extinguished by the expiration of the burning period set forth in Section 2.3 above.

2.5. Location of Fire. No fire shall be permitted within 15 feet of any combustible object, natural or man-made, including, but not limited to, trees, bushes, fences, poles or structures.

2.6. Noxious Odors or Gases. No fires shall be permitted to smolder or emit noxious odors or gases.

2.7. Private Residential Burning. Private residential burning of clean wood products and paper may occur where the building contains four or fewer dwelling units. Burning shall be in a

noncombustible container that is sufficiently vented to induce adequate primary combustion and which has enclosed sides and a bottom.

Section 3. Penalty for Violation. Any person who violates the terms of this Ordinance shall be subject to a penalty of \$50 for each violation of this Ordinance. In addition, any person who violates this Ordinance shall pay any and all reasonable fees assessed by the Veedersburg Fire Department or other agency in extinguishing any fire which violates the terms of this Ordinance.

Section 4. Repeal of Inconsistent Ordinances; Effective Date. All ordinances or parts thereof, including Ordinance No. 16-92, inconsistent with this Ordinance are hereby repealed. This Ordinance shall take effect and be enforced after its passage and publication in accordance with law.

Passed and adopted by the Town Council of the Town of Veedersburg, Indiana, on the 27th day of January, 1998.

Don Bailey, President

Richard L. Rusk
Richard Rusk

R. Charlie Burton
Charlie Burton

Gregory F. Seibold
Greg Seibold

Tim Shumaker
Tim Shumaker

Attest:

Kathryn M. York
Kathryn York, Clerk-Treasurer

ORDINANCE NO. 4-93

**AN ORDINANCE PROHIBITING PARKING ON A PORTION OF COLLEGE STREET
NORTH OF 9TH STREET IN THE TOWN OF VEEDERSBURG, INDIANA**

WHEREAS, a clear view at the intersection of 9th Street and College Street has on occasion been obstructed by vehicles parking on College Street near its intersection with 9th Street; and

WHEREAS, to assure more adequate visibility at the intersection of College Street and 9th Street, the Town Council of the Town of Veedersburg desires to prohibit the parking of vehicles on College Street north of its intersection with 9th Street and within 12 feet of the intersection with 9th Street.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. The parking of motor vehicles on College Street north of and within 12 feet of College Street's intersection with 9th Street in the Town of Veedersburg is hereby prohibited. The foregoing prohibition shall apply to both the west and east sides of College Street.

Section 2. The employees of the Town of Veedersburg are hereby authorized and directed to post "No Parking" signs on College Street consistent with Section 1 of this ordinance.

Section 3. Any operator of a motor vehicle who violates the provisions of this ordinance shall be fined \$ 25.00 .

Section 4. This ordinance shall be in full force and effect from and after publication of this ordinance in accordance with law.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg, Indiana on the 6 day of July , 1993.

Ralph Cushman
Ralph C. Cushman, President

Attest:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

ORDINANCE NO. 8-93

AN ORDINANCE PROHIBITING PARKING FOR MORE THAN 15 MINUTES ON MAIN STREET IN FRONT OF THE VEEDERSBURG STATE BANK IN THE TOWN OF VEEDERSBURG, INDIANA

WHEREAS, persons desiring to transact business at the Veedersburg State Bank may be impeded from doing so if the parking space in front of the Veedersburg State Bank is occupied by another vehicle; and

WHEREAS, the Town Council has determined that 15 minutes should be an adequate period of time for persons to transact their business at the Veedersburg State Bank.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. No person shall park a motor vehicle in the parking spaces defined in Section 2 of this Ordinance for more than 15 minutes at a time during the hours of 9 a.m. to 4 p.m. daily.

Section 2. The foregoing 15-minute parking limitation applies to the parallel parking space adjacent to the following described curb: Beginning at the curb on the west side of Main Street south of the intersection of Main Street with 2nd Street (U.S. 136) at the northern point where the curb along Main Street ceases to run at an angle in a southwest-northeast direction and begins to run in a north-south direction, thence north along the west curb of Main Street a distance of 18 feet, eight inches.

Section 3. The employees of the Town of Veedersburg are hereby authorized and directed to post "15 Minute Parking Only, 9 A.M. to 4 P.M." signs on Main Street consistent with this ordinance.

Section 4. Any operator of a motor vehicle who violates the provisions of this ordinance shall be fined \$25.00 for each violation.

Section 5. This ordinance shall be in full force and effect from and after publication of this ordinance in accordance with law.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg, Indiana on the 19 day of Oct , 1993.

Ralph Cushman
Ralph C. Cushman, President

Attest:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

ORDINANCE NO. 9-93

**AN ORDINANCE PROHIBITING PARKING FOR MORE THAN 10 MINUTES ON
RAILROAD STREET IN FRONT OF THE VEEDERSBURG UTILITY OFFICE IN THE
TOWN OF VEEDERSBURG, INDIANA**

WHEREAS, persons desiring to transact business with the Town of Veedersburg may be impeded from doing so if the parking space in front of the Veedersburg Utility Office is occupied by other vehicles; and

WHEREAS, the Town Council has determined that 10 minutes should be an adequate period of time for persons to transact their business in the Veedersburg Utility Office.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. No person shall park a motor vehicle in the parking space defined in Section 2 of this Ordinance for more than 10 minutes at a time.

Section 2. The foregoing 10-minute parking limitation applies to the parallel parking space adjacent to the following described curb: Beginning at the south curb cut on the west side of Railroad Ave. for the alley immediately north of the Veedersburg Utility Office, thence south along the west curb of Railroad Street a distance of 20 feet, four inches.

Section 3. The employees of the Town of Veedersburg are hereby authorized and directed to post "10 Minute Parking Only" signs on Railroad Street consistent with this ordinance.

Section 4. Any operator of a motor vehicle who violates the provisions of this ordinance shall be fined \$25.00 for each violation.

Section 5. This ordinance shall be in full force and effect from and after publication of this ordinance in accordance with law.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg, Indiana on the 19 day of Oct , 1993.

Ralph Cushman
Ralph C. Cushman, President

Attest:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

ORDINANCE NO. 10-93

AN ORDINANCE PROHIBITING PARKING FOR MORE THAN 10 MINUTES ON MAIN STREET IN FRONT OF THE UNITED STATES POST OFFICE IN THE TOWN OF VEEDERSBURG, INDIANA

WHEREAS, persons desiring to transact business at the United States Post Office may be impeded from doing so if the parking spaces in front of the Post Office are occupied by other vehicles; and

WHEREAS, the Town Council has determined that 10 minutes should be an adequate period of time for persons to transact their business in the United States Post Office.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. No person shall park a motor vehicle in the parking spaces defined in Section 2 of this Ordinance for more than 10 minutes at a time.

Section 2. The foregoing 10-minute parking limitation applies to the parallel parking spaces adjacent to the following described curb: Beginning at the curb on the west side of Main Street at the point at the southeast corner of the intersection of Main Street and 3rd Street where the curb along Main Street begins to run in a straight line north and south, thence south along the west curb of Main Street a distance of 59 feet.

Section 3. The employees of the Town of Veedersburg and/or the United States Postmaster for the Veedersburg Post Office are hereby authorized and directed to post "10 Minute Parking Only" signs on Main Street consistent with this ordinance.

Section 4. Any operator of a motor vehicle who violates the provisions of this ordinance shall be fined \$25.00 for each violation.

Section 5. This ordinance shall be in full force and effect from and after publication of this ordinance in accordance with law. .

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg, Indiana on the 19 day of Oct , 1993.

Ralph Cushman
Ralph C. Cushman, President

Attest:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

ORDINANCE NO. 95- 12

**AN ORDINANCE PROHIBITING PARKING ON A PORTION OF CHAMBERS STREET IN
THE TOWN OF VEEDERSBURG, INDIANA**

WHEREAS, the availability of angle parking on the west side of Chambers Street just north of Second Street (U.S. Highway 136) makes it hazardous and unsafe for motor vehicles to park on the east side of Chambers Street in the area just north of Second Street; and

WHEREAS, the Town Council of the Town of Veedersburg has determined to prohibit the parking of vehicles on a portion of Chambers Street in the Town of Veedersburg;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. The parking of motor vehicles on the east side of Chambers Street north of and within 132 feet of Second Street (U.S. Highway 136) in the Town of Veedersburg is hereby prohibited.

Section 2. The employees of the Town of Veedersburg are hereby authorized and directed to post "No Parking" signs on Chambers Street consistent with Section 1 of this ordinance.

Section 3. Any owner or operator of a motor vehicle who violates the provisions of this ordinance shall be fined \$ 25.00 .

Section 4. This ordinance shall be in full force and effect from and after publication of this ordinance in accordance with law.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg, Indiana on the 17 day of October , 1995.

VEEDERSBURG TOWN COUNCIL

Donald L. Bailey
Don Bailey, President

Ralph Cushman
Ralph Cushman

Richard L. Rusk
Richard Rusk

R. Charlie Burton

Charlie Burton

Greg F. Seibold
Greg Seibold

Attest:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

ORDINANCE NO. 96-20

AN ORDINANCE PROHIBITING PARKING ON THE WEST SIDE OF NORTH MAIN STREET NORTH OF 7TH STREET IN THE TOWN OF VEEDERSBURG, INDIANA

WHEREAS, emergency and other vehicles traveling on North Main Street north of 7th Street have been obstructed by vehicles parking on both sides of North Main Street; and

WHEREAS, to assure that emergency and other vehicles will have adequate room to travel on North Main Street north of 7th Street, the Town Council of the Town of Veedersburg has determined to prohibit the parking of vehicles on west side of North Main Street from the north side of 7th Street on north to the northern end of North Main Street.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. The parking of motor vehicles on the west side of North Main Street from the north side of Main Street's intersection with 7th Street to the northern end of North Main Street in the Town of Veedersburg is hereby prohibited.

Section 2. The employees of the Town of Veedersburg are hereby authorized and directed to post "No Parking" signs on North Main Street consistent with Section 1 of this ordinance.

Section 3. Any owner or operator of a motor vehicle who violates the provisions of this ordinance shall be fined \$25.00 for each violation.

Section 4. This ordinance shall be in full force and effect from and after publication of this ordinance in accordance with law.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg, Indiana on the 23rd day of December, 1996.

Donald L. Bailey
Donald L. Bailey, President

Richard L. Rusk
Richard Rusk

Charles Burton

Greg Seibold
Greg Seibold

Tim Shumaker
Tim Shumaker

ATTEST:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

ORDINANCE NO. 99- 5

**AN ORDINANCE PROHIBITING PARKING ON A PORTION OF STERLING AVENUE IN
THE TOWN OF VEEDERSBURG, INDIANA**

WHEREAS, a clear view at the intersection of Sterling Avenue with certain local streets has on occasion been obstructed by vehicles parking on Sterling Avenue near those intersections; and

WHEREAS, to assure more adequate visibility at such intersections, the Town Council of the Town of Veedersburg desires to prohibit the parking of vehicles on Sterling Avenue from the north side of its intersection with 2nd Street (U.S. 136) to the north lot line of Lot 19 in Orear and Patterson's Addition to Sterling (now a part of Veedersburg).

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. The parking of motor vehicles on Sterling Avenue north of Sterling Avenue's intersection with 2nd Street (U.S. 136) and south of the north lot line of Lot 19 in Orear and Patterson's Addition to Sterling (now part of the Town of Veedersburg) in the Town of Veedersburg is hereby prohibited. The foregoing prohibition shall apply to the west side of Sterling Avenue.

Section 2. The employees of the Town of Veedersburg are hereby authorized and directed to post "No Parking" signs on Sterling Avenue consistent with Section 1 of this ordinance.

Section 3. Any operator of a motor vehicle who violates the provisions of this ordinance may be fined up to \$100 per violation.

Section 4. This ordinance shall be in full force and effect from and after publication of this ordinance in accordance with law.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg, Indiana on the 25 day of May , 1999.

Richard L. Rusk
Richard Rusk, President

Greg Seibold
Greg Seibold

Richard C. Burton
Richard C. Burton

Tim Shumaker

Tim Shumaker

Kevin George
Kevin George

Attest:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

ORDINANCE NO. 99- 8

**AN ORDINANCE PROHIBITING PARKING ALONG A PORTION OF EIGHTH STREET IN
THE TOWN OF VEEDERSBURG, INDIANA**

WHEREAS, vehicles parking along the north side of Eighth Street between Sterling Avenue and U.S. 41 tend to block the view of motorists, reduce access to adjacent properties and to damage the ditches and other property alongside the street., and

WHEREAS, the Town Council of the Town of Veedersburg has determined to prohibit the parking of vehicles on the north side of Eighth Street from the east side of its intersection with Sterling Avenue to the west side of its intersection with U.S. 41.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. The parking of motor vehicles on the north side of Eighth Street east of Eighth Street's intersection with Sterling Avenue and west of Eighth Street's intersection with U.S. Highway 41 in the Town of Veedersburg is hereby prohibited.

Section 2. The employees of the Town of Veedersburg are hereby authorized and directed to post "No Parking" signs on Eighth Street consistent with Section 1 of this ordinance.

Section 3. Any owner or operator of a motor vehicle who violates the provisions of this ordinance may be fined up to \$100 per violation.

Section 4. This ordinance shall be in full force and effect from and after publication of this ordinance in accordance with law.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg, Indiana on the 8 day of June , 1999.

Richard Rusk, President

Greg Seibold
Greg Seibold

Richard C. Burton
Richard C. Burton

Tim Shumaker
Tim Shumaker

Kevin George
Kevin George

Attest:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

TOWN OF VEEDERSBURG

ORDINANCE NO. 10-08

ORDINANCE PROHIBITING PARKING ON THE WEST SIDE OF MAIN STREET FROM JACKSON STREET TO VAN BUREN STREET

WHEREAS, the Town Council of the Town of Veedersburg believes that the streets of the Town are too narrow to safely permit vehicles to park along the west side of Main Street from Jackson Street to Van Buren Street within the corporation limits. The Town of Veedersburg believes that it is in the best interest of public safety and to facilitate the flow of traffic within the town limits on the public streets to prohibit the same.

WHEREAS, the Town Council of the Town of Veedersburg defines a vehicle for purposes of this ordinance as any motorized vehicle operable or inoperable.

WHEREAS, the Town of Veedersburg, has deemed based on that there should be a penalty imposed against those persons who may park their vehicles in said area.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. Parking on the west side of Van Buren Street from Jackson Street to Main Street within the corporation limits of the Town of Veedersburg is prohibited.

Section 2. The employees of the Town of Veedersburg are hereby authorized and directed to post "NO PARKING" signs on the west side of Main Street from Jackson Street to Van Buren Street.

Section 3. Those persons parking in said area shall have a penalty of not to exceed fifty dollars (\$50.00) imposed against them for violating this ordinance.

Section 4. This ordinance shall become effective upon publication.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg on the 26th day of Aug , 2008.

TOWN OF VEEDERSBURG

Keith K. Smith

Bob Barker

Stephen R. Cates

Seth A. Hoagland

Will C. Rahm

Attest: Laura Bennett

Laura Bennett, Clerk-Treasurer

(Publication instructions: Please publish one time after adoption and within thirty (30) days of adoption)

**ORDINANCE NO. 1 -11 AN ORDINANCE AMENDING [ORDINANCE NO. 2-08](#)
PROVIDING FOR THE ESTABLISHMENT OF HANDICAPPED PARKING SPACES
DESIGNATIONS AND PENALTIES FOR VIOLATIONS THEREOF; AND TO DESIGNATE
A HANDICAPPED PARKING ONLY LOCATION**

WHEREAS the Town Council of Veedersburg, Indiana has previously established that there should be parking spaces designated as handicapped only in the downtown area;

WHEREAS, changes in circumstances and downtown businesses since 2008 requires the Town to change the location of handicap parking spaces;

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Veedersburg, Fountain County, Indiana, as follows:

Section One: Handicapped Parking

- The following locations shall be designated as “Handicapped Parking Only” and it shall be unlawful for any person to park any vehicle in an area designated for handicapped parking only unless that person has been issued a valid handicapped person license plate or lawful handicapped designation located thereon.
- A. A designated handicapped parking only location shall be identified by the placement of one sign at the beginning of the designation location stating “HANDICAPPED PARKING ONLY” and the curb shall be painted blue, indicating the length of the designated parking space.

Section Two: Handicapped Parking Only Designation: The following location(s) be and hereby are designated as a handicapped parking location, and it shall be unlawful for any person to park any vehicle in this location unless that vehicle has a valid handicapped license plate or other lawful handicapped designation located thereon.

- A. On Main Street, the first parking space on the west side immediately north and south of the intersection of US 136.
- B. On Main Street, the parking spots immediately north and south of the alley on the 200 block.
- C. On Railroad Street, the first parking space on the west side immediately south of the intersection of US 136.

Section Three: Signage: The employees of the Town of Veedersburg are hereby authorized to direct to post “HANDICAPPED PARKING ONLY” signs in such designated handicapped parking only spaces.

Section Four: Penalties: those persons parking in said area shall have a penalty of not to exceed fifty dollars (\$50.00) imposed against them for violation of this ordinance.

Section Five: Repeal of Conflicting Ordinance: All Ordinance, or any parts thereof, previously enacted which are in conflict with this Ordinance are hereby repealed.

Section Six: Effective Date of Ordinance: This Ordinance shall become effective 30 days after publication.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg on the 26th day of July , 2011.

Town of Veedersburg

Keith K. Smith

Travis Covault

Bob Barker

Attest:

Keri Lynn Grubb
Keri Grubb, Clerk-Treasurer

**AN ORDINANCE PRESCRIBING PARKING REGULATIONS
IN THE TOWN OF VEEDERSBURG, INDIANA**

Whereas, the Town of Veedersburg has no ordinances in effect regulating parking on sidewalks and medians; and

Whereas, the Town Counsel of the Town of Veedersburg has determined that for public safety and health reasons regulations on parking within the Town limits of Veedersburg should be instituted.

**BE IT, THEREFORE, ORDAINED BY THE TOWN BOARD OF THE TOWN OF
VEEDERSBURG, FOUNTAIN COUNTY, INDIANA, AS FOLLOWS:**

Section 1: NO PARKING WHERE POSTED.

No person shall stop, stand, or park a vehicle upon the public streets of the town at any place where official signs or where appropriate devices, marks, or painting, either upon the surface of the street or the curb immediately adjacent thereto, prohibit such acts.

Section 2: LIMITED PARKING; NO PARKING ON SIDEWALK OR MEDIAN.

No person shall stop, stand, or park a vehicle upon the public streets of the town where official signs are erected limiting the parking time thereon for a period of time in excess of the time designated by the official signs.

In addition, no person shall stop, stand or park a motor vehicle or motorcycle upon a sidewalk or in the median between a town street and a sidewalk.

Section 3: OTHER PARKING RESTRICTIONS.

The Town Council may order the placing of signs, or devices, or marks, or the painting of streets or curbs prohibiting or restricting the stopping, standing, or parking of vehicles on any street where, in its opinion, the stopping, standing, or parking is dangerous to those using the highway, or where the stopping, standing, or parking of vehicles would unduly interfere with the free movement of traffic thereon. The signs, devices, marks, or painting shall be official signs, devices, marks, or painting and no person shall stop, stand, or park any vehicle in violation of the restrictions thereon or as indicated thereby.

PARKING FOR PERSONS WITH PHYSICAL DISABILITY.

Section 4:

(A) *Definition.* For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning:

PERSON WITH A PHYSICAL DISABILITY. Any person who has been issued a placard or special registration plate or decal for a motor vehicle by the State Bureau of Motor Vehicles under I.C. 9-14-5, 9-18-18, 9-18-22, or the laws of another state.

(B) *Parking prohibited.*

(1) It shall be unlawful for any person to park a motor vehicle, motorcycle, moped, bicycle, or other vehicle of any nature, which does not have displayed a placard for a person with a physical disability issued under the laws of this state or the laws of another state in a parking space reserved for a vehicle of a person with a physical disability.

(2) It shall be unlawful for any person to knowingly park in a parking space reserved for a person with a physical disability while displaying a placard to which neither the person nor the person's passenger is entitled.

(C) *Violation.* If any vehicle is parked unlawfully in violation of any of the provisions of this section, and the identity of the driver cannot be determined, the owner or person in whose name the vehicle is registered shall be held, prima facie, responsible for the violation.

(D) *Towing.* In addition to any fines which may be given as a result of violations of this section, any vehicle which is parked in a manner in violation of this section may be towed to an area designated by the Town at the owner's expense. The owner shall also be required to pay any and all storage fees resulting from this action.

PARKING ALONG STREETS.

Section 5:

(A) *Alleys.* It shall be unlawful for any person to park or leave standing any vehicle, attended or unattended, upon the traveled portion of any public alley in the town, except for the purposes of loading or unloading the vehicle, and in such case not to exceed a period of 30 minutes.

(B) *Trucks.*

(1) It shall be unlawful for any firm, person or corporation to park a truck upon the streets of the town that is rated a 2 ½ ton truck or over, except if the truck is being loaded with cargo or merchandise or unloaded.

(2) It shall be unlawful for any person, firm or corporation to park a truck rated ¾ ton or over, on the

streets of the town from 6:00 a.m. to 6:00 p.m., for a period of over two hours. This shall not change or supersede any other section of this code relative to the parking of trucks on certain selected streets of the town.

(3) No person, firm or corporation shall park a truck rated % ton over upon the designated streets of the town from the hours of 6:00 p.m. to 6:00 a.m., except for periods not to exceed one hour, when the truck is being loaded, unloaded or is in the process of being repaired.

(4) No truck shall be parked and left unattended at any time within 20 feet from any intersection of the town.

(C) Parking is permitted in the parallel manner upon the streets of the town, provided the street shall be wide enough to reasonably permit two way traffic while vehicles are parked thereon.

(1) If the Board shall cause a no parking or limited parking sign to be erected upon a public street, the same shall be binding upon all persons of the town, and no person shall park a motor vehicle in the vicinity of indicated areas covered by a no parking or limited parking sign.

(2) Any no parking or limited parking sign erected by anyone other than the Board or upon direction thereof shall not have any binding effect.

(D) Parallel parking requirements. No vehicle shall be parked on a public way, except as herein prescribed. Vehicles shall be parked only upon the right side of the street as designated by the direction of travel of the vehicle in its parked position, the curb side wheels of the vehicle to be not more than 12 inches from the right hand curb.

Section 6. UNREGISTERED VEHICLES.

No person shall leave upon any street or highway within the town limits a vehicle upon which there is not displayed the appropriate registration plate or certificate as required by Indiana law.

Section 7. PENALTIES.

Any owner or operator of a motor vehicle who violates the provisions of this Ordinance may be fined up to \$100 per violation.

Section 8. EFFECTIVE DATE.

This Ordinance shall be in full force and effect 30 days after publication. All prior Ordinances

regulating parking shall remain in full force and effect. Any Ordinance or parts of Ordinances in conflict herewith are repealed.

SO ADOPTED this 24 day of June , 2014.

TOWN COUNCIL OF THE TOWN OF
VEEDERSBURG, INDIANA

Teresa K. Cooper
President

Tim Shumaker

Stephen R. Cates

Troy Finley

Mark Rusk

ATTEST:

Kathy J. Pugh
Clerk-Treasurer

ORDINANCE NO. 98- 1

AN ORDINANCE PRESCRIBING THE MAXIMUM SPEED LIMIT ON STATE STREET FROM STERLING AVENUE ON THE EAST TO THE EAST SIDE OF THE BRIDGE OVER COAL CREEK ON THE WEST IN THE TOWN OF VEEDERSBURG, INDIANA

WHEREAS, the speed limit on State Street between Sterling Avenue on the east and the east side of the bridge over Coal Creek on the west has been 30 miles per hour; and

WHEREAS, the Town of Veedersburg, on the basis of an engineering and traffic investigation, has determined that the maximum speed permitted under Indiana Code 9-21-5 is less than reasonable and safe under the conditions found to exist on State Street and that the reasonable and safe maximum limit on State Street in such area is 40 miles per hour.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. Speed Limit. The maximum speed limit on State Street between Sterling Avenue on the east and the east side of the bridge over Coal Creek on the west is increased to forty (40) miles per hour pursuant to the authority of Indiana Code § 9-21-5-6(a)(2).

Section 2. Sign Posting. The employees of the Town of Veedersburg are hereby authorized and directed to post "40 Miles Per Hour Speed Limit" signs on State Street consistent with this ordinance.

Section 3. Effective Date. This ordinance shall be in full force and effect from and after adoption.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg, Indiana on the 13 day of January , 1998.

Donald L. Bailey
Donald L. Bailey, President

Richard L. Rusk
Richard Rusk

Richard C. Burton

Gregory Seibold
Greg Seibold

Tim Shumaker
Tim Shumaker

Attest:

Kathryn M. York
Kathryn York, Clerk-Treasurer

ORDINANCE NO. 99- 3

AN ORDINANCE PRESCRIBING THE MAXIMUM SPEED LIMIT ON STERLING AVENUE FROM WASHINGTON STREET ON THE NORTH TO STATE STREET ON THE SOUTH IN THE TOWN OF VEEDERSBURG, INDIANA

WHEREAS, the speed limit on Sterling Avenue between Washington Street and State Street has been established at 30 miles per hour, even though there is little development on that stretch of Sterling Avenue; and

WHEREAS, the Town of Veedersburg, on the basis of an engineering and traffic investigation, has determined that the maximum speed permitted under Indiana Code 9-21-5 is lower than necessary and reasonable and that the reasonable and safe maximum speed limit on Sterling Avenue in such area is 40 miles per hour.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. The maximum speed limit on Sterling Avenue between Washington Street on the north and State Street on the south in the Town of Veedersburg is increased to forty (40) miles per hour pursuant to the authority of Indiana Code § 9-21-5-6(a)(2).

Section 2. The employees of the Town of Veedersburg are hereby authorized and directed to post "40 Miles Per Hour Speed Limit" signs on Sterling Avenue consistent with this ordinance.

Section 3. Any operator of a motor vehicle who violates the provisions of this ordinance shall be fined up to \$200.00 for each violation.

Section 4. This ordinance shall be in full force and effect from and after publication in accordance with law.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg, Indiana on the 26 day of January , 1999.

Richard L. Rusk
Richard Rusk, President

Greg Seibold
Greg Seibold

Richard C. Burton
Richard C. Burton

Tim Shumaker

Tim Shumaker

Kevin George
Kevin George

Attest:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

ORDINANCE NO. 99- 5

AN ORDINANCE AMENDING THE ORDINANCE ESTABLISHING AN ORDINANCE VIOLATIONS BUREAU IN THE TOWN OF VEEDERSBURG AND AMENDING THE PENALTIES TO BE COLLECTED BY THE BUREAU WITH RESPECT TO CERTAIN SPEEDING VIOLATIONS

WHEREAS, Indiana Code 33-6-3 authorizes the Town of Veedersburg to establish an ordinance violations bureau, and the Town Council of the Town of Veedersburg has established such a bureau, and the Town Council desires to amend the penalties for violations of certain ordinances in the Town;

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Veedersburg as follows:

Section 1. Amendment of Section 3 of Ordinance. Section 3 of Ordinance No. 97- 2 is hereby amended in its entirety to read as follows:

Section 3. Schedule of Ordinances and Penalties Subject to Settlement by the Violations Clerk. Violations of any ordinance of the Town calling for a civil penalty for a violation thereof may be settled by the Violations Clerk by receipt of an amount equal to the lesser of (a) the maximum penalty set forth in such ordinance or (b) \$50, except as hereafter provided. Notwithstanding the first sentence, violations of ordinances of the Town of Veedersburg establishing the maximum speed limit on streets in the Town of Veedersburg may only be settled by the violations bureau if the maximum speed limit is exceeded by 19 miles per hour or less. Where the maximum speed limit is exceeded by 19 miles per hour or less, the speeding violation may be settled by the payment of (a) \$80.50, plus (b) \$1 for each mile per hour that the maximum speed limit is exceeded. If a speed limit is exceeded 20 miles per hour or more, such violation may not be settled by the ordinance violations bureau. Such ordinance violations shall be filed in the traffic court division of the Fountain Circuit Court and processed in accordance with the rules of such court. No settlement by the ordinance violations bureau shall be permitted if a person fails to pay the amount authorized hereunder within the time specified in the summons or notice provided to such person. If a person fails to settle a violation through the violations bureau established hereunder and such person is taken to court to enforce the ordinance in question, the person may be subject to the maximum penalty set forth in the underlying ordinance. No person shall be permitted to settle a violation of Ordinances 16-94 or 17-94 more than once through the procedure established in this Ordinance. Each day Ordinance No. 5-79 is violated constitutes a separate offense for which a \$50 recovery is authorized for each day of the violation.

Section 2. Penalties for Speeding. If a person violates an Ordinance of the Town of Veedersburg establishing the maximum speed limit on a street in Veedersburg and the violation is prosecuted in the Fountain Circuit Court, the following penalties shall be imposed if the person is found to have violated the ordinance:

If the person exceeds the posted speed limit by 15 miles per hour or less, the person shall pay the court costs for an ordinance violation as established by law, plus \$10.50, plus \$1 for each mile per hour that the person exceeds the speed limit.

If the person exceeds the posted speed limit by more than 15 miles per hour, the person shall pay the court costs for an ordinance violation as established by law, plus \$10 50, plus \$1 for each mile per hour that the person was traveling.

All ordinances of the Town of Veedersburg establishing speed limits are hereby amended to conform with these provisions.

Section 3. Ordinance Deferral Program Authorized. The Town Attorney is authorized to establish an Ordinance Violation Deferral program as authorized in Indiana Code 34-28-5-1(f) and to collect and dispose of such program fees in the amounts and as authorized by law.

Section 4. Continuing Effect. As amended hereby, the ordinances of the Town of Veedersburg remain in full force and effect.

Dated this 9th day of March, 1999.

VEEDERSBURG TOWN COUNCIL

Richard L. Rusk
Richard Rusk, President

Greg Seibold
Greg Seibold

Richard C. Burton
Richard C. Burton

Tim Shumaker

Kevin George
Kevin George

Attest:

Kathryn M. York
Kathryn York, Clerk-Treasurer

ORDINANCE NO. 00- 05

**AN ORDINANCE PRESCRIBING THE MAXIMUM SPEED LIMIT ON PORTIONS OF
LIBERTY STREET AND THIRD STREET IN THE TOWN OF VEEDERSBURG, INDIANA**

WHEREAS, small children live and play in the vicinity of Liberty Street and Third Street west of Sterling Avenue and north of Second Street (U.S. 136) in the Town of Veedersburg., and

WHEREAS, the Town of Veedersburg, on the basis of an engineering and traffic investigation, has determined that the maximum speed permitted under Indiana Code 9-21-5 is greater than reasonable and safe under the conditions found to exist on Liberty Street and Third Street in such area and that the reasonable and safe maximum limit on such streets is 20 miles per hour.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS.

Section 1. The maximum speed limit on Liberty Street between Second Street on the south and Third Street on the north and on Third Street between Liberty Street on the west and Sterling Avenue on the east in the Town of Veedersburg is decreased to twenty (20) miles per hour pursuant to the authority of Indiana Code § 9-21-5-6(a)(1).

Section 2. The employees of the Town of Veedersburg are hereby authorized and directed to post "20 Miles Per Hour Speed Limit" signs on Liberty Street and Third Street consistent with this ordinance.

Section 3. Any operator of a motor vehicle who violates the provisions of this ordinance shall be fined up to \$500.00 for each violation.

Section 4. This ordinance shall be in full force and effect from and after publication of this ordinance in accordance with law.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg, Indiana on the 23rd day of May , 2000.

Carl Hoagland
Carl Hoagland, President

Richard C. Burton

Kevin George
Kevin George

Amy Keeling
Amy Keeling

Joe Cox
Joe Cox

Attest:

Laura Bennett
Laura Bennett, Clerk-Treasurer

TOWN OF VEEDERSBURG
ORDINANCE NO. 9-07

ORDINANCE LIMITING SPEED ON WALNUT STREET FROM 7TH ST. TO 9TH STREET

WHEREAS, the Town Council of the Town of Veedersburg believes that due to frequency of children in the area from 7th Street to 9th Street on Walnut Street within the corporation limits and the number of vehicles parking along said street that the speed limit in said area should be twenty (20) miles per hour. The Town of Veedersburg believes that it is in the best interest of public safety to change the speed limit to the same for any vehicle traveling upon said street.

WHEREAS, the Town Council of the Town of Veedersburg defines a vehicle for purposes of this ordinance as any motorized vehicle operable or inoperable.

WHEREAS, the Town of Veedersburg, has deemed based on that there should be a penalty imposed against those persons who should cause their vehicles to travel in excess of said speed along said street.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. The speed limit for vehicles traveling to and from 7th Street to 9th Street on Walnut Street within the corporation limits of the Town of Veedersburg shall be twenty (20) miles per hour.

Section 2. The employees of the Town of Veedersburg are hereby authorized and directed to post "SPEED LIMIT 20" signs on the Walnut Street from 7th Street to 9th Street.

Section 3. Those persons causing a vehicle to exceed said speed limit shall have a penalty of not to exceed fifty dollars (\$50.00) imposed against them for violating this ordinance.

Section 4. This ordinance shall become effective upon publication.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg on the 3rd day of Oct , 2007.

TOWN OF VEEDERSBURG

Carl Hoagland

Keith K. Smith

Stephen R. Cates

Attest: Laura Bennett

(Publication instructions: Please publish one time after adoption and within thirty (30) days of adoption)

TOWN OF VEEDERSBURG
ORDINANCE NO. 6-08

ORDINANCE LIMITING SPEED ON NEWLIN STREET, 7TH STREET AND COLLEGE STREET

WHEREAS, the Town Council of the Town of Veedersburg believes that due to frequency of children in areas of Newlin Street from US 136 to 7th Street, in the areas of 7th Street from Main Street to College Street and in the areas of College Street from US 136 to 5th Street within the corporation limits that the speed limit in said area should be twenty (20) miles per hour. The Town of Veedersburg believes that it is in the best interest of public safety to change the speed limit to the same for any vehicle traveling upon said street.

WHEREAS, the Town Council of the Town of Veedersburg defines a vehicle for purposes of this ordinance as any motorized vehicle operable or inoperable.

WHEREAS, the Town of Veedersburg, has deemed based on that there should be a penalty imposed against those persons who should cause their vehicles to travel in excess of said speed along said street.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. The speed limit for vehicles traveling to and from US 136 to 7th Street on Newlin Street, to and from Main Street to College Street on 7th Street and to and from US 136 to 5th Street on College Street within the corporation limits of the Town of Veedersburg shall be twenty (20) miles per hour.

Section 2. The employees of the Town of Veedersburg are hereby authorized and directed to post SPEED LIMIT 20 signs on Newlin Street from US 136 to 7th Street, on 7th Street from Main Street to College Street and on College Street from US 136 to 5th Street.

Section 3. Those persons causing a vehicle to exceed said speed limit shall have a penalty of not to exceed fifty dollars (\$50.00) imposed against them for violating this ordinance.

Section 4. All ordinances previously passed that are contrary to this ordinance are hereby repealed.

Section 5. This ordinance shall become effective upon publication.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg on the 8th day of July , 2008.

TOWN OF VEEDERSBURG

Keith K. Smith

Bob Barker

Seth A. Hoagland

Attest: Laura Bennett

Laura Bennett, Clerk-Treasurer

TOWN OF VEEDERSBURG
ORDINANCE NO. 7-08

ORDINANCE LIMITING SPEED ON COLLEGE STREET FROM 5TH ST. TO 9TH STREET

WHEREAS, the Town Council of the Town of Veedersburg believes that due to frequency of children in the area from 5th Street to 9th Street on College Street within the corporation limits and the number of vehicles parking along said street that the speed limit in said area should be fifteen (15) miles per hour. The Town of Veedersburg believes that it is in the best interest of public safety to change the speed limit to the same for any vehicle traveling upon said street.

WHEREAS, the Town Council of the Town of Veedersburg defines a vehicle for purposes of this ordinance as any motorized vehicle operable or inoperable.

WHEREAS, the Town of Veedersburg, has deemed based on that there should be a penalty imposed against those persons who should cause their vehicles to travel in excess of said speed along said street.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. The speed limit for vehicles traveling to and from 5th Street to 9th Street on College Street within the corporation limits of the Town of Veedersburg shall be fifteen (15) miles per hour.

Section 2. The employees of the Town of Veedersburg are hereby authorized and directed to post “SPEED LIMIT 15” signs on the College Street from 5th Street to 9th Street.

Section 3. Those persons causing a vehicle to exceed said speed limit shall have a penalty of not to exceed fifty dollars (\$50.00) imposed against them for violating this ordinance.

Section 4. That all ordinances previously passed that are contrary to this ordinance are hereby repealed.

Section 5. This ordinance shall become effective upon publication.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg on the 8th day of July , 2008.

TOWN OF VEEDERSBURG

Keith K. Smith

Seth A. Hoagland

Bob Barker

Attest: Laura Bennett
Laura Bennett, Clerk-Treasurer

ORDINANCE NO. 13 -10

AN ORDINANCE PRESCRIBING THE MAXIMUM SPEED LIMIT ON STERLING AVENUE FROM THIRD STREET TO SEVENTH STREET IN THE TOWN OF VEEDERSBURG, INDIANA

WHEREAS, the speed limit on Sterling Avenue between Third Street and Seventh Street is currently 30 miles per hour; and

WHEREAS, The Town of Veedersburg has determined that for public safety and health reasons the maximum speed limit that should be permitted in that area should be 20 miles per hour.

BE IT HEREBY ORDAINED by the Town Board of the Town of Veedersburg, Fountain County, Indiana, as follows:

Section I: Speed limit:

The maximum speed limit on Sterling Avenue between Third Street and Seventh Street shall be twenty (20) miles per hour.

Section II: Sign posting:

Employees of the Town of Veedersburg are hereby authorized and directed to post “20 miles per hour speed limit” signs on Sterling Avenue consistent with this Ordinance.

Section III: Penalties

Any person who violates this Ordinance shall be subject to fines and costs as allowed under I.C. §9-21-5-13.

Section IV: Effective date:

This Ordinance shall be in force and effect 30 days after publication. Any Ordinance or parts of Ordinances in conflict herewith are repealed.

Adopted this 14 day of December , 2010.

VEEDERSBURG TOWN BOARD

Keith K. Smith
Council President

Stephen R. Cates
Council Member

Bob Barker
Council Member

Travis Covault
Council Member

Council Member

ATTEST:

Keri Lynn Grubb
Keri Grubb, Clerk-Treasurer

ORDINANCE NO. 04-13

**AN ORDINANCE PRESCRIBING THE MAXIMUM SPEED LIMIT ON SUGAR STREET
FROM SECOND STREET TO HARPER STREET IN THE TOWN OF VEEDERSBURG,
INDIANA**

WHEREAS, the speed limit on Sugar street between Second Street and Harper Street is currently 30 miles per hour; and

WHEREAS, The Town of Veedersburg has determined that for public safety and health reasons the maximum speed limit that should be permitted in that area should be 20 miles per hour.

BE IT HEREBY ORDAINED by the Town Board of the Town of Veedersburg, Fountain County, Indiana, as follows:

Section I: Speed limit:

The maximum speed limit on Sugar Street between Second Street and Harper Street shall be twenty (20) miles per hour.

Section II: Sign posting:

Employees of the Town of Veedersburg are hereby authorized and directed to post “20 miles per hour speed limit” and “Children At Play” signs on Sugar Street consistent with this Ordinance.

Section III: Penalties

Any person who violates this Ordinance shall be subject to fines and costs as allowed under I.C. §9-21-5-13.

Section IV: Effective date:

This Ordinance shall be in force and effect 30 days after publication. Any Ordinance or parts of Ordinances in conflict herewith are repealed.

Adopted this 23rd day of July, 2013.

VEEDERSBURG TOWN COUNCIL

Keith K. Smith

Tim Shumaker

Troy Finley

Teresa K. Cooper

Stephen R. Cates

ATTEST:

Kathy J. Pugh
Kathy Pugh Clerk-Treasurer

ORDINANCE NO. 2-86

AN ORDINANCE PROHIBITING MOTORIZED VEHICLES ON, ABOUT OR OVER TOWN OF VEEDERSBURG PROPERTY

Whereas, the Board of Trustees of the Town of Veedersburg has determined that it is detrimental and injurious to real property owned by the Town of Veedersburg (referred to as "Town") and potentially dangerous to persons on or about Town property to have persons driving motorized vehicles on the property.

Whereas, the Board of Trustees has determined that it is undesirable to allow motorized vehicles on Town of Veedersburg (hereafter referred to as "Town") real property because of danger to other persons on said Town property and physical damage to Town property besides the possible liability risk on the Town; now, therefore:

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF VEEDERSBURG, INDIANA:

SECTION 1. That no person shall have a motorized vehicles on or about any Town property, specifically but not limited to the Town Park and old railroad right of way recently acquired by the Town.

SECTION 2. Whenever the singular of the word person, owner, occupant, tenant, agent, representative, company, corporation, or any other word referring to a person or entity subject to this Ordinance is used, the use thereof shall likewise include the plural of such word and likewise when the plural of such word is used, it shall include the singular. Whenever the word person or persons is used to denote someone subject to the terms of this Ordinance, such word or words shall include companies, corporations, partnerships, and other legal entities, as the case may be.

SECTION 3. By "motorized vehicle" the Board means any vehicle or device powered by an engine or motor used to transport persons or property including by not limited to automobile, snow mobiles, off road recreational vehicles, motorized bicycles and motorized 3 or 4 wheel recreational vehicles.

SECTION 4. Any person who violates this provision of this ordinance shall be guilty of a Class C infraction and shall be fined \$100.00 per conviction.

SECTION 5. All ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 6. If any clause, sentence, section, paragraph or part of this Ordinance shall for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its operation the clause, sentence, section, paragraph, or part thereof, which is directly involved in the controversy in which such judgment shall have been rendered.

SECTION 7. The Ordinance shall be in full force and effect from the date of its passage by the Board of Trustees of the Town of Veedersburg and its publication, all in accordance with the law.

Dated this 3 day of March, 1986.

Ralph Cushman

Catherine Dismore

James O. Songer

BOARD OF TRUSTEE OF THE TOWN OF
VEEDERSBURG, INDIANA

ATTEST:

Dorothy Dice
CLERK-TREASURER

ORDINANCE NO. 97- 26

AN ORDINANCE AUTHORIZING THE ERECTION OF STOP SIGNS AT CERTAIN DESIGNATED ENTRANCES TO INTERSECTIONS IN THE TOWN OF VEEDERSBURG, INDIANA

WHEREAS, the Town of Veedersburg has conducted an engineering and traffic investigation of the streets under the Town's jurisdiction, and

WHEREAS, the Town Council of the Town of Veedersburg has determined that the intersections specified below should be designated as "stop intersections" under Indiana Code § 9-21-4-11(2).

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. Stop signs shall be erected at the entrances to the intersections specified below:

Street	Intersection
Meridian Street	Southbound at 5th Street
7th Street	Westbound at Maple Street

Section 2. The employees of the Town of Veedersburg are hereby authorized and directed to post and maintain stop and yield signs at the intersections specified above in accordance with the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways. The acts of the employees of the Town in previously erecting stop and yield signs at such intersections are hereby ratified and confirmed in all respects.

Section 3. This ordinance shall be in full force and effect immediately upon passage.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg, Indiana on the 14 day of Oct , 1997.

Donald L. Bailey
Don Bailey, President

Richard L. Rusk
Richard Rusk

Greg Seibold

Richard C. Burton
Richard C. Burton

Tim Shumaker
Tim Shumaker

Attest:

Kathryn M. York
Kathryn York, Clerk-Treasurer

ORDINANCE NO. 99- 6

**AN ORDINANCE MAKING HARPER STREET BETWEEN STERLING AVENUE AND
CHAMBERS STREET A ONE WAY STREET IN THE TOWN OF VEEDERSBURG,
INDIANA**

WHEREAS, the unplatted street on the north side of Sterling Park, known as Harper Street, which is located between Sterling Avenue and Chambers Street is narrow, and is fairly heavily traveled in the summer months during baseball and softball season; and

WHEREAS, in an effort to enhance the safety of motorists and pedestrians in the vicinity of Sterling Park, the Town Council of the Town of Veedersburg has determined that Harper Street between Sterling Avenue and Chambers Street should be a one-way street.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. Effective immediately, the unplatted street lying directly north of Sterling Park, known as Harper Street, between Sterling Avenue on the west and Chambers Street on the east shall be a one-way street with eastbound traffic only. Westbound traffic shall be prohibited on such portion of Harper Street.

Section 2. The employees of the Town of Veedersburg are hereby authorized and directed to post "One Way" signs on Harper Street consistent with Section 1 of this ordinance.

Section 3. This ordinance shall be in full force and effect immediately upon passage.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg, Indiana on the 25 day of May , 1999.

Richard L. Rusk
Richard Rusk, President

Greg Seibold
Greg Seibold

Richard C. Burton
Richard C. Burton

Tim Shumaker
Tim Shumaker

Kevin George
Kevin George

Attest:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

**AN ORDINANCE PRESCRIBING THE MAXIMUM WEIGHT LIMIT ON EIGHTH STREET
FROM STERLING AVENUE ON THE WEST TO THE WEST PROPERTY LINE OF
MASTER GUARD CORPORATION ON THE EAST IN THE TOWN OF VEEDERSBURG,
INDIANA**

WHEREAS, Eighth Street in the Town of Veedersburg between Sterling Avenue and the western property line of property owned by Master Guard Corporation was not designed to bear the weight of tractor-trailer rigs and other heavy commercial vehicles, nor is its width sufficient for such vehicles to travel safely; and

WHEREAS, the Town of Veedersburg has the authority under Ind. Code § 9-20-1-3(c) to establish weight restrictions on streets within its jurisdiction.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. Tractor-trailer rigs, trucks and other commercial vehicles weighing in excess of five tons gross weight shall not be permitted on 8th Street between Sterling Avenue on the west and the west property line of Master Guard Corporation on the east as such property line currently exists on the date of this ordinance where the same intersects with 8th Street.

Section 2. The employees of the Town of Veedersburg are hereby authorized and directed to post weight limit signs on Eighth Street consistent with this ordinance.

Section 3. Any operator of a motor vehicle who violates the provisions of this ordinance shall be fined up to \$500.00 for each violation.

Section 4. This ordinance shall be in full force and effect from and after publication of this ordinance in accordance with law.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg, Indiana on the 9 day of November , 1999.

Richard L. Rusk
Richard Rusk, President

Richard C. Burton
Richard C. Burton

Greg Seibold
Greg Seibold

Tim Shumaker
Tim Shumaker

Kevin George
Kevin George

Attest:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

An Ordinance Restricting the Operation Golf Carts Within the Town of Veedersburg

WHEREAS, the Town Council of Veedersburg, Indiana has determined that it is in the best interest and safety of the public that the operation of Golf Carts on the public streets of the Town of Veedersburg restricted;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG AS FOLLOWS:

Section One: Definitions: For the purpose of this ordinance the following definitions shall apply unless the context clearly indicates or requires a different meaning:

(a) "Golf Cart" - A vehicle with four wheels originally designed for operation on a golf course and powered by a battery or internal combustion motor.

(b) "Driver's License" - A valid license to operate a motor vehicle issued by Indiana or any other state.

(c) "Financial Responsibility" - Liability insurance coverage on a golf cart in an amount not less than required by Indiana law for motor vehicles operated on public highways in the State of Indiana.

Section Two: Operation of Golf Cart: The operation of a golf cart within the Town of Veedersburg is strictly prohibited unless the golf cart is operated and equipped in full compliance with this Ordinance.

Section Three: Operator: Only persons over sixteen (16) years of age and holding a driver's license may operate a golf cart.

Section Four: Financial Responsibility: The financial ability of the operator or owner notwithstanding, the operator of a golf cart must show financial responsibility when operating a golf cart. Written proof of financial responsibility must be available either on the golf cart or carried by the operator at all times.

Section Five: Time of Operation: Golf carts shall not be operated on town streets during one-half hour after sunset to one-half hour before sunrise unless the golf cart is equipped with two operating headlights (one on each side of the front of the golf cart) and two operating tail lights with brake lights (one on each side of the rear of the golf cart) which are visible from a distance of five hundred (500) feet.

Section Six: Place of Operation: Golf carts may be operated on town streets which have a posted speed limit of thirty (30) miles per hour or less. Golf carts may not be operated on sidewalks or on the following state highways:

A. US 41

B. US 136 except to cross said highway at intersections in a path ninety (90) degrees to said highway.

Section Seven: Occupants: The number of occupants in a golf cart shall be limited to the number of persons for whom factory seating is installed and provided on the golf cart. The operator and all occupants shall be seated in the golf cart and no part of the body of the operator or occupant shall extend outside the perimeter of the golf cart while the golf cart is being operated.

Section Eight: Traffic Rules: The operator of the golf cart shall comply with all traffic rules and regulations adopted by the State of Indiana and the Town of Veedersburg which govern the operation of motor vehicles.

Section Nine: Slow Moving Vehicle Sign: All golf carts must display on the back of the golf cart a "slow moving vehicle" sign of the same type required under Indiana Law.

Section Ten: Penalty: A violation of any provision of this Ordinance shall constitute a violation. An owner, lessee or operator may be cited to appear in a court of competent jurisdiction by issuance of an Indiana Uniform Traffic Ticket. Upon a finding by such court that an owner, lessee or operator of a golf cart has violated any provision of this Ordinance, such person shall be subject to a fine not to exceed \$100.00 for each offense along with Court costs in the amount same now exists or may hereafter be determined by ordinance or statute.

Section Eleven: Repeal of Conflicting Ordinances: All Ordinances, or any parts thereof, previously enacted which are in conflict with this Ordinance are hereby repealed.

Section Twelve: Effective Date of Ordinance: This ordinance shall become effective upon publication.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg on the 11th day of Mar , 2008.

TOWN OF VEEDERSBURG

Keith K. Smith

Stephen R. Cates

Bob Barker

Will C. Rahm

Seth A. Hoagland

Attest: Laura Bennett

Laura Bennett, Clerk-Treasurer

(Publication instructions: Please publish one time after adoption and within thirty (30) days of adoption)

ORDINANCE NO. 4 -10

AN ORDINANCE REGARDING STOPPING AND YIELDING

WHEREAS, the Town of Veedersburg may cause stop signs to be placed on or near any street, alley or public way for safety purposes; and

WHEREAS, the Town of Veedersburg has not specifically set out by ordinance where motor vehicles should stop and yield the right of way; and

WHEREAS, the Town Council of Veedersburg finds that such an ordinance would be beneficial and useful to the Town.

BE IT THEREFORE ORDAINED by the Town Council, Veedersburg, Indiana, that the Veedersburg Town Code be amended as follows:

I. Stopping and Yielding:


A. A person who drives a vehicle in the Town limits shall stop and yield the right of way as required under this schedule. A person who drives a vehicle in the Town limits shall stop at an intersection where a stop sign is erected and yield to vehicles that are not required to stop. A person who drives a vehicle in the Town limits shall obey all official traffic control devices placed in accordance with any Town Ordinance unless otherwise directed by a law enforcement officer. The Council may cause such signs to be placed on or near any street, alley, or public way. Any person who violates this Section shall be fined \$ 25.00 for such violation and shall be responsible for all costs incurred in enforcement, including reasonable attorney fees.

B. Nothing in this Schedule shall be construed to relieve any motorist from obeying any traffic control devices placed by the County Highway Department or State Highway Department whether or not the device is placed in accordance with the specific provisions of this schedule.

C. Stop signs shall be placed at the following intersections:

<u>STREET</u>	<u>INTERSECTION</u>
Meridian	5 th Street
7 th Street	Maple St.
9 th St.	Maple St.
504 N. Meridian	_____
State	Mill

(Amended by [Ord. No. 2014-10](#), adopted 11/25/2014.)

 { *view archive* }

(Amended by [Ord. No. 2017-07](#), adopted 9/12/2017.)

This Ordinance shall be in full force and effect 30 days after publication and all Ordinance or parts of Ordinances in conflict herewith are repealed.

Adopted this 24 day of August , 2010.

VEEDERSBURG TOWN COUNCIL

Keith K. Smith

Stephen R. Cates

Travis Covault

Bob Barker

ATTEST:

Keri Lynn Grubb
Clerk-Treasurer

ORDINANCE 2014-3

AN ORDINANCE REGULATING THE OPERATION OF OFF-ROAD VEHICLES AND GOLF CARTS

Whereas, Indiana Code 14-16-1 and Indiana Code 9-21-1-3.3 regulating the use of golf carts on city or town streets and alleys; and

Whereas, a number of citizens of Veedersburg, Indiana are desirous of operating off-road vehicles and golf carts on and along town streets and alleys; and

Whereas, the Town of Veedersburg desires to authorize the operation of both off-road vehicles and golf carts on town streets and alleys; and

Whereas, it is in the public interest to establish reasonable rules and regulations for the operation of such vehicles on and along the town streets and alleys;

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

Section 1: This Ordinance shall be known as the Off-Road Vehicle and Golf Cart Ordinance.

Section 2: Definitions. As used in this ordinance the term:

- (a) “Operator” means any person at least sixteen (16) years old, holding a valid Indiana License to operate a motor vehicle, or a valid license to operate a motor vehicle from another state.

- (b) “Off-Road Vehicle” means a motor driven vehicle capable of cross country travel without the benefit of a road or trail, on or immediately over land, water, snow, ice, marsh, swampland or other natural terrain. It includes, but is not limited to, a multi-wheel driven or low pressure tier vehicle, amphibious machine, ground effect air cushion vehicle or other means of transportation deriving power form a source other than muscle or wind. It does not include a farm vehicle being used for farming or a vehicle used for military or law enforcement purposes, a construction, mining, or other industrial related vehicle used in performance of its common function, a snowmobile, a golf cart, a registered aircraft, or any other vehicle properly by the Indiana Bureau of Motor Vehicles, and any watercraft which is registered to Indiana Statutes.

- (c) “Highway, Road or Right-of-Way” means the entire width between the boundary lines of every way maintained by and within the jurisdiction of Veedersburg, Indiana, when any part thereof is open to the use of the public for purposes of vehicular travel.

- (d) “Operate” means to ride in or on and to be in actual physical control of the operation of an off-road vehicle or golf cart.

“Golf Cart” means a four (4) wheel motor vehicle originally and specifically designed

- (e) and intended to transport one (1) or more individuals and golf clubs for the purpose of playing the game of golf on a golf course.

Section 3: Purposes. The purpose of this Ordinance is:

- (a) To authorize persons at least sixteen (16) years old holding a valid Indiana motor vehicle driver's license (or a valid motor vehicle license from another State) to operate off-road vehicles registered with the Indiana Department of Natural Resources and the Veedersburg Police Department over and upon town roads and alleys.
To authorize persons at least sixteen (16) years old holding a valid Indiana motor vehicle driver's license (or a valid motor vehicle license from another State) to
- (b) operate golf carts registered with the Veedersburg Police Department over and upon town roads and alleys.
- (c) To establish rules and regulations for the operation of off-road vehicles and golf carts over and upon town roads and alleys; and
To permit the safety of persons and property, responsible enjoyment in and connected
- (d) with the use and operation of off-road vehicles and golf carts, and understanding consistent with the rights of all the citizens of this town.

Section 4: Persons Authorized to Operate Off-Road Vehicles and Golf Carts on Town Roads and Alleys.

- (a) All persons at least sixteen (16) years old who hold a valid motor vehicle driver's license are hereby authorized to operate an off-road vehicle and/or golf cart over and upon town roads and alleys under the conditions set forth in this Ordinance, and solely for the purpose of reaching a predetermined destination.
No person shall operate an off-road vehicle or golf cart on any town road or alley
- (b) without a valid motor vehicle driver's license.

Section 5: Insurance.

- (a) Any person who operates an off-road vehicle or golf cart over and upon town roads and alleys shall maintain recreational vehicle liability insurance in the minimum amount of One Hundred Thousand Dollars (\$100,000) per person and Three Hundred Thousand Dollars (\$300,000) per occurrence insuring against injury to persons and damage to property arising from the use and operation of such off-road vehicle or golf cart upon town roads and alleys.
Any person who operates an off-road vehicle or golf cart over an upon town roads and alleys shall carry proof of such insurance on his or her person at all times when
- (b) operation an off-road vehicle or golf cart on town roads and alleys.

Section 6: Registration/Compliance with State Law.

- An off-road vehicle shall not be operated on a town road and alley unless it is duly registered with the Indiana Department of Natural Resources and meets all of the standards, requirements, and regulations set forth in IC 14-16-1-1 et seq. An off-road vehicle and a golf cart shall not be operated on a town road and alley unless it is duly registered with the Town of Veedersburg Police Department. Said registration shall last for a period of one (1) year. Registration fees shall be the sum of ten dollars (\$10.00) for each such vehicle, or such other amount as Council may from time to time in their discretion set. Said registration is nontransferable. Said registration shall be carried upon any person operating said off-road vehicle and golf cart at all times when operating said off-road vehicle and golf cart on town roads and alleys.
- (a)

(Amended by [Ord. No. 02-2018](#), adopted 6/26/2018.)

 { *view archive* }

Section 7: Restrictions on Operation. No person shall operate an off-road vehicle or golf cart:

- (a) At a rate of speed greater than is reasonable and proper having due regard for conditions then existing.
- (b) While under the influence of intoxicating liquor or unlawful under the influence of narcotic or other habit forming or dangerous depressant or simulant drugs.
- (c) During the hours from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise without displaying a lighted headlight and tail-light.
- (d) One or across a cemetery or burial ground.
- (e) On a railroad tract or railroad right-of-way, except railroad personnel in performance of their duties.
- (f) In a forest nursery, a planting area, or public land posted or reasonably identified as an area of forest or plant reproduction and when growing stock may be damaged.
- On the frozen surface of public waters within:
- (g) a. One hundred (100) feet of an individual not in or upon a vehicle; or
b. One hundred (100) feet of a fishing shanty or shelter except at speed of not more than five (5) miles per hour.
- (h) Unless the vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke.
- (i) Within one hundred (100) feet of a dwelling between 9:00 p.m. and 6:00 a.m. except on the individual's own property or property under the individual's control or as an invited guest.
- (j) On any property without the consent of the landowner.

While transporting on or in the vehicle a firearm unless the firearm is:

- (k) a. Unloaded; and
- b. Securely encased or equipped with and made inoperative by a manufactured key locked trigger housing mechanism.

An individual shall not operate an off-road vehicle or golf cart while a bow is present in or on the off-road vehicle or golf cart if the nock of an arrow is in position on the string of the bow.

- (m) Unless the off-road vehicle or golf cart is equipped with a lighted taillight, the off-road vehicle or golf cart shall display reflective tape or a slow moving vehicle emblem on the rear of the off-road vehicle or golf cart.

- (n) On or about town property, specifically but not limited to the Town Park and the former Rail Road right-of-way now owned by the Town. EXCEPTING: that golf carts shall be allowed to operate on the former Rail Road right-of-way.

(Amended by [Ord. No. 2014-4](#), adopted 4/22/2014.)

☐ "+/-" "View/Hide" original contents of Section 7.

Section 8: Operation on Town Road and Alleys. A person shall comply with the following rules when operating an off-road vehicle or golf cart on town roads and alleys:

- (a) The operator of an off-road vehicle or golf cart shall abide by all traffic laws governing the operation of motor vehicles in the State of Indiana, set forth in Titles 9 and 14 of the Indiana Code.
- (b) The operator of an off-road vehicle or golf cart may not cross a town road or enter upon a town road other than at right angles.
- (c) The operator of an off-road vehicle or golf cart shall bring his or her vehicle or cart to a complete stop before proceeding onto or across a town road or alley and shall yield the right-of-way to traffic.

Section 9: Right to Restrict Off-Road Vehicle Traffic and Golf Cart Traffic on Designated Town Road and Alleys.

- (a) The Town Council may restrict off-road vehicular and golf cart traffic on town roads and alleys by designating such roads as unsuitable for off-road vehicular or golf carts and by posting signs on such designated roads and alleys.
- (b) It shall be a violation of this Ordinance to operate an off-road vehicle or golf cart on any town road or alley so designated and posted.

Section 10: Enforcement.

Unless otherwise prohibited by State Law, all Law Enforcement officers having jurisdiction in Veedersburg, Indiana, including officers of the Indiana Department of

- (a) Natural Resources, shall have authority to enforce the provisions of this Ordinance.

Section 11: Penalties for Violations.

A person that operates an off-road vehicle or golf cart in violation of this Ordinance shall, upon conviction, be fined as follows:

- (a)
- | | | | |
|----|----------------|-------|---|
| 1. | First offense | \$50 | |
| 2. | Second offense | \$75 | |
| 3. | Third offense | \$150 | plus revocation of registration and driving privileges under this ordinance |

Violators may also be assessed reasonable attorney fees and costs of collection incurred in enforcement of this ordinance.

Section 12: Severability/Modification.

- (a) Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the fining or holding of any section, subsection, sentence, clause and phrase to be unconstitutional, void, or ineffective for any cause shall not affect another section, subsection, sentence, clause and phrase or part thereof. The Town Council may modify this Ordinance as deemed necessary.

Section 13: Applicability and Effective Date.

- (a) This Ordinance shall apply only to the incorporated areas of Veedersburg, Indiana.
- (b) This Ordinance shall not be construed to permit the use of off-road vehicles or golf carts on State highways.
- (c) This Ordinance shall become in full force and effect from and after adoption by the Town Council and its publication in accordance with I.C. 5-3-1.
- (d) Any violations of State Law that occurred prior to the enactment of this Ordinance shall not be exempted from enforcement.

SO ADOPTED this 25th day of March , 2014.

TOWN COUNCIL OF THE TOWN OF
VEEDERSBURG, INDIANA

Teresa K. Cooper
President
Tim Shumaker

Troy Finley

Mark Rusk

ATTEST:

Kathy J. Pugh
Clerk-Treasurer

ORDINANCE 2014-4

AN ORDINANCE AMENDING ORDINANCE 2014-3 REGULATING THE OPERATION OF OFF-ROAD VEHICLES AND GOLF CARTS

Whereas, Indiana Code 14-16-1 and Indiana Code 9-21-1-3.3 regulates the use of golf carts on city or town streets and alleys; and

Whereas, the Town of Veedersburg has previously passed [Ordinance 2014-3](#) regulating the operation of off-road vehicles and golf carts on and along Town streets and alleys; and

Whereas, the Town of Veedersburg deems it advisable to amend section 7 of Ordinance 2014-3;

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

That [Section 7 of Ordinance 2014-3](#) be amended as follows:

Section 7: Restrictions on Operation. No person shall operate an off-road vehicle or golf cart:

- (a) At a rate of speed greater than is reasonable and proper having due regard for conditions then existing.
- (b) While under the influence of intoxicating liquor or unlawful under the influence of narcotic or other habit forming or dangerous depressant or simulant drugs.
- (c) During the hours from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise without displaying a lighted headlight and tail-light.
- (d) One or across a cemetery or burial ground.
- (e) On a railroad tract or railroad right-of-way, except railroad personnel in performance of their duties.
- (f) In a forest nursery, a planting area, or public land posted or reasonably identified as an area of forest or plant reproduction and when growing stock may be damaged.
- On the frozen surface of public waters within:
 - (g)
 - a. One hundred (100) feet of an individual not in or upon a vehicle; or
 - b. One hundred (100) feet of a fishing shanty or shelter except at speed of not more than five (5) miles per hour.
 - (h) Unless the vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke. Within one hundred (100) feet of a dwelling between 9:00 p.m. and 6:00 a.m.
 - (i) except on the individual's own property or property under the individual's control or as an invited guest.
 - (j) On any property without the consent of the landowner.

- While transporting on or in the vehicle a firearm unless the firearm is:
- (k)
 - a. Unloaded; and
 - b. Securely encased or equipped with and made inoperative by a manufactured key locked trigger housing mechanism.
 - (l) An individual shall not operate an off-road vehicle or golf cart while a bow is present in or on the off-road vehicle or golf cart if the nock of an arrow is in position on the string of the bow.
 - (m) Unless the off-road vehicle or golf cart is equipped with a lighted taillight, the off-road vehicle or golf cart shall display reflective tape or a slow moving vehicle emblem on the rear of the off-road vehicle or golf cart.
 - (n) On or about town property, specifically but not limited to the Town Park and the former Rail Road right-of-way now owned by the Town. EXCEPTING: that golf carts shall be allowed to operate on the former Rail Road right-of-way.

EFFECTIVE DATE: This Amended Ordinance shall be in full force and effect upon passage.

All other provisions of Ordinance 2014-03 not amended by this ordinance are reaffirmed.

Any ordinance or parts of ordinances in conflict herewith are repealed.

SO ADOPTED this 22nd day of April, 2014.

TOWN COUNCIL OF THE TOWN OF
VEEDERSBURG, INDIANA

Teresa K. Cooper
President
Tim Shumaker

Troy Finley

Mark Rusk

ATTEST:

Kathy J. Pugh
Clerk-Treasurer

ORDINANCE NO. 2014 - 10

AN ORDINANCE AMENDING ORDINANCE NO. 4-10 REGARDING STOPPING AND YIELDING

WHEREAS, the Town of Veedersburg has previously passed [Ordinance No. 4-10](#) regulating stopping and yielding on streets, alleys and public ways of the Town; and

WHEREAS, the Town of Veedersburg deems it advisable to amend section C of Ordinance No. 4-10 to address public safety issues at the intersection of Maple and 9th streets;

BE IT, THEREFORE, ORDAINED by the Town Council of the Town of Veedersburg of the State of Indiana, that:

[Section C of Ordinance No. 04-10](#) be amended as follows:

C. Stop signs shall be placed at the following intersections:

<u>STREET</u>	<u>INTERSECTION</u>
Meridian	5 th Street
7 th Street	Maple St.
9 th St.	Maple St.
504 N. Meridian	_____

Editor's Note: Section C (above) was amended by [Ordinance No. 2017-07](#), adopted 9/12/2017. Please See [Ordinance No. 4-10](#) for the result.

Effective date: This amended Ordinance shall be in full force and effect upon passage.

All other provisions of Ordinance No. 4-10 not amended by this Ordinance are reaffirmed. Any Ordinance or parts of Ordinances in conflict herewith are repealed.

So adopted this 25th day of November , 2014.

Town Council of the Town of Veedersburg, Indiana

Teresa K. Cooper

Tim Shumaker

Stephen R. Cates

Mark Rusk

Attest:

Kathy J. Pugh
Kathy Pugh, Clerk Treasurer

ORDINANCE NO. 2017-07

AN ORDINANCE AMENDING ORDINANCE NO. 4-10 and 2014-10 REGARDING STOPPING AND YIELDING

WHEREAS, the Town of Veedersburg has previously passed [Ordinance No. 4-10](#) and [2014-10](#) regulating stopping and yielding on streets, alleys and public ways of the Town; and

WHEREAS, the Town of Veedersburg deems it advisable to amend section C of Ordinance No. 4-10 and 2014-10 to address public safety issues at the intersection of State and Mill streets;

BE IT, THEREFORE, ORDAINED by the Town Council of the Town of Veedersburg of the State of Indiana, that:

Section C of Ordinance No. 04-10 and 2014-10 be amended to add as follows:

C. Stop signs shall be placed at the following intersections:

<u>STREET</u>	<u>INTERSECTION</u>
State	Mill

Effective date: This amended Ordinance shall be in full force and effect upon passage.

All other provisions of [Ordinance No. 4-10](#) and [2014-10](#) not amended by this Ordinance are reaffirmed.

Any Ordinance or parts of Ordinances in conflict herewith are repealed.

So adopted this 12th day of September, 2017.

Town Council of the Town of Veedersburg,
Indiana

Keith K. Smith

Troy Finley

Mark Rusk

Stephen R. Cates

Attest:

Kathy J. Pugh
Kathy Pugh, Clerk Treasurer

ORDINANCE #02-2018

AN ORDINANCE AMENDING ORDINANCE 2014-3 REGULATING THE OPERATION OF OFF-ROAD VEHICLES AND GOLF CARTS

Whereas, Indiana Code 14-16-1 and Indiana Code 9-21-1-3.3 regulates the use of golf carts on city or town streets and alleys; and

Whereas, the Town of Veedersburg has previously passed [Ordinance 2014-3](#) and [2014-4](#) regulating the operation of off-road vehicles and golf carts on and along Town streets and alleys; and

Whereas, the Town of Veedersburg deems it advisable to amend section 6 of Ordinance 2014-3;

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

[Section 6 of ordinance 2014-3](#) be amended as follows:

Section 6: Registration/Compliance with State Law.

- An off-road vehicle shall not be operated on a town road and alley unless it is duly registered with the Indiana Department of Natural Resources and meets all of the standards, requirements, and regulations set forth in IC 14-16-1-1 et seq. An off-road vehicle and a golf cart shall not be operated on a town road and alley unless it is duly registered with the Town of Veedersburg Police
- (a) Department. Said registration shall last for a period of one (1) year. Registration fees shall be the sum of ten dollars (\$10.00) for each such vehicle, or such other amount as Council may from time to time in their discretion set. Said registration is nontransferable. Said registration shall be carried upon any person operating said off-road vehicle and golf cart at all times when operating said off-road vehicle and golf cart on town roads and alleys.

SO ADOPTED this 26th day of June, 2018.

Teresa K. Cooper

Troy Finley

Mark Rusk

Stephen R. Cates

TOWN COUNCIL

ATTEST: Kathy J. Pugh

CLERK-TREASURER

ORDINANCE # 2-74

An Ordinance Approving Agreement for Participation in Cooperative Operation of Region IV
Development Commission

BE IT ORDAINED, BY THE Town of Veedersburg, Indiana.

WHEREAS, the Board under date of April 16, 1974 determined to enter into an agreement for cooperative operation of the Region IV Development Commission; and

WHEREAS, at this time an agreement for cooperative operation of the Region IV Development Commission has been drawn and has been tendered to the Town for their approval to join in such agreement, now therefore, BE IT HEREBY ORDAINED:

Section 1. That Veedersburg Indiana, by and through its proper officials do hereby approve the agreement for cooperative operation of Region IV Development Commission, and do hereby agree to become part of said Commission.

Section 2. It is hereby declared to be the intent of said Town Board to enter into active participation and to abide by the agreement of said Cooperative operation of Region IV Development Commission from and after the adoption of this Ordinance.

Section 3. This Ordinance shall be in all force and effect from and after its passage.

ADOPTED by the Town of Veedersburg, Indiana, on this 16 day of April

James O. Songer

ATTEST: Dorothy Dice

Herschel Clark

Alfred J. Wolf

IN WITNESS THEREOF, the Parties have caused this Agreement to be executed and their signatures to be affixed as of the 16th day of April, 1974.

Signed,
James O. Songer
President of Mayor

Herschel Clark

Town _____)city
)town
)county

Alfred J. Wolf

ATTEST:

Dorothy Dice
Auditor or Clerk

=====

REGION IV DEVELOPMENT COMMISSION

THIS AGREEMENT made and entered into by and between counties, cities, and towns of the State of Indiana, whose agents are signators to this agreement.

WHEREAS, the parties hereto, desire to form a regional planning and development commission under and pursuant to I.C. 1971, 18-5-1 enacted by the 1957 Indiana General Assembly, therefore, the parties hereto do hereby establish the Region IV Development Commission, and agree as follows:

SECTION 1: PURPOSE

A. Local Sovereignty

Recognition of the sovereign status of all government units shall be a paramount consideration of this commission and nothing contained in this agreement shall authorize the commission to intervene in matters which are essentially within the local jurisdiction of any government, nor shall the commission exercise any powers in local planning jurisdiction, zoning controls, or subdivision procedures.

B. Objectives

The purpose of this joint undertaking is to provide a comprehensive multi-unit planning program to assist in solving common or related planning problems and to encourage and facilitate comprehensive planning and a sound program of social, physical, and economic development on a continuing basis.

Such cooperative effort will provide for every government unit the most efficient use of its powers enabling it to cooperate with other localities on a basis of mutual advantages, thereby providing services and facilities in a manner pursuant to forms of governmental organizations that will correlate best with geographic, economic, demographic, and other factors influencing the needs and development of local communities.

In addition the commission will serve as a forum to resolve problems, policies, and plans that are common and regional, and will also serve as a vehicle for the collection and exchange of information of regional interest and continuing organizational machinery to insure effective communication and coordination among all governments and agencies. It is also the purpose of the commission to maintain liaison with governmental units, groups and organizations and serve as a regional spokesman for local government and to encourage contributions and assistance of civic foundations, institutions of higher learning, and other organizations.

The commission will serve to promote the social, physical, and economic development of member units having as its goal the implementation of plan improvements for social, physical, and economic development as identified and requested by member units of government. This goal will be achieved through the maintenance of a professional staff under the direction of the commission to assist member units of government in all phases of project development at their request.

SECTION 2: EFFECTIVE DATE

1. This agreement shall not be in effect until two or more contiguous counties have become parties to the agreement through their agents and:
 - a. the legislative bodies of each participating unit have passed an ordinance adopting or authorizing the adoption of this agreement and;
 - b. the appropriate officials of each participating unit have signed the agreement and;
 - c. each participating unit has filed a signed .copy of this agreement and authorizing ordinance with the appropriate county recorder and;
 - d. a copy of the agreement together with authorizing ordinances from each participating unit has been filed with the Secretary of State of,Indiana and;
the Indiana Department of Commerce, Planning and Research Group or its successor agency
 - e. has received a certified copy of the agreement bearing the signatures of authorized officials from each participating unit accompanied with a certified copy of the ordinance au horizing participation by each unit.

[Editor's Note: Material is missing between the previous list and the following partial paragraph.]

agreement, there shall be an organizational meeting called by the director of the Planning and Research Group of the Indiana Department of Commerce. Said director or his designee shall serve as chairman at the initial meeting at which time officers will be elected.

SECTION 3: NEW MEMBERSHIP

1. Additional units of government may be admitted to membership in this organization at any time

following the organizational meeting. Such admission shall require a three-fourths (3/4) affirmative vote of the members of the organization.

2. In addition to the approval of three-fourths (3/4) of the members of the organization such new membership shall not be effective until the applicant has met the requirements set forth in Section 2.1 of this agreement.

SECTION 4: DURATION

This agreement shall be in effect for an initial term of one (1) year from the effective date and shall continue thereafter from year to year without the necessity of a formal renewal by any party hereto, unless terminated as hereinafter provided.

SECTION 5: AMENDMENTS

Amendments to this agreement shall be made effective by an affirmative vote of not less than three-fourths (3/4) of the voting representatives of the entire organization. Any amendment to this agreement shall be submitted in writing to each voting representative at least fifteen (15) days prior to the meeting at which such amendment is to be voted upon.

SECTION 6: WITHDRAWAL

Any party hereto may withdraw its membership by resolution duly adopted by its legislative body and upon giving twelve (12) months written notice of withdrawal to the other parties or members hereto without the effect of terminating said agreement. Contractual obligations including matching contributions of the withdrawing member shall continue in effect for the duration of the obligation or until a release is granted by a unanimous vote of the remaining members of the organization.

SECTION 7: TERMINATION-LIQUIDATION

1. In the event there is a complete dissolution of this organization which would involve the disposition of its properties, the property shall be liquidated and each member shall be entitled to a share of the proceeds in proportion to contribution provided by that unit.

2. In case of the complete termination of this agreement, or in the event of the withdrawal by a member, the local matching contribution to any approved grant by all members shall be firm, the projects shall be completed, and the required reports and accounting shall be completed, unless otherwise provided by unanimous vote of the organization and with the approval of the non local grantor.

SECTION 8: MEMBERSHIP

Membership in this organization shall consist of the initial parties to this agreement and shall be open to any additional local government unit as set forth in Section 3 of this agreement.

SECTION 9: MEMBERSHIP REPRESENTATION AND VOTING RIGHTS

1. Voting representatives of the member units shall be as follows:

- A. Tippecanoe County, shall be entitled to six members who will serve as voting representatives of the county to the Region 4 Development Commission. The Tippecanoe County Area Plan Commission shall appoint from its members two elected officials and one citizen. The Mayor of Lafayette shall appoint one elected official and one citizen member and the Mayor of West Lafayette shall appoint one elected official. The terms of the elected officials shall be co-extensive with the term of office to which they have been elected, unless the appointing authorities shall at the commission's annual meeting appoint other elected officials.

All other counties shall be entitled to two elected officials and one citizen member who will serve as voting representatives: The board of county commissioners of each county member shall appoint an elected representative to the Region 4 Development Commission. The term of said member shall be co-extensive with the term of office to which he has been elected, unless the board of county commissioners shall at its first regular meeting in each year, appoint another elected official as its representative.

- B. The second elected official in each county shall be selected jointly by agents of the several member municipalities, from each county. If there is only one member municipality, its agent shall serve as the voting member on the commission. The election of their municipal member shall be at the commissions's organizational meeting and at each annual meeting thereafter. Each municipal representative shall serve until his successor is elected and qualified.

If no municipal member, from within the county who is a member, has joined the commission, the county commissioners shall name a second elected official to represent municipalities of the county.

The citizen member for each county other than Tippecanoe shall be selected by the mayor of the largest city from each county, or town board of the largest town if there is no city having a Mayor.

- C. If a county has not joined the commission, then the municipalities within that county may join and may be represented by its mayor or town board president, or their appointees, not to exceed a combined total of three (3). If more than three (3) municipalities, within that county, have joined the commission, then the several member municipalities shall jointly select the combined total or three (3) representatives.

- D. All appointees shall be knowledgeable in matters of physical, social or economic development of the region, and may be members of the plan commissions of the local units of government: Provided, however, that at least two-thirds (2/3) of the commission membership shall be elected officials.

- E. Members of the commission shall serve without salary but may be paid expenses incurred in the performance of their duties.

- F. Certification of members appointed shall be provided by the respective appointing authorities and such certification shall become a part of the records of the commission. If a vacancy occurs by resignation or otherwise, the respective appointing authority shall appoint a member for the unexpired term. Members shall be certified annually, and their terms shall expire on December 31 of each year.

- G. The director of the planning research group or its successor agency shall be an exofficio member of the commission.

2. Voting Rights. The following provisions shall govern voting on all matters not otherwise provided for herein:
- A. A majority of the representatives on the Commission shall constitute a quorum.
Action of the Commission shall require a majority vote of the representatives on the Commission except on any matter relating to approval or comment on an application for
 - B. Federal grants or funding, in which case action of the Commission shall require a majority vote of those present and voting.
Action of the Commission which involves specific recommendation for agreement between
 - C. two or more participating units shall require unanimous agreement of the participating units as well as a majority vote of the Commission.
 - D. Action by any governmental unit having more than one representative shall require the vote of a majority of the representatives from said unit.
 - E. Any representative may designate a proxy, except for purposes of voting on the budget or amending this agreement.

SECTION 10: OFFICERS

1. The first officers of the commission shall be those elected at the first commission organizational meeting and shall hold office until the annual fall meeting of the commission in the year 1974 and until their successors are elected and qualified. Thereafter, the officers of the commission shall be elected at the annual fall meeting of the commission and shall hold office for a term of one (1) year or until their respective successors are elected and qualified.
2. The officers of the commission shall consist of a chairman, one vice chairman, a secretary and a treasurer, who shall perform the duties usually pertaining to their respective offices, together with such other duties as may be from time to time assigned to them. All officers shall be elected from the membership of the commission, not more than one (1) from any member unit.

SECTION 11: EXECUTIVE COMMITTEE

1. The executive committee shall consist of the following:
 - a. the commission chairman
 - b. the commission vice chairman
 - c. the commission secretary
 - d. the commission treasurer
 - e. one representative from each member unit elected by the voting representatives of that unit
 - f. the director of the Planning and Research Group, Indiana Department of Commerce or its successor agency shall serve as an ex-officio non-voting member.
2. The executive committee shall:
 - a. conduct and direct the activities of the commission
 - b. evaluate and assign the priorities of the commission
 - c. transact the business of the commission between regular meetings of the membership

Any action of the executive committee may be appealed to the full membership of the commission for review and final action by any one (1) member of the commission, whether or not he be a member of the executive committee.

SECTION 12: STAFF

1. The executive committee shall, with the consent of the commission, appoint an executive director and from time to time other staff positions to carry out the administrative and technical functions of the commission; all to serve at the pleasure of the commission. The executive director shall be responsible for coordinating all staff and consultant services provided to the commission; preparing and administering the annual work program and budget; recommend employment, retention, and removal of all personnel as may be necessary and performing all other duties delegated to him by the commission. The executive director shall serve at the pleasure of the commission as reviewed and recommended by the executive committee. The executive director shall be a person qualified by training and experience in the management of public agencies and knowledgeable in planning. The executive director shall be the chief administrative officer and regular technical advisor of the commission.

The executive director shall have the authority to recommend that the commission hire such personnel and obtain such supplies as are necessary to carry out the purposes of the agreement as are authorized and provided by the budget which is provided in manner hereinafter set out.

The personnel employed by the commission shall perform services as required by specifications for each position developed by the executive director and approved by the commission. Employees shall give evidence of qualifications before their appointment.

2. The commission shall establish a technical advisory committee and four (4) other standing committees for comprehensive planning, economic development, intergovernment coordination, and program and legislative; and may establish or designate any citizen advisory groups and special committees it deems necessary to assist in carrying out the purposes and functions of the commission. The commission shall authorize and define the scope of responsibilities of all committees and citizen advisory groups so established and provide for the selection of a chairman for each of these groups and committees and other personnel deemed necessary.

SECTION 13: FISCAL

1. Initial Operations and Financing

During the period from the commission's organization date to the beginning of the first appropriation period of the member units, each member shall contribute, conditional upon the availability of local funds appropriated for such purpose, an amount of dollars as unanimously agreed upon by the members for the initial operations of the commission.

2. Budget and Appropriations

On or before the 1st day of July of each year, commencing with the year 1974, the commission shall

prepare and submit to the members for approval, a proposed annual administrative budget for the ensuing year. The budget for the ensuing year shall be the final adjusted as formally approved by the members. The budget, as adopted by the commission shall be forwarded to the governing body of each member unit.

3. Transfer of Funds from Member Units to Commission

Monies to be received by the commission from any other source shall be estimated and incorporated into the annual budget, so that each member unit may also review and appropriate those funds for their specified purposes. At the beginning of each fiscal year, the treasurer of the commission shall issue a voucher to the proper officers of each principal member unit for payment to the commission of that member's appropriated share of the annual budget.

The member units shall contribute to said administrative budget their share of proportionate costs on a per capita basis as determined by the last United States Decennial census.

Special projects, undertaken by the commission, shall normally be financed by allocating costs in equal parts to the member units, except, that certain projects may be determined to be of varied benefit to the several member units, in which case, the commission may by three-fourths (3/4) vote establish the proportionate shares to be assessed to each beneficiary member unit.

4. Deposits and Disbursements

The disbursement of all funds shall be upon such written warrant, voucher, requisition, or claim as may be required by state law and organization by-laws. The executive director shall endorse his written approval upon every requisition, or claim before presentation for payment.

Except for funds budgeted and to be paid by the parties to this agreement as herein otherwise provided, all funds from every source whatsoever received by any person, agency, or other governmental units for the benefit of any regional programs or activities within the terms of this agreement, shall be deposited in the account of the commission, and disbursed only by authorization of the commission for programs and activities of the commission. In the event any member, at any time, shall have reason to believe that any monies are not being deposited as herein provided, immediate notice thereof shall be given to each of the parties hereto.

All receipts and disbursements made pursuant to the agreement shall at all times be in full compliance with the regulations of the State Board of Accounts of Indiana and of the federal agencies; the laws of the State of Indiana and the United States and the by-laws of the organization.

SECTION 14: PROPERTY

1. No real property may be acquired by the commission except for rental or leasehold interests which are necessary and reasonable for use as office space as provided in the budget.

2. Personal property may be acquired to the extent authorized and provided for in the budget as appropriated each fiscal year and shall be under the jurisdiction of the commission for the purposes

herein set forth.

SECTION 15: DUTIES AND RESPONSIBILITIES

The commission shall perform such functions authorized by law that shall be necessary or proper in order to accomplish the purposes of this agreement. By way of illustration and not by way of limitation, the commission shall:

1. Adopt by-laws and rules of procedure for its own government and management, and for the government and management of its executive committee, which by-laws and rules of procedure shall be adopted or amended by three-fourths (3/4) vote of all members of the commission.
2. Keep complete financial records pertaining to the programs and activities contemplated by this agreement, including the contributions of the parties hereto, receipts from activities all funds referred to in Section 13, above, and any and all other monies from every other source whatsoever, together with a complete record of all expenditures and disbursements made for or on behalf of the activities and programs contemplated by this agreement. Said commission shall also keep a permanent record of all its proceedings and shall in all respects comply with the general laws regulating the conduct of public agencies and applicable to the State of Indiana and the federal government. Reports of the activities of said commission and also financial reports shall be made annually and distributed to the parties hereto at such times as designated.
3. Develop a modern multi-county land use policy, to be recommended to member units. Said policy to be used in the inter- county resource planning and development processes as set forth in this agreement.
4. The Commission shall exercise no power in local planning jurisdiction, zoning controls, or subdivision procedures.
5. Study such area problems common to two or more members of the commission as it deems appropriate, including but not limited to matters affecting health, safety, general welfare, economic conditions, resources, and regional development.
6. Promote methods whereby cooperation between local, state, and federal governments and private persons and agencies may be assured.

SECTION 16: SUB-REGIONS

1. A commission may, at its option, organize into not more than two (2) sub-regional areas and provide for the organization of two (2) sub-regional planning committees, and for meetings and rules of procedure of such committees. Such rules of procedure shall be adopted as a part of the rules and/or by-laws of the commission. The actions of each sub-regional committee shall be referred to the other for review. The executive director and staff of the commission shall serve both sub-regional committees. The purpose for the organization of such sub-regional committees is to consider problems which do not directly affect the other sub-region and they may each hold meetings and elect a chairman and secretary from among their own committee.

ORDINANCE NO. 2-90

AN ORDINANCE ESTABLISHING THE TOWN OF VEEDERSBURG DEPARTMENT OF REDEVELOPMENT AND THE TOWN OF VEEDERSBURG REDEVELOPMENT COMMISSION

WHEREAS, IC 36-7-14 (the "Act") authorizes the Town Council of the Town of Veedersburg, Indiana (the "Town"), to establish a department of redevelopment controlled by a board of five members; and

WHEREAS, in order to pursue the public purposes of the Act, the Town Council now desires to establish the Town of Veedersburg Department of Redevelopment and the Town of Veedersburg Redevelopment Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, as follows:

SECTION 1. There is hereby created the Department of Redevelopment of the Town of Veedersburg, Indiana, which shall be entitled to exercise all the rights, powers, privileges and immunities accorded to such department by the Act.

SECTION 2. Such Department of Redevelopment of the Town of Veedersburg, Indiana, shall be under the control of a Board of five (5) members to be known as the Town of Veedersburg Redevelopment Commission.

SECTION 3. There is hereby created a Board to be known as the Town of Veedersburg Redevelopment Commission. Three (3) of said Commissioners shall be appointed by the President of the Town Council, and two (2) shall be appointed by the Town Council of the Town of Veedersburg, Indiana. The nominations made by the Town Council shall be transmitted to the President of the Town Council in writing within ten (10) days after the final passage of this Ordinance. Each Redevelopment Commissioner shall serve for one (1) year from the first day of January after his or her appointment and until his or her successor is appointed and has qualified, except that the original Commissioners shall serve from the date of their appointment until the first day of January in the second year after their appointment. If a vacancy occurs, a successor shall be appointed in the same manner as the original Commissioner, and the successor shall serve for the remainder of the vacated term.

Each Redevelopment Commissioner, before beginning his or her duties, shall take and subscribe an oath of office in the form prescribed by law, to be endorsed on the certificate of his or her appointment, which shall be promptly filed with the Clerk-Treasurer of the Town of Veedersburg.

Each Redevelopment Commissioner, before beginning his or her duties, shall execute a bond payable to the State, with surety to be approved by the President of the Town Council of the Town of Veedersburg. The bond must be in a penal sum of Fifteen Thousand Dollars (\$15,000.00) and must be conditioned on the faithful performance of the duties of his or her office and the accounting for all

monies and property that may come into his or her hands or under his or her control. The cost of the bond shall be paid by the Redevelopment District.

SECTION 4. Such Commissioners shall have the qualifications prescribed by the laws of the State of Indiana as from time to time amended and shall qualify as therein provided; and shall exercise and enjoy the rights and powers and assume the duties and obligations conferred and imposed by said Act, including but not limited to the following qualifications:

- (a) A Redevelopment Commissioner must be at least 18 years of age and must be a resident of the Town of Veedersburg. If a Commissioner ceases to be qualified under this Section, he or she forfeits his or her office.
- (b) No Redevelopment Commissioner of the Town of Veedersburg shall receive a salary; but such Redevelopment Commissioners are entitled to reimbursement for expenses necessarily incurred in the performance of their duties.
- (c) A Redevelopment Commissioner may not have a pecuniary interest in any contract, employment, purchase or sale made under the provisions of this Ordinance and the Act. However, any property required for redevelopment purposes in which a Commissioner has a pecuniary interest may be acquired, but only by gift or condemnation. A transaction made in violation of this Section of this Ordinance is void.

SECTION 5. The Clerk-Treasurer of the Town of Veedersburg charged by law for the performance of duties in respect to the funds and accounts of the Town, shall perform the same duties with respect to the funds and accounts of the Department of Redevelopment, except as otherwise provided for in the Act.

SECTION 6. If any part of this Ordinance shall be adjudged to be invalid by a Court of proper jurisdiction, it shall be conclusively presumed that the Town Council of the Town of Veedersburg, Indiana, would have passed the remainder of this Ordinance without such invalid part.

SECTION 7. This Ordinance shall be in full force and effect immediately from and after its passage by the Town Council and approval by the President of the Town Council in the manner provided by law.

PASSED by the Town Council of the Town of Veedersburg, Indiana, on the 16 day of January , 1990.

TOWN COUNCIL OF THE TOWN OF
VEEDERSBURG

Ralph Cushman
President

Catherine Dismore

Member

Greg F. Seibold
Member

Member

Member

ATTEST:

Kathryn M. York
Clerk-Treasurer of the Town of
Veedersburg, Indiana

Presented by me the undersigned Clerk-Treasurer of the Town of Veedersburg, Indiana, to the President of the Town Council of said Town this 16 day of January , 1990, at 7:30 o'clock p.m., for his consideration and action thereon.

Kathryn M. York
Clerk-Treasurer

Having examined the foregoing Ordinance, I do now, as President of the Town Council of the said Town of Veedersburg, Indiana, approve said Ordinance and return the same to the Clerk-Treasurer of the Town of Veedersburg this 16 day of January , 1990, at 7:30 o'clock p.m.,

Ralph Cushman
President of the Town Council
of the Town of Veedersburg, Indiana

ATTEST:

Kathryn M. York

Clerk-Treasurer of the Town of
Veedersburg, Indiana

**RESOLUTION OF THE TOWN COUNCIL OF VEEDERSBURG, INDIANA DESIGNATING
THE VEEDERSBURG ECONOMIC DEVELOPMENT AREA, APPROVING AN
ECONOMIC DEVELOPMENT PLAN AND ESTABLISHING AN ALLOCATION AREA FOR
PURPOSES OF TAX INCREMENTAL FINANCING**

WHEREAS, the Town Council of the Town of Veedersburg, Indiana (the "Town Council") is the governing body of Veedersburg, Indiana ("Veedersburg"); and

WHEREAS, the Veedersburg Redevelopment Commission (the "Redevelopment Commission"), pursuant to IC 36-7-14 (the "Act"), has conducted surveys and investigations and has thoroughly studied the area within Veedersburg designated by the Commission as the Economic Development Area (the "Economic Development Area"), which area is more particularly described in [Exhibit "A"](#) attached hereto; and

WHEREAS, the Redevelopment Commission has approved and adopted the Economic Development Plan (the "Economic Development Plan"); and

WHEREAS, upon such surveys, investigations and studies being made, the Redevelopment Commission found and determined that the Economic Development Plan for the Economic Development Area cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under the Act because of lack of local public improvements, existence of improvements or conditions that lower the value of the land below that of nearby land, or other similar conditions, and that the public health and welfare will be benefited by the accomplishment of the Economic Development Plan for the Economic Development Area; and

WHEREAS, the Redevelopment Commission has caused to be prepared maps and plats of the Economic Development Area, and said maps and plats of the Economic Development Area show the boundaries of the Economic Development Area, the location of various parcels of property, streets, alleys, and other features affecting the acquisition, clearance, replatting, replanning, rezoning or redevelopment or economic development of the Economic Development Area, indicating the parcels of property to be excluded from acquisition and parts of the Economic Development Area that are to be devoted to public ways, levees, sewerage, parks, playgrounds, and other public purposes under the Economic Development Plan for the Economic Development Area as adopted by the Redevelopment Commission; and

WHEREAS, the maps and plats of the Economic Development Area have been presented to the Town Council; and

WHEREAS, the Redevelopment Commission does not, at this time, propose to acquire any property in the Economic Development Area; and

WHEREAS, the Redevelopment Commission found and determined that for purposes of the allocation provisions of Section 39 of the Act, the Economic Development Area shall constitute an Allocation Area for purposes of the Act; and

WHEREAS, the Redevelopment Commission adopted and approved a resolution entitled "RESOLUTION OF THE VEEDERSBURG REDEVELOPMENT COMMISSION DESIGNATING AND DECLARING THE VEEDERSBURG ECONOMIC DEVELOPMENT AREA, APPROVING AN ECONOMIC DEVELOPMENT PLAN, AND ESTABLISHING AN ALLOCATION AREA FOR PURPOSES OF TAX INCREMENT FINANCING" (the "Declaratory Resolution") at a meeting of the Redevelopment Commission on the 20th day of February, 1990, which Declaratory Resolution effects the aforementioned findings, determinations, designations and other approving and adopting actions of the Redevelopment Commission and a copy of which Declaratory Resolution is attached hereto as [Exhibit "B"](#) and submitted to the Town Council for review and approval; and

WHEREAS, there is no Plan Commission for Veedersburg, and therefore the Town Council, as the governing body of Veedersburg, is required by the Act to approve or disapprove the Declaratory Resolution and Economic Development Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF VEEDERSBURG, INDIANA, AS FOLLOWS:

1. The Town Council hereby finds and determines, based upon the aforementioned evidence consisting of the maps and plats of the Economic Development Area and Findings of Fact adopted by the Redevelopment Commission in support of the Declaratory Resolution, and now submitted to the Town Council, that the Economic Development Plan for the Economic Development Area cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under the Act because of lack of local public improvements, existence of improvements or conditions that lower the value of the land below that of nearby land, or other similar conditions, and that the public health and welfare will be benefited by the accomplishment of the Economic Development Plan for the Economic Development Area.
2. The Town Council hereby finds and determines that the Economic Development Area is a menace to the social and economic interest of Veedersburg and its inhabitants, and it will be of public utility and benefit to carry out the Economic Development Plan for the Economic Development Area and redevelop and develop it under the Act.
3. The Economic Development Plan is in all respects approved and adopted and it is hereby found and determined that the Economic Development Plan conforms to the plan of development for Veedersburg, Indiana.
4. For purposes of the allocation provisions of Section 39 of the Act, the Economic Development Area is hereby designated and established as an Allocation Area.
5. The Town Council hereby finds and determines that the Declaratory Resolution and the Economic Development Plan are in all respects approved and adopted and the Clerk-Treasurer is directed to file a certified copy of the Economic Development Plan with the minutes of this meeting.

PASSED AND ADOPTED by the Town Council on the 6th day of March, 1990.

TOWN COUNCIL OF THE TOWN OF
VEEDERSBURG, INDIANA

Ralph Cushman
President

Catherine Dismore
Member

Greg F. Seibold
Member

Member

Member

ATTEST:

Kathryn M. York
CLERK-TREASURER



EXHIBIT A

3.0 DESCRIPTION OF PROPOSED REDEVELOPMENT AREA

Part of the Southeast Quarter of Section 5, Township 19 North, Range 7 West, Van Buren Township, Fountain County, Indiana, described as follows:

Commencing at the northeastern corner of said Southeast Quarter; thence South 90° 00' 00" West, along the northern line of said Southeast Quarter, 87.70 feet to the centerline of U.S. 41, as now exists, and the Point of Beginning of this description: thence traversing the centerline of U.S. 41, as now exists, the following two courses: South 0° 14' 00" East, 627.21 feet;

thence southeasterly on a curve to the left, having a central angle of 0° 09' 35", a radius of 114,590.68 feet, an arc length of 319.70 feet; thence South 87° 02' 48" West, 1,149.24 feet; thence North 00° 43' 00" West, 1,006.18 feet, to the northern line of said Southeast Quarter, thence North 90° 00' 00" East, along the northern line of said Southeast Quarter, 1,156.00 feet, to the Point of Beginning of this description, containing 25.82 acres, more or less, of which 2.77 acres lie in the right of way of U.S. 41, leaving 23.05 acres usable area.

EXHIBIT B

RESOLUTION NO. 1990-2

RESOLUTION OF THE VEEDERSBURG REDEVELOPMENT COMMISSION DESIGNATING AND DECLARING THE VEEDERSBURG ECONOMIC DEVELOPMENT AREA, APPROVING AN ECONOMIC DEVELOPMENT PLAN AND ESTABLISHING AN ALLOCATION AREA FOR PURPOSES OF TAX INCREMENT FINANCING

WHEREAS, the Veedersburg Redevelopment Commission (the "Commission") has, pursuant to IC 36-7-14, as amended (the "Act"), conducted surveys and investigations and thoroughly studied, and caused to be prepared a description showing the boundaries of that area in the Town of Veedersburg, County of Fountain, State of Indiana (the "Town"), hereby designated as the "Economic Development Area," which area is more particularly described and shown in the description attached hereto as [Exhibit A](#); and

WHEREAS, upon such surveys, investigations and studies being made, the Commission finds that the Economic Development Plan for the Economic Development Area, which Economic Development Plan is hereinafter adopted in this Resolution, cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under the Act because of lack of local public improvements, existence of improvements or conditions that lower the value of the land below that of nearby land, or other similar conditions and that the public health and welfare will be benefited by the accomplishment of the Economic Development Plan for the Economic Development Area; and

WHEREAS, the Commission has caused to be prepared maps and plats of the Economic Development Area, said maps and plats of the Economic Development Area showing the boundaries of the Economic Development Area, the location of the various parcels of property, streets and alleys and other features affecting the acquisition, clearance, replatting, replanning, rezoning or redevelopment or economic development of the Economic Development Area, indicating the parcels

of property to be excluded from acquisition and the parts of the Economic Development Area that are to be devoted to public ways, levees, sewerage, parks, playgrounds, and other public purposes under the plan for economic development of the Economic Development Area as adopted herein; and

WHEREAS, there was presented to this meeting of the Commission for its consideration and approval, a copy of the Economic Development Plan dated February, 1990 for the Economic Development Area, with attachments, and is attached hereto as Exhibit "B," and is hereafter referred to as the Economic Development Plan; and

WHEREAS, the Economic Development Plan for the Economic Development Area promotes significant opportunities for the gainful employment of the citizens of the Town, retains or expands significant business enterprises existing in the boundaries of the Town and meets the other purposes of Section 2.5, 41 and 43 of the Act; and

WHEREAS, the public health and welfare will be benefited by the planning, replanning, development and redevelopment or economic development of the Economic Development Area under the provisions of the Act and the accomplishment of the Economic Development Plan for the Economic Development Area will be of public utility and benefit as measured by the attraction or retention of permanent jobs, an increase in the property tax base and improved diversity of the economic base; and

WHEREAS, the Commission does not, at this time, propose to acquire any property in the Economic Development Area; and

WHEREAS, in determining the location and extent of the Economic Development Area, the Commission has given consideration to transitional and permanent provisions for adequate housing for the residents of the Economic Development Area, if any, who will be displaced by the redevelopment or economic development thereof; and

WHEREAS, Section 43 of the Act establishes that an economic development area may be an allocation area for the purposes of distribution and allocation of property taxes; and

WHEREAS, Section 39 of the Act has been created to permit the creation of allocation areas within an economic development area to provide for the allocation and distribution, as provided in the Act, of the proceeds of taxes levied on property situated in an allocation area, and the Commission deems it advisable to create an allocation area within and coterminous with the Economic Development Area; and

WHEREAS, the Economic Development Plan for the Economic Development Area conforms to other development and redevelopment plans for the Town.

NOW, THEREFORE, BE IT RESOLVED by the Veedersburg Redevelopment Commission as follows:

1. The Commission hereby finds and determines that the Economic Development Area is an economic development area in that the Economic Development Plan for the Economic Development

Area:

- (a) promotes significant opportunities for the gainful employment of the citizens of the Town;
- (b) retains or expands a significant business enterprise existing in the boundaries of the Town; and
- (c) meets the other purposes of Section 2.5, 41 and 43 of the Act.

2. The Commission hereby finds and determines that the Economic Development Plan for the Economic Development Area cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under Section 2.5, 41 and 43 of the Act because of:

- (a) lack of local public improvements; and
- (b) existence of improvements or conditions that lower the value of the land below that of nearby land.

3. The Commission hereby finds and determines that the public health and welfare will be benefited by accomplishment of the Economic Development Plan for the Economic Development Area.

4. The Commission hereby finds and determines that the accomplishment of the Economic Development Plan for the Economic Development Area will be of public utility and benefit as measured by:

- (a) the attraction or retention of permanent jobs;
- (b) an increase in the property tax base; and (c) improved diversity of the economic base.

5. The Commission hereby finds and determines that the Economic Development Plan for the Economic Development Area conforms to other development and redevelopment plans for the Town.

6. The Commission hereby finds and determines that it will be of public utility and benefit to acquire the Economic Development Area as set forth herein and in the Economic Development Plan and develop it under the Act.

7. The Economic Development Plan is in all respects approved and is hereby adopted as the Economic Development Plan for the Economic Development Area.

8. The maps and plats of the Economic Development Area showing its boundaries, the location of the various parcels of property, streets, alleys, and other features affecting the acquisition, clearance, replatting, replanning, rezoning or redevelopment or economic development of the Economic Development Area, indicating the parcels of property to be excluded from acquisition and the parts of the Economic Development Area that are to be devoted to public ways, levees, sewerage, parks, playgrounds, and other public purposes under the Economic Development Plan are hereby approved and adopted as the maps and plats for the Economic Development Area.

9. The Commission does not, at this time, propose to acquire any property in the Economic Development Area.

10. The Commission hereby finds and determines that for purposes of the allocation provisions of Section 39 of the Act, the Economic Development Area shall constitute an Allocation Area for purposes of the Act and this Resolution.

11. Such Allocation Area shall be designated as the "Veedersburg Economic Development Area, Allocation Area No. 1" ("Allocation Area No. 1").

12. Any property taxes levied on property in Allocation Area No. 1 in 1990 for collection in 1991, and thereafter, except as otherwise provided in Section 39 of the Act, by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in Allocation Area No. 1 shall be allocated and distributed as follows:

(a) the proceeds of the taxes attributable to the lesser of: (i) the assessed value of the property for the assessment date with respect to which the allocation and distribution is made; or (ii) the net assessed value of all the property as finally determined for the assessment date immediately preceding the effective date of these allocation provisions (as adjusted under Section 39(h) of the Act), which assessment date is March 1, 1989; shall be allocated to, and when collected, paid into the funds of the respective taxing units;

(b) property tax proceeds in excess of those described in clause (a) shall be allocated to the Redevelopment District of Veedersburg, Indiana (the "Redevelopment District") and, when collected, paid into an allocation fund for Allocation Area No. 1, such fund hereinafter created by this Resolution.

13. The proceeds of such taxes distributed to the Redevelopment District pursuant to Paragraph 12(b) hereof shall be deposited in an allocation fund designated "Town of Veedersburg, Department of Redevelopment, Veedersburg Economic Development Area, Allocation Area No. 1 Allocation Fund" ("the Allocation Fund"), and may be used only as provided for in the Act, and more particularly to (i) pay the principal of and interest on any obligations payable solely from allocated tax proceeds which are incurred by the Redevelopment District for the purpose of financing or refinancing the redevelopment or economic development of Allocation Area No. 1; or (ii) establish, augment, or restore the debt service reserve for bonds payable solely or in part from allocated tax proceeds in Allocation Area No. 1; or (iii) pay the principal of and interest on bonds payable from allocated tax proceeds in Allocation Area No. 1 and from the special tax levied under Section 27 of the Act; or (iv) pay the principal of and interest on bonds issued by the Town to pay for local public improvements in or serving Allocation Area No. 1; or (v) pay premiums on the redemption before maturity of bonds payable solely or in part from allocated tax proceeds in Allocation Area No. 1; or (vi) make payments on leases payable from allocated tax proceeds in Allocation Area No. 1 under Section 25.2 of the Act; or (vii) reimburse the Town for expenditures made by it for local public improvements (which include buildings, parking facilities, and other items described in Section 25.1(a) of the Act) in or serving Allocation Area No. 1; or (viii) reimburse the Town for rentals paid by it for a building or parking facility in or serving Allocation Area No. 1 under any lease entered into under IC 36-1-10; or (ix) pay all or a portion of a property tax replacement credit to taxpayers in

Allocation Area No. 1 as determined by the Commission in accord with the provisions of the Act; or (x) pay expenses incurred by the Commission for local public improvements that are in or serving Allocation Area No. 1. Public improvements include buildings, parking facilities and other items described in Section 25.1(a) of the Act; provided however, that if future uses of property tax proceeds allocated to the Allocation Fund are authorized or permitted by amendments to the Act, including Section 39 and 43, after the effective date of this Resolution, those uses shall also be authorized or permitted for property tax proceeds allocated to the Allocation Fund.

14. Except as provided in Section 39(g) of the Act, before July 15 of each year, the Commission shall do the following:

(a) determine the amount, if any, by which property taxes payable to the Allocation Fund in the following year will exceed the amount of property taxes necessary to make, when due, principal and interest payments on bonds described in Paragraph 12(c) plus the amount necessary for the other purposes described in Paragraph 12(c);

(b) notify the County Auditor of the amount, if any, of the amount of excess property taxes that the Commission has determined may be paid to the respective taxing units in the manner prescribed in Paragraph 12(a). The Commission may not authorize the payment to the respective taxing units if to do so would endanger the interests of the holders of bonds described in Paragraph 12(c) or lessors under Section 25.3 of the Act.

15. "Property Taxes" referred to herein shall mean taxes imposed under IC 6-1.1 on real property only.

16. The Secretary is directed to file a certified copy of the Economic Development Plan with the minutes of this meeting.

17. The officers of the Commission are hereby directed to make any and all required filings with the Indiana State Board of Tax Commissioners and the Fountain County Auditor in connection with the creation of Allocation Area No. 1.

18. The Commission hereby requires all neighborhood associations to register with the Commission pursuant to Section 17.5 of the Act. The Commission also hereby adopts a rule requiring that a neighborhood association must encompass a part of the geographic area included in the Economic Development Area in order to qualify as an affected neighborhood association under Section 17.5 of the Act.

19. This Resolution, together with the Economic Development Plan and any supporting data, shall be submitted to the Town Council of the Town of Veedersburg (the "Town Council"), as provided by Section 16 of the Act, for the approval of this Resolution and Economic Development Plan, and if approved by the Town Council, the Resolution and Economic Development Plan shall be submitted to public hearing and remonstrance as provided by Section 17 of the Act, after public notice in accordance with Section 17 of the Act and IC 5-3-1 and after all required filings with governmental agencies and officers have been made pursuant to Section 17(b) of the Act.

20. All orders or Resolutions in conflict herewith are hereby rescinded, revoked and repealed in so far as such exist.
21. This Resolution does not affect any rights or liabilities accrued, penalties incurred, offenses committed, or proceedings begun before the effective date of this Resolution.
22. This Resolution shall be in full force and effect from and after its adoption by the Commission.

ADOPTED AND APPROVED at a regular meeting of the Veedersburg Redevelopment Commission held on the 20th day of February, 1990, at 108 Railroad Avenue, Veedersburg, Indiana.

VEEDERSBURG REDEVELOPMENT
COMMISSION

John E. Hetrick, President

Janet L. Brown, Vice President

Greg F. Seibold
Greg F. Seibold, Secretary

Catherine Dismore
Catherine Dismore, Member

Ralph Cushman
Ralph Cushman, Member

3.0 DESCRIPTION OF PROPOSED REDEVELOPMENT AREA

Part of the Southeast Quarter of Section 5, Township 19 North, Range 7 West, Van Buren Township, Fountain County, Indiana, described as follows: Commencing at the northeastern corner of said Southeast Quarter; thence South 90° 00' 00" West, along the northern line of said Southeast Quarter, 87.70 feet to the centerline of U.S. 41, as now exists, and the Point of Beginning of this description: thence traversing the centerline of U.S. 41, as now exists, the following two courses: South 0° 14' 00" East, 627.21 feet; thence southeasterly on a curve to

the left, having a central angle of $0^{\circ} 09' 35''$, a radius of 114,590.68 feet, an arc length of 319.70 feet; thence South $87^{\circ} 02' 48''$ West, 1,149.24 feet; thence North $00^{\circ} 43' 00''$ West, 1,006.18 feet, to the northern line of said Southeast Quarter, thence North $90^{\circ} 00' 00''$ East, along the northern line of said Southeast Quarter, 1,156.00 feet, to the Point of Beginning of this description, containing 25.82 acres, more or less, of which 2.77 acres lie in the right of way of U.S. 41, leaving 23.05 acres usable area.

Resolution No. 4 -90

An Resolution Concerning A Displacement Plan For The Town of Veedersburg

WHEREAS, notice was duly published on March 13 and 16, 1990, in the Fountain County Star Tribune of a special meeting on March 23, 1990 at 3:00 p.m. to consider a grant application from the State of Indiana for improvements related to location of Master Guard, Inc., and

WHEREAS, as part of said grant application process it is necessary to provide a displacement plan even though no displacement is anticipated at this time, and

WHEREAS, the Town Council met in special session pursuant to required legal notice to consider public comment on said project.

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Veedersburg that a displacement plan for the Town of Veedersburg shall be as follows.

Section 1. The Town of Veedersburg will consider for submission to the State of Indiana under its various Community Development Block Grant funded programs only projects and activities which will result in the displacement of a few persons or businesses as necessary to meet State and local development goals and objectives.

Section 2. The Town of Veedersburg will certify to the State of Indiana, as part of its application process, that it is seeking funds for a project or activity which will minimize displacement.

Section 3. The Town of Veedersburg will provide referral and reasonable moving assistance, both in terms of staff time and dollars, to all persons involuntarily and permanently displaced by any project or activity funded with Community Block Grant funds,

Section 4. All persons and businesses directly displaced by the Town of Veedersburg as the result of a project or activity funded with Community Block Grant funds will receive all assistance required under the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended.

Section 5. The Town of Veedersburg will provide reasonable benefits and relocation assistance to all persons and businesses involuntarily and permanently displaced by the Community Development Block Grant activity funded by the State of Indiana in accordance with Appendix 1, which is attached hereto, provided they do not receive benefits as part of such action under Number 4, above.

Adopted by the Town Council of Veedersburg this 23rd day of March, 1990.

TOWN COUNCIL

Ralph Cushman
Ralph Cushman

Gregory Seibold

Catherine Dismore
Catherine Dismore

ATTEST: Kathryn York
Kathryn York, Clerk-Treasurer

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA

WHEREAS, the Town of Veedersburg, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and 12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities, and said facilities to be either sold or leased to a company or directly owned by a company; and

WHEREAS, Masterguard Corporation (the "Applicant"), an Indiana corporation, has advised the Issuer that it proposes that the Issuer lend proceeds of an economic development financing to the Applicant to be used for the acquisition, construction and equipping of an economic development. The economic development facilities will consist of the acquisition, construction and equipping of a manufacturing facility to be used in the Applicant's business of manufacturing automobile bumpers. Such facility will be located at the North East quadrant in the Town of Veedersburg, Indiana ("Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (200 new jobs upon the completion of the project) to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, subject to receiving the advice of the Veedersburg Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it is tentatively found that the acquisition, construction and equipping of the Project will not have an adverse competitive effect on any similar facility already constructed or operating in Veedersburg, Indiana;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Veedersburg, as follows:

1. The Town Council of the Town of Veedersburg finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Veedersburg, Indiana, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that the newly formed Veedersburg Economic Development Commission and the Issuer take such action as they lawfully may to encourage economic development, diversification of industry and promotion of job opportunities in and near the Issuer.
2. Subject to the advice of the Veedersburg Economic Development Commission, the Town Council of the Town of Veedersburg approves, determines, ratifies and confirms that the issuance and sale of economic development revenue bonds in an amount not to exceed \$7,000,000 of the Issuer under the Act for the lending of the proceeds of the revenue bonds to the Applicant, for the acquisition, construction and equipping of the Project will serve the public purposes referred to above, in

accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, rehabilitation, construction and equipping of the Project, the Town Council of the Town of Veedersburg hereby approves, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds; and that the aforementioned purposes comply with the provisions of I.C. 36-7-11.9 and 12; and (iii) it will use its best efforts at the request of Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is fund to have a public purpose (as defined in I.C. 36-7-12-1) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-11.9 and 12.

4. All costs of the Project incurred after the adoption of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance the Project, and the Issuer will lend the proceeds from the sale of the bonds to the Applicant for the same purposes. Also, certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

Adopted this 7th day of August, 1990.

TOWN OF VEEDERSBURG, INDIANA

Ralph Cushman
Presiding Officer

(SEAL)

Attest:

Kathryn M. York
Clerk-Treasurer

Presented by me to the President of the Town Council of the Town of Veedersburg, Indiana, on the
7 day of August , 1990, at the hour of 7:00 p.m.

Kathryn M. York
Clerk-Treasurer

Approved and signed by me this 7 day of August , 1990, at the hour of 7:30 p.m.

Ralph Cushman
TOWN COUNCIL PRESIDENT

ORDINANCE NO. 5-90

Town Council of the
Town of Veedersburg, Indiana

An Ordinance to create a Department of Development to be controlled by an Economic Development Commission for Veedersburg, Indiana, and fixing a time when the same shall take effect.

WHEREAS, IC 36-7-12 grants the authority to the Town Council of the Town of Veedersburg, Indiana, to establish a Department of Development to be controlled by an Economic Development Commission to meet the needs existing for the financing of economic development and pollution control facilities in and near the Town of Veedersburg; and

WHEREAS, a need exists for the financing of economic development and pollution control facilities in and near the Town of Veedersburg, Indiana; and

WHEREAS, the Town Council of the Town of Veedersburg, Indiana finds it appropriate to establish the Veedersburg Department of Development and Veedersburg Economic Development Commission;

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Veedersburg, Indiana, pursuant to IC 36-7-12, that the Veedersburg, Department of Economic Development, controlled by the Veedersburg Economic Development Commission be, and are hereby created and granted all powers and duties of such Department and such Commission as set forth in said IC 36-7-12.

BE IT FURTHER ORDAINED, that pursuant to the provisions of IC 36-7-12, the Town Council of the Town of Veedersburg, Indiana, hereby nominates John Hetrick of Veedersburg, Indiana as its nominee for membership on such Commission.

BE IT FURTHER ORDAINED, that the Clerk-Treasurer is hereby directed to notify the County Council of Fountain County and the President of the Town Council of the Town of Veedersburg, Indiana, of their respective right to nominate a person for membership on such Commission.

Passed and Adopted by the Town Council of the Town of Veedersburg, Indiana, on the 7 day of August , 1990.

TOWN OF VEEDERSBURG

By: Ralph Cushman

(SEAL)

Attest:

Kathryn M. York

Clerk-Treasurer

Presented by me to the President of the Town Council of the Town of Veedersburg, Indiana, on the
7 day of August , at the hour of 7:00 o'clock p.m.

Ralph Cushman
President of the Town Council

**AN ORDINANCE CREATING THE TOWN OF VEEDERSBURG REDEVELOPMENT
AUTHORITY**

WHEREAS, IC 36-7-14.5 (the "Act") authorizes the Town Council of the Town of Veedersburg, Indiana (the "Town"), to create by ordinance a redevelopment authority as a separate body corporate and politic and as an instrumentality of the Town to finance local public improvements for lease to the Veedersburg Redevelopment Commission (the "Commission").

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, as follows:

SECTION 1. There is hereby created the Veedersburg Redevelopment Authority (the "Authority") as a separate body corporate and politic and as an instrumentality of the Town, for the purposes and with all powers and duties now or hereafter granted to it by the Act.

SECTION 2.

- (a) The Authority shall be under the control of a Board of Directors (the "Board") consisting of three (3) members, who must be residents of the Town appointed by the President of the Town Council.
- (b) A member is entitled to serve a three (3) year term. A member may be reappointed to subsequent terms.
- (c) If a vacancy occurs on the Board, the President of the Town Council shall fill the vacancy by appointing a new member for the remainder of the vacated term.
- (d) A Board member may be removed for cause by the President of the Town Council.
- (e) Each member, before entering upon the duties of office, must take and subscribe an oath of office under IC 5-4-1, which shall be endorsed upon the certificate of appointment and filed with the records of the Board.
- (f) A member may not receive a salary, and no profit or money of the Authority inures to the benefit of a member.

SECTION 3. If any part of this Ordinance shall be adjudged to be invalid by a Court of proper jurisdiction, it shall be conclusively presumed that the Town Council would have passed the remainder of the Ordinance without such invalid part.

SECTION 4. This Ordinance shall be in full force and effect immediately from and after its passage by the Town Council.

PASSED by the Town Council of the Town of Veedersburg, Indiana, on the 3rd day of September, 1990.

TOWN COUNCIL OF THE TOWN OF
VEEDERSBURG

Greg F. Seibold
President pro tem

Catherine Dismore
Member

Member

Member

Member

ATTEST: Kathryn M. York
Clerk-Treasurer of the Town
of Veedersburg, Indiana

Presented to me by the undersigned Clerk-Treasurer of the Town of Veedersburg, Indiana, to the
President of the Town Council of said Town this 3 day of September , 1991, at 7:00 o'clock
p .m., for his consideration and action thereon.

Kathryn M. York
Clerk-Treasurer

Having examined the foregoing Ordinance, I do now, as President of the Town Council of the said
Town of Veedersburg, Indiana, approve said Ordinance and return the same to the Clerk-Treasurer of
the Town of Veedersburg this 3 day of September , 1991, at 7:30 o'clock p .m.

Greg F. Seibold

President of the Town Council
of the Town of Veedersburg,
Indiana

ATTEST: Kathryn M. York
Clerk-Treasurer of the Town
of Veedersburg, Indiana

ORDINANCE NO. 10-91

AN ORDINANCE OF THE TOWN OF VEEDERSBURG, INDIANA, APPROVING A LEASE FOR THE VEEDERSBURG WATER, SEWER AND ROAD PROJECT BETWEEN THE VEEDERSBURG REDEVELOPMENT AUTHORITY AND THE VEEDERSBURG REDEVELOPMENT COMMISSION

WHEREAS, the Veedersburg Redevelopment Authority (the "Authority") at a meeting on September 17, 1991, adopted Resolution No. 2-1991, which, among other things, approved a proposed Lease between the Authority and the Veedersburg Redevelopment Commission (the "Commission") for the lease of the water lines, sewer lines and road improvements in or serving the Economic Development Area, together with all related improvements to all of the above (the "Project") and directed the Secretary-Treasurer of the Authority to file a copy of said Lease, as approved, with the Commission; and

WHEREAS, the Commission, at a meeting on September 17, 1991, adopted its Resolution approving said Lease, scheduled a public hearing to be held on October 1, 1991, regarding said Lease pursuant to IC 36-7-14-25.2, and authorized the publication of a notice of such public hearing pursuant to IC 5-3-1; and

WHEREAS, on October 1, 1991, said hearing was held and all interested parties were provided the opportunity to be heard at the hearing; and

WHEREAS, the Commission, at a meeting on October 1, 1991, adopted its Resolution finding, pursuant to IC 36-7-14.5-14, that the rental payments to be paid by the Commission to the Authority pursuant to the Lease, at a rate not to exceed Thirty-Eight Thousand Dollars (\$38,000) per year in semiannual installments beginning on the day the Project is completed and ready for use, or January 15, 1994, whichever is later, and continuing through expiration of the Lease, are fair and reasonable; and finding, pursuant to IC 36-7-14-25.2, that the use of the Project throughout the term of the Lease will serve the public purpose of the Town of Veedersburg, Indiana (the "Town") and is in the best interests of its residents; and

WHEREAS, said Resolution of the Commission further directed the Secretary of the Commission to file with the Town Council of the Town (the "Town Council") an approving ordinance for the purposes of said Council's finding, prior to execution of the Lease, that the rental payments are fair and reasonable and that the use of the Project throughout the term of the Lease will serve the public purpose of the Town and is in the best interests of its residents, and for purposes of said Council's approving the Lease; and

WHEREAS, the Town Council desires to approve said Lease pursuant to IC 36-7-14-25.2, which statute provides that any lease approved by a resolution of the Redevelopment Commission must be approved by an ordinance of the fiscal body of the unit.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG:

Section 1. That the Town Council finds that the rental payments under the Lease, as approved by the Commission, are fair and reasonable, and further finds that the use of the Project throughout the term of the Lease will serve the public purpose of the Town and is in the best interests of its residents.

Section 2. The Town Council hereby approves said Lease, as approved by the Commission, pursuant to IC 36-7-14-25.2.

Section 3. If any part of this Ordinance shall be adjudged to be invalid by a Court of proper jurisdiction, it shall be conclusively presumed that the Town Council of the Town would have passed the remainder of the Ordinance without such invalid part.

Section 4. This Ordinance shall be in full force and effect immediately from and after its passage by the Town Council.

PASSED by the Town Council of the Town of Veedersburg, Indiana, on the 1st day of October, 1991.

Ralph Cushman
President of Town Council

ATTEST: Kathryn M. York
Clerk-Treasurer

**RESOLUTION NO. 93- 8 CONFIRMATION OF VEEDERSBURG TOWN COUNCIL
DECLARATORY RESOLUTION FOR THE DESIGNATION OF AN ECONOMIC
REVITALIZATION AREA**

WHEREAS, the Veedersburg Town Council passed a declaratory resolution on November 23, 1993 (the "Declaratory Resolution") designating the area described in the legal description which is attached hereto as Exhibit "A" and incorporated herein by reference as an economic revitalization area under and pursuant to Indiana Code § 6-1.1-12.1-1 et seq.; and

WHEREAS, the Clerk-Treasurer of the Town of Veedersburg caused notice of the adoption and substance of the Declaratory Resolution to be published in the Fountain County Neighbor on November 30, 1993 and the Clerk-Treasurer filed a copy of the Declaratory Resolution with the Fountain County Assessor and delivered a map of the proposed economic revitalization area to the Fountain County Assessor for public inspection; and

WHEREAS, the Town Council held a hearing on December 14, 1993 at 7 p.m. at the Community Room, 118 Railroad Avenue, Veedersburg, Indiana for the purpose of receiving and hearing all remonstrances and objections from interested persons to the Declaratory Resolution; and

WHEREAS, after considering the evidence, the Town Council of the Town of Veedersburg has determined to confirm the Declaratory Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE VEEDERSBURG TOWN COUNCIL, VEEDERSBURG, INDIANA, THAT:

1. The area described in [Exhibit "A"](#) is an area which has become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings and other factors which have impaired values or prevented normal development of property or use of property and that the designation of said area as an economic revitalization area would enhance the opportunity to create new employment opportunities in the Town.
2. It is in the best interests of the Town of Veedersburg, Indiana to designate the area described in [Exhibit "A"](#) as an economic revitalization area and the deductions under Indiana Code §§ 6-1.1-12.1-3 and 6-1.1-12.1-4.5 should be allowed based on the following findings:
 - (1) The estimate of the value of the redevelopment or rehabilitation is reasonable for a project of this nature and the estimate of the cost of the new manufacturing equipment is reasonable for equipment of this type.
 - (2) The estimate of the number of individuals who will be employed can be reasonably expected to result from the proposed described redevelopment or rehabilitation and the proposed installation of the new manufacturing equipment.
 - (3) The estimate of the annual salaries of those individuals who will be employed can be reasonably

expected to result from the proposed described redevelopment or rehabilitation and the proposed installation of new manufacturing equipment.

(4) The number of individual opportunities for employment, both temporary and permanent, and the compensation to be paid to employees, along with the value of the acquisition and construction of improvements, create benefits of the type and quality anticipated by the Veedersburg Town Council within the economic revitalization area and can reasonably be expected to result from the proposed described redevelopment or rehabilitation and the proposed installation of new manufacturing equipment.

(5) The totality of benefits is sufficient to justify the deductions.

3. Based on the findings set forth in this resolution and the Declaratory Resolution, the statement of benefits provided by Krupp Gerlach Company to the Town Council of Veedersburg is approved.

4. The Declaratory Resolution is hereby confirmed in all respects.

5. If any part, clause, or portion of this resolution shall be adjudged invalid, such invalidity shall not affect the validity of this resolution as a whole or any other part, clause, or portion of the resolution.

Adopted this 14th day of December, 1993 by the Veedersburg Town Council, Veedersburg, Indiana.

VEEDERSBURG TOWN COUNCIL

Ralph Cushman
Ralph Cushman, President

Donald L. Bailey
Donald Bailey

Terri Gadd
Terri Gadd

Attest:

Kathryn M. York
Kathryn York, Clerk-Treasurer

EXHIBIT "A"
DESCRIPTION OF ECONOMIC REVITALIZATION AREA

Commencing at a point two hundred feet west of the southeast corner of the northeast fractional quarter of section six (6) in township nineteen (19) north, range seven (7) west at a point on the line of the east corporate limits of the Town of Veedersburg as established in Ordinance 6-64 of the Town of Veedersburg and running thence west an approximate distance of 630 feet to the east boundary line of property conveyed to Kenneth P. Slaven and Kenzla Slaven per Deed Record 136, Pages 402-403 in the Office of the Recorder of Fountain County, thence north 660 feet along the eastern boundary of the Slaven tract to the northernmost point on the boundary line between the Slaven tract and the tract conveyed to High Point Oil Company per Deed Record 124, Pages 38-39 in the Office of the Recorder of Fountain County, thence west across the Slaven tract 206.7 feet, more or less, to the west boundary of the Slaven tract, thence north along the west boundary of the Slaven tract a distance of 528 feet, more or less, to the southern line of a tract conveyed to Viewer Hill Estates, Inc., per Deed Record 132, page 470 and Deed Record 132, Page 471 in the Office of the Recorder of Fountain County, thence easterly along the southern line of the Viewer Hill Estates tract a distance of 836.7 feet, more or less, to the east corporate limits of the Town of Veedersburg, thence south 1,188 feet, more or less, along the east corporate boundary of the Town of Veedersburg to the place of beginning.

RESOLUTION NO. 94- 13 VEEDERSBURG TOWN COUNCIL DECLARATORY RESOLUTION FOR THE DESIGNATION OF AN ECONOMIC REVITALIZATION AREA

WHEREAS, the Veedersburg Town Council has been advised by Masterguard Corp. (Masterguard) of a proposed revitalization program, including certain real property redevelopment and the installation of new manufacturing equipment on land owned by Masterguard and located within the Town of Veedersburg, and the Veedersburg Town Council has been requested by Masterguard to designate the area described in the legal description which is attached hereto as [Exhibit "A"](#) and incorporated herein by reference as an economic revitalization area under and pursuant to Indiana Code § 6-1.1-12.1-1 et seq.; and

WHEREAS, the Veedersburg Town Council hereby finds that the area described in [Exhibit "A"](#) is an area which has become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings and other factors which have impaired values or prevented normal development of property or use of property and that the designation of said area as an economic revitalization area would enhance the opportunity to create new employment opportunities in the Town; and

WHEREAS, Masterguard anticipates increases in the assessed value of the real property from the proposed redevelopment of real property and anticipates the installation of "new manufacturing equipment" as such term is defined in Indiana Code § 6-1.1-12.1-1(3), and has submitted a statement of benefits to the Veedersburg Town Council; and

WHEREAS, the Veedersburg Town Council has reviewed the statement of benefits and other information brought to its attention, and hereby determines that it is in the best interests of the Town of Veedersburg, Indiana to designate the area described in [Exhibit "A"](#) as an economic revitalization area and the deductions under Indiana Code §§ 6-1.1-12.1-3 and 6-1.1-12.1-4.5 should be allowed based on the following findings:

- (1) The estimate of the value of the redevelopment or rehabilitation is reasonable for a project of this nature and the estimate of the cost of the new manufacturing equipment is reasonable for equipment of this type.
- (2) The estimate of the number of individuals who will be employed can be reasonably expected to result from the proposed described redevelopment or rehabilitation and the proposed installation of the new manufacturing equipment.
- (3) The estimate of the annual salaries of those individuals who will be employed can be reasonably expected to result from the proposed described redevelopment or rehabilitation and the proposed installation of new manufacturing equipment.
- (4) The number of individual opportunities for employment, both temporary and permanent, and the compensation to be paid to employees, along with the value of the acquisition and construction of

improvements, create benefits of the type and quality anticipated by the Veedersburg Town Council within the economic revitalization area and can reasonably be expected to result from the proposed described redevelopment or rehabilitation and the proposed installation of new manufacturing equipment.

(5) The totality of benefits is sufficient to justify the deductions.

AND WHEREAS, the Veedersburg Town Council hereby finds that the purposes of Indiana Code §§ 6-1.1-12.1-1 et seq. are served by allowing Masterguard the deductions provided by Indiana Code § 6-1.1-12.1-3 for a period of ten (10) years and the deductions provided by Indiana Code § 6-1.1-12.1-4.5 for a period of ten (10) years.

NOW, THEREFORE, BE IT RESOLVED BY THE VEEDERSBURG TOWN COUNCIL, VEEDERSBURG, INDIANA, THAT:

1. The area owned by Masterguard and described in [Exhibit "A"](#) attached hereto and made a part hereof is designated as an economic revitalization area within the meaning of Indiana Code 6-1.1-12.1 from the date of final action on this resolution through and including December 31, 2006.
2. Based on the findings set forth in this Resolution, the statement of benefits provided by Masterguard to the Town Council of Veedersburg is hereby approved.
3. Masterguard and any other owner of property within the economic revitalization area whose statement of benefits is approved by the Veedersburg Town Council shall be entitled to a deduction under Indiana Code § 6-1.1-12.1-3 for rehabilitation or redevelopment of real estate improvements for a period of ten (10) years, except that no such abatement shall be available for the real estate improvements already constructed in the economic revitalization area, which existing improvements are included in an Economic Development Area and are subject to tax increment financing. Masterguard and any other owner of property within the economic revitalization area whose statement of benefits is approved by the Veedersburg Town Council shall be entitled to a deduction under Indiana Code § 6-1.1-12.1-4.5 for new manufacturing equipment for a period of ten (10) years.
4. The Town Council shall hold a hearing on September 20, 1994 at 7 p.m. at the Community Room, 118 Railroad Avenue, Veedersburg, Indiana for the purpose of receiving and hearing all remonstrances and objections from interested persons to the foregoing declaration of an Economic Revitalization Area. After hearing objections and remonstrances and considering evidence thereon, this Council will take final action determining whether the qualifications for an economic revitalization area have been met and confirming, modifying and confirming, or rescinding this resolution.
5. The Clerk-Treasurer of the Town of Veedersburg is hereby authorized and directed to publish notice of the adoption and substance of this resolution and all other disclosures required by Indiana Code 6-1.1-12.1-2.5 in accordance with Indiana Code 5-3-1.
6. The Clerk-Treasurer is further authorized and directed to file a copy of this resolution with the Fountain County Assessor and to deliver a map or plat or a simplified description of the boundaries

of the proposed economic revitalization area to the Fountain County Assessor for public inspection.

7. If any part, clause, or portion of this resolution shall be adjudged invalid, such invalidity shall not affect the validity of this resolution as a whole or any other part, clause, or portion of the resolution.

Adopted this 16 day of August, 1994 by the Veedersburg Town Council, Veedersburg, Indiana.

VEEDERSBURG TOWN
COUNCIL

Ralph Cushman
Ralph Cushman, President

Donald L. Bailey
Donald Bailey

Richard L. Rusk
Richard Rusk

Attest:

Kathryn M. York
Kathryn York, Clerk-Treasurer

EXHIBIT "A"
DESCRIPTION OF ECONOMIC REVITALIZATION AREA

An area within the Town of Veedersburg bounded by U.S. 136 on the south, the corporate limits of the town on the east (roughly U.S. 41), County Road 50 (Eighth Street) on the north, and on the west by the east property lines of the lots on the east side of Sugar Street known as the Anna Janeway Farm.

**RESOLUTION NO. 94- 15 CONFIRMATION OF VEEDERSBURG TOWN
COUNCIL DECLARATORY RESOLUTION FOR THE DESIGNATION OF AN
ECONOMIC REVITALIZATION AREA**

WHEREAS, the Veedersburg Town Council passed a declaratory resolution on August 16, 1994 (the "Declaratory Resolution") designating the area described in the legal description which is attached hereto as [Exhibit "A"](#) and incorporated herein by reference as an economic revitalization area under and pursuant to Indiana Code § 6-1.1-12.1-1 et seq.; and

WHEREAS, the Clerk-Treasurer of the Town of Veedersburg caused notice of the adoption and substance of the Declaratory Resolution to be published in the Fountain County Neighbor on September 7, 1994 and the Clerk-Treasurer filed a copy of the Declaratory Resolution with the Fountain County Assessor and delivered a map of the proposed economic revitalization area to the Fountain County Assessor for public inspection; and

WHEREAS, the Town Council held a hearing on September 20, 1994 at 7 p.m. at the Community Room, 118 Railroad Avenue, Veedersburg, Indiana for the purpose of receiving and hearing all remonstrances and objections from interested persons to the Declaratory Resolution; and

WHEREAS, after considering the evidence, the Town Council of the Town of Veedersburg has determined to confirm the Declaratory Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE VEEDERSBURG TOWN COUNCIL, VEEDERSBURG, INDIANA, THAT:

1. The area described in [Exhibit "A"](#) is an area which has become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements-or character of occupancy, age, obsolescence, substandard - buildings and other factors which have impaired values or prevented normal development of property or use of property and that the designation of said area as an economic revitalization area would enhance the opportunity to create new employment opportunities in the Town.
2. It is in the best interests of the Town of Veedersburg, Indiana to designate the area described in [Exhibit "A"](#) as an economic revitalization area and the deductions under Indiana Code §§ 6-1.1-12.1-3 and 6-1.1-12.1-4.5 should be allowed based on the following findings:
 - (1) The estimate of the value of the redevelopment or rehabilitation is reasonable for a project of this nature and the estimate of the cost of the new manufacturing equipment is reasonable for equipment of this type.
 - (2) The estimate of the number of individuals who will be employed can be reasonably expected to result from the proposed described redevelopment or rehabilitation and the proposed installation of the new manufacturing equipment.
 - (3) The estimate of the annual salaries of those individuals who will be employed can be

reasonably expected to result from the proposed described redevelopment or rehabilitation and the proposed installation of new manufacturing equipment.

(4) The number of individual opportunities for employment, both temporary and permanent, and the compensation to be paid to employees, along with the value of the acquisition and construction of improvements, create benefits of the type and quality anticipated by the Veedersburg Town Council within the economic revitalization area and can reasonably be expected to result from the proposed described redevelopment or rehabilitation and the proposed installation of new manufacturing equipment.

(5) The totality of benefits is sufficient to justify the deductions,

3. Based on the findings set forth in this resolution and the Declaratory Resolution, the approval of the statement of benefits provided by MasterGuard Corp. to the Town Council of Veedersburg is hereby confirmed.

4. The Declaratory Resolution is hereby confirmed in all respects.

5. If any part, clause, or portion of this resolution shall be adjudged invalid, such invalidity shall not affect the validity of this resolution as a whole or any other part, clause, or portion of the resolution.

Adopted this 20th day of September, 1994 by the Veedersburg Town Council, Veedersburg, Indiana.

VEEDERSBURG TOWN
COUNCIL

Ralph Cushman
Ralph Cushman, President

Donald L. Bailey
Donald Bailey

R. L. Rusk
Richard Rusk

Attest:

Kathryn M. York
Kathryn York, Clerk-Treasurer

EXHIBIT "A"
DESCRIPTION OF ECONOMIC REVITALIZATION AREA

An area within the Town of Veedersburg bounded by U.S. 136 on the south, the corporate limits of the town on the east (roughly U.S. 41), County Road 50 (Eighth Street) on the north, and on the west by the east property lines of the lots on the east side of Sugar Street known as the Anna Janeway Farm.

RESOLUTION NO. 3-95

**RESOLUTION OF THE TOWN COUNCIL OF VEEDERSBURG, INDIANA APPROVING A
RESOLUTION OF THE TOWN OF VEEDERSBURG REDEVELOPMENT COMMISSION
AMENDING THE DECLARATORY RESOLUTION AND ECONOMIC DEVELOPMENT
PLAN PREVIOUSLY APPROVED BY THE COUNCIL AND DESIGNATING A TAXPAYER
FOR PURPOSES OF TAX INCREMENT FINANCING**

WHEREAS, the Town Council of the Town of Veedersburg, Indiana (the "Town Council"), is the governing body of the Town of Veedersburg, Indiana (the "Town"); and

WHEREAS, the Town of Veedersburg Redevelopment Commission (the "Commission"), the governing body of the Town of Veedersburg Department of Redevelopment and the Redevelopment District of the Town (the "Redevelopment District"), pursuant to 36-7-14-1 et seq. (the "Act"), on February 20, 1990 approved and adopted its Resolution (the "Declaratory Resolution"); and

WHEREAS, the Declaratory Resolution declares an area designated by the Commission as the Economic Development Area (the "Area") within the Redevelopment District, which Redevelopment District is a special taxing district having the same boundaries as the Town, is an economic development area as defined by the Act and determined that it would be of public utility and benefit to acquire the Area and redevelop it pursuant to the Economic Development Plan for the Area (the "Economic Development Plan"); and

WHEREAS, on March 6, 1990, the Town Council adopted its Resolution approving the Economic Development Plan; and

WHEREAS, on April 3, 1990, after notice and a public hearing thereon, the Commission in its Resolution confirmed the Declaratory Resolution by the adoption of a Confirmatory Resolution; and

WHEREAS, the Council in accordance with the Act, has previously approved the Veedersburg Economic Development Area, Allocation Area No. 1 ("Allocation Area No. 1") established by the Commission, which has boundaries coterminous with the Area; and

WHEREAS, the Commission has determined that the Declaratory Resolution and Economic Development Plan need to be amended to expand the Area by more than twenty percent (20%) of the original Area (the area to be added shall hereinafter be referred to as the "Added. Area" and the Area as expanded shall hereinafter be referred to as the "Expanded Area") and expand Allocation Area No. 1 so that Allocation Area No. 1's boundaries are coterminous with the Expanded Area; and

WHEREAS, the Commission has found and determined that the Added Area (as shown as a part of the Revised Area Map attached hereto as [Exhibit "A"](#)) is an economic development area, and that the Economic Development Plan, as amended in accordance with Section 17.5 of the Act (which requires compliance with Sections 15 through 17 of the Act), promotes significant opportunities for the gainful employment of the citizens of the Town, and retains or expands a significant business enterprise

existing in the boundaries of the Town, and meets the other purposes of Section 2.5, 41 and 43 of the Act, and that it will be of public utility and benefit to provide economic development to the Added Area under the provisions of the Act; and

WHEREAS, the Commission found that certain amendments to the Declaratory Resolution and the Economic Development Plan (as set forth in the Amending Resolution of the Commission, hereinafter described) are reasonable and appropriate when considered in relation to the original Declaratory Resolution and Economic Development Plan and the purposes of the Act, and that the Declaratory Resolution and Economic Development Plan, as so amended, conform to the Comprehensive Plan, if any, for the Town; and

WHEREAS, the Commission has determined that it is necessary to designate Krupp Gerlach as a "designated taxpayer" pursuant to Section 39.3 of the Act to provide tax increment revenue to finance local public improvements in the Area and

WHEREAS, the Commission designated Krupp Gerlach as a designated taxpayer for purposes of Section 39.3 of the Act (the "Designated Taxpayer") and found that the taxes to be derived from the depreciable personal property of the Designated Taxpayer to be located in the Area, in excess of the taxes attributable to the base assessed value of such personal property, were necessary to provide revenues to either pay debt service on bonds issued under Section 25.1 of the Act or to make payments on leases under Section 25.2 of the Act in order to provide local public improvements in the Area; and

WHEREAS, the Commission found that the property of Krupp Gerlach in the Area will consist primarily of industrial, manufacturing, warehousing, research and development, processing, distribution or transportation-related projects and will not consist primarily of retail, commercial or residential projects; and

WHEREAS, the Commission adopted and approved a resolution entitled "RESOLUTION OF THE TOWN OF VEEDERSBURG REDEVELOPMENT COMMISSION AMENDING THE DECLARATORY RESOLUTION AND ECONOMIC DEVELOPMENT PLAN PREVIOUSLY ADOPTED BY THE COMMISSION AND DESIGNATING A TAXPAYER FOR THE PURPOSES OF TAX INCREMENT FINANCING" (the "Amending Resolution") at a meeting of the Commission on February 22, 1995, which Amending Resolution effects the aforementioned findings, determinations, designations, amendments and other adopting actions of the Commission and a copy of which Amending Resolution is attached hereto as Exhibit B and submitted to the Town Council for review and approval; and

WHEREAS, there is no Plan Commission for the Town, and therefore the Town Council, as the governing body of the Town, is required by the Act to approve or disapprove the Declaratory Resolution and Economic Development Plan, each as amended.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. The Town Council hereby finds and determines, based upon the aforementioned evidence consisting of the Revised Area Map attached hereto as Exhibit A and the findings of fact adopted by the Redevelopment Commission in support of its Amending Resolution, attached hereto as Exhibit B and now submitted to the Town Council, that the Economic Development Plan for the Added Area cannot be achieved by the regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under the Act because of lack of local public improvements, existence of improvements or conditions that lower the value of the land below that of nearby land, or other similar conditions, and that the public health and welfare will be benefited by the accomplishment of the Economic Development Plan for the Added Area.

Section 2. The accomplishment of the Economic Development Plan for the Added Area will be a public utility and benefit as measured by the attraction or retention of permanent jobs, an increase in the property tax base, or other similar public benefits.

Section 3. There are no residents of the Added Area who will be displaced by the economic development of the Added Area.

Section 4. The Economic Development Plan and the Declaratory Resolution, each as amended by the Commission's Amending Resolution, conform to the plan of development for the Town.

Section 5. The Amending Resolution of the Commission, amending the Declaratory Resolution and Economic Development Plan, designating and declaring the Added Area, and designating Krupp Gerlach as a designated taxpayer pursuant to the Act, is in all respects approved, ratified and confirmed.

Section 6. The Economic Development Plan, as amended and in relation to the Added Area, is in all respects, approved, ratified and confirmed.

Section 7. The Clerk-Treasurer is directed to file a copy of the Economic Development Plan, as amended, and the Amending Resolution of the Commission with the minutes of this meeting.

PASSED AND ADOPTED by the Town Council on this 27th day of February, 1995.

TOWN COUNCIL OF THE TOWN OF
VEEDERSBURG, INDIANA

Donald L. Bailey
President

Gregory F. Seibold
Member

Richard C. Burton
Member

Ralph Cushman
Member

Richard L. Rusk
Member

Attest:

Kathryn M. York
Clerk-Treasurer



Exhibit A - Revised Area Map

TOWN COUNCIL RESOLUTION NO. 98-5

A Resolution of the Town Council of the Town of Veedersburg, Indiana, approving the purposes and activities of the Van Buren - Hub City Building Corporation; approving the issuance by the Van Buren - Hub City Building Corporation of its \$685,000 First Mortgage Bonds, Series 1998; approving the use of an offering circular relating to the issuance of the Van Buren - Hub City Building Corporation First Mortgage Bonds, Series 1998; agreeing to accept title to the property upon which a municipal building and fire station is to be constructed, financed by the Van Buren - Hub City Building Corporation First Mortgage Bonds, Series 1998, upon retirement of said Bonds; appointing real estate appraisers to appraise the land upon which the municipal building and fire station to be constructed is located; and agreeing to sell to the Van Buren - Hub City Building Corporation the land upon which the municipal building and fire station to be constructed is located.

WHEREAS, this Town Council has heretofore determined, after investigation, that a need exists for the construction of a municipal building and fire station (the "Project"); and

WHEREAS, this Town Council has heretofore determined to take such steps as may be necessary to secure the construction of the Project and the Lease thereof (including without limitation, the site of the Project) from the Van Buren - Hub City Building Corporation as provided under Indiana Code 36-1-10, as amended; and

WHEREAS, the Van Buren - Hub City Building Corporation has been organized, inter alia, for the purpose of constructing the Project for the use of the Town of Veedersburg, Indiana (the "Town") and Van Buren Township of Fountain County, Indiana (the "Township"), in accordance with plans, specifications, and estimates (the "Plans, Specifications, and Estimates") heretofore approved by this Town Council and submitted to various governmental agencies as required by law, including without limitation, the State Board of Health, the State Fire Marshal, and the State Building Commissioners, two copies of which Plans, Specifications, and Estimates are on file in the office of the Clerk-Treasurer of the Town for public inspection; and

WHEREAS, the Van Buren - Hub City Building Corporation intends to finance the construction of the Project through the issuance of \$685,000 of its First Mortgage Bonds;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. The purposes and activities of the Van Buren - Hub City Building Corporation, as described in its Articles of Incorporation and By-Laws, are hereby approved and ratified.

Section 2. The issuance by the Van Buren - Hub City Building Corporation of \$685,000 of its First Mortgage Bonds for the purpose of financing the construction of the Project to be leased to the Town and the Township is hereby approved. The Town Council further hereby ratifies and confirms its

approval of the Plans, Specifications, and Estimates.

Section 3. The use by the Van Buren - Hub City Building Corporation of the offering circular relating to the issuance of the Van Buren - Hub City Building Corporation First Mortgage Bonds, Series 1998, is hereby approved and ratified.

Section 4. Upon retirement by the Van Buren - Hub City Building Corporation of \$685,000 First Mortgage Bonds, the Veedersburg Van Buren Fire Station Board, established by the Interlocal Cooperation Agreement dated as of March 18, 1998, between the Town and the Township, shall accept title to the Project (including without limitation the site thereof, financed by said Bonds, including any additions to said property) as agent of the Town and the Township.

Section 5. James Robinson and Ron Manning, both of whom are professionally engaged in making appraisals, are hereby appointed as appraisers to appraise the fair market value of the land owned by the Town, upon which land the Van Buren - Hub City Building Corporation has proposed to construct the Project to be leased to the Town and the Township. The appraisers are hereby directed to return their appraisal to this Board within two (2) weeks after passage of this Resolution.

Section 6. After receiving said appraisal, the Town shall sell to the Van Buren - Hub City Building Corporation the land owned by the Town upon which the Project will be constructed. The Town shall deliver its deed for the land to be conveyed upon receipt in cash of not less than the appraised value and which amount is not less than the amount paid by the Town for said land, if such land was purchased by the Town during the three (3) years preceding the date of the appointment of such appraisers.

Section 7. This Resolution shall be in full force and effect from and upon compliance with the procedures required by law.

The foregoing was passed by the Town Council of the Town of Veedersburg, Indiana, this 28th day of July, 1998.

Richard L. Rusk
President of the Town Council

ATTEST:

Kathryn M. York
Clerk-Treasurer

TOWN COUNCIL RESOLUTION NO. 98-8

A Resolution of Town Council of the Town of Veedersburg, Indiana, Reducing the Annual Rentals on the Lease for the Fire Station and Municipal Building; Pledging to Levy Taxes for the Payment of Lease Rentals; Assigning the Construction Contracts; and Matters Related Thereto.

WHEREAS, the Town Council (the "Council") of the Town of Veedersburg, Indiana (the "Town") has heretofore determined, after investigation, that a need exists for the construction of a fire station and municipal building for use by the Town (the "Project"); and

WHEREAS, the Council has heretofore determined to take such steps as may be necessary to secure the construction of the Project and the lease thereof from the Van Buren - Hub City Building Corporation (the "Building Corporation"); and

WHEREAS, the Building Corporation and the Town previously entered into a Lease, dated as of February 1, 1998, pursuant to which the Building Corporation will lease the Project, when constructed, to the Town; and

WHEREAS, the Building Corporation intends to finance the Project through the issuance of \$685,000 of its First Mortgage Bonds, Series 1998 (the "Bonds"); and

WHEREAS, Section Two of the Lease provides that the annual rental shall be reduced following the sale of the Bonds to match the principal and interest due on the Bonds in any bond year, plus paying agent/registrar/trustee fees, payable in equal semiannual installments; and

WHEREAS, the Building Corporation sold the Bonds on July 28, 1998, to Banc One Capital Markets, Inc., resulting in a lower annual lease payment for the Project; and

WHEREAS, the Council desires to approve and execute an Addendum to the Lease (the "Addendum"), a copy of which is attached hereto as [Exhibit A](#), reflecting such lower annual Lease payments for the Project; and

WHEREAS, the Council desires to evidence its intent to levy an ad valorem property tax to pay rentals due under the Lease to the extent that other funds are not available therefor; and

WHEREAS, the Council desires to assign the construction contracts to the Building Corporation to the extent necessary, which Building Corporation will undertake the construction of the Project, subject to an Agency Agreement with the Town;

NOW THEREFORE, BE IT RESOLVED BY TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

SECTION 1. The Lease shall be amended to reduce the annual rental payments as set forth in Exhibit A attached hereto.

SECTION 2. All remaining terms, covenants and conditions as set forth in the Lease shall remain in full force and effect.

SECTION 3. The Town shall levy in each calendar year in which the Town is required to pay lease rentals pursuant to the Lease, a special tax upon all of the taxable property in the Town in a total amount sufficient, together with all other funds in the Van Buren - Hub City Building Corporation 1998 First Mortgage Bonds Sinking Fund deposited into such fund from any other sources (other than such special taxes) during the previous 12 calendar months prior to August 1 of such calendar year, to pay all lease rental payments payable in the 12-month period beginning on July 1 of the following calendar year pursuant to Section 4 of the Lease. Such taxes shall be deposited in the Van Buren - Hub City Building Corporation 1998 First Mortgage Bonds Sinking Fund and such taxes and any other funds in the Van Buren - Hub City Building Corporation 1998 First Mortgage Bonds Sinking Fund shall be irrevocably pledged for the purposes set forth in this Resolution.

SECTION 4. The Council hereby assigns the construction bids and contracts to the Building Corporation to the extent necessary and hereby determines to enter into such agreements with the Building Corporation as are necessary to evidence such assignment.

SECTION 5. The Council hereby authorizes and directs the Clerk-Treasurer, in cooperation with the officers of the Building Corporation, to ensure that the winning bidders obtain all necessary payment, performance, and any other types of bonds required by Indiana Code 36-1-12.

SECTION 6. This Resolution shall be in full force and effect from and upon compliance with the procedures required by law.

APPROVED AND ADOPTED this 12th day of August, 1998.

TOWN COUNCIL OF THE TOWN OF
VEEDERSBURG, INDIANA

Richard L. Rusk
Member

Richard C. Burton
Member

Gregory F. Seibold
Member

Kevin R. George
Member

Member

ATTEST:

Kathryn M. York
Clerk-Treasurer

ADDENDUM TO LEASE

VAN BUREN - HUB CITY BUILDING CORPORATION
TO
TOWN OF VEEDERSBURG, INDIANA

acting by and through the
Town Council of the Town of Veedersburg, Indiana

THIS ADDENDUM TO LEASE, made and entered into as of this 12th day of August, 1998, by and between Van Buren - Hub City Building Corporation, an Indiana non-profit corporation (hereinafter with its successors and assigns referred to as "Lessor"), and the Town of Veedersburg, Indiana, acting by and through the President of the Town Council (hereinafter called "Lessee"),

WITNESSETH:

In consideration of the mutual covenants herein contained, it is agreed that the Lease previously entered into between said parties as of the 1st day of February, 1998, as it pertains to the leasing of the fire station and municipal building, to be constructed by the Van Buren - Hub City Building Corporation, to the Town of Veedersburg, Indiana, shall be amended as follows:

1. Amendment to Section Two of the Lease. Section 2 of the Lease is amended to read as follows:
2. Semiannual Rental Payments. The Lessee agrees to pay rental for said premises as reflected in the lease payment amounts listed in Exhibit A attached hereto during the term of this lease. The first rental installment shall be due on July 1, 1999. All rentals payable under the terms of this lease shall be paid by the Lessee to Old National Trust Company in the City of Covington, Indiana, as Trustee (hereinafter called "Trustee"), or to such other bank or trust company as may from time to time succeed said Trustee under the Trust Indenture and Mortgage securing the First Mortgage Bonds (hereinafter referred to as "Bonds") to be issued by the Lessor. All payments so made by the Lessee shall be considered as payment to the Lessor of the rentals payable hereunder.
2. Semiannual Rental Payments. The Lessee agrees to pay rental for said premises as reflected in the lease payment amounts listed in Exhibit A attached hereto.
3. Validity. The parties hereto acknowledge that all remaining terms, covenants and conditions as set forth in the Lease between the parties hereto and executed as of the 1st day of February, 1998, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Addendum to Lease to be executed for and on their behalf on the day and year first hereinabove written.

LESSOR

VAN BUREN - HUB CITY BUILDING CORPORATION

Tony Shields
President

ATTEST:

Sue Dickerson
Secretary

LESSEE

TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA

By: Richard L. Rusk
President

ATTEST:

Kathryn M. York
Clerk-Treasurer of the
Town of Veedersburg, Indiana

+/-

Notarization of Van Buren - Hub City Building Corporation Signatures (unsigned/unstamped)

+/-

Notarization of Veedersburg Officials Signatures (unsigned/unstamped)

=====

+/-

Exhibit A - Schedule of Semi-Annual Lease Payments

TOWN COUNCIL RESOLUTION NO. 98-8

Resolution of the Town Council of the Town of Veedersburg, Indiana, approving an Agency Agreement between the Van Buren - Hub City Building Corporation and the Town of Veedersburg, Indiana, by and through its Town Council.

WHEREAS, the Van Buren - Hub City Building Corporation (the "Corporation") intends to issue its Van Buren - Hub City Building Corporation First Mortgage Bonds, Series 1998 (the "Bonds") to finance a portion of the costs related to the construction of a municipal building and fire station (the "Project") to be leased to the Town of Veedersburg, Indiana (the "Town"); and

WHEREAS, the Town, by and through its Town Council (the "Council") desires to enter into an Agency Agreement with the Corporation to provide for the construction of the portion of the Project which is the responsibility of the Town and other related matters, a copy of which is attached hereto as Exhibit A;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

1. The Council hereby approves the execution by the President of the Town Council of the Agency Agreement with the Corporation and the Town attached hereto as [Exhibit A](#).
2. This resolution shall be in full force and effect after its adoption by the Board.

ADOPTED at a meeting of the Town Council of the Town of Veedersburg, Indiana, held on August 12, 1998, in the Community Room, Veedersburg, Indiana.

TOWN COUNCIL OF THE TOWN OF
VEEDERSBURG, INDIANA

Richard L. Rusk
Member

Richard C. Burton
Member

Gregory F. Seibold
Member

Kevin R. George
Member

ATTEST:

Kathryn M. York
Clerk-Treasurer

AGENCY AGREEMENT

This Agency Agreement ("Agency Agreement"), made and entered into as of the _____ day of August, 1998, by the Van Buren - Hub City Building Corporation, a nonprofit corporation organized and existing under Indiana Code 23-17 for the purpose of financing and constructing public improvements (the "Building Corporation"), and the Town of Veedersburg, Indiana, a municipal corporation duly organized and existing pursuant to the laws of the State of Indiana (the "Town"), for purposes of the Building Corporation designating the Town to act as its agent for purposes of constructing and equipping a municipal building and the portion of the fire station which is the responsibility of the Town (the "Project") described in the Lease between the Building Corporation and the Town, a copy of which Lease is attached hereto as Exhibit A, and other matters related thereto.

W I T N E S S E T H:

WHEREAS, the Building Corporation at a meeting on July 27, 1998, adopted a resolution approving and authorizing the execution of the Lease and authorizing the issuance of its first mortgage bonds for purpose of financing a portion of the cost of the Project; and

WHEREAS, the Council, at a meeting on July 28, 1998, following a public hearing, adopted a resolution approving and authorizing the execution of the Lease; and

WHEREAS, the Lease provides that the Building Corporation shall lease the Project to the Town, which Project shall be constructed in accordance with drawings, plans, specifications and estimates (the "Plans") prepared by Prince Alexander (the "Architect"), which plans have been provided to the Town; and

WHEREAS, the Building Corporation, at a meeting on August 12, 1998, adopted a resolution approving the execution of an agency agreement with the Town for purposes of constructing and equipping the Project; and

WHEREAS, the Council, at a meeting on August 12, 1998, adopted a resolution approving of the Town as agent of the Building Corporation for purposes of completing the Project and authorizing the

execution of an agency agreement with the Building Corporation; and

WHEREAS, the Building Corporation and the Town desire to enter into this Agency Agreement to permit the construction of the Project pursuant to the terms hereof; and

WHEREAS, the Town desires to act as the agent of the Building Corporation for the purposes of constructing the Project in accordance with the Plans;

NOW, THEREFORE, in consideration of the mutual covenants and promises herein, and for other good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. The Building Corporation hereby empowers and appoints the Town to act as its agent for the limited purpose of contracting for the construction, purchase and installation of the Project in accordance with the Plans as filed with the Town, which Plans may be supplemented and amended from time to time as provided for herein. The Town will select the type, quantity, suppliers, construction contractors and subcontractors, materialmen and installers of the improvements and appurtenances on behalf of the Building Corporation.
2. This limited agency shall immediately terminate upon commencement of the Lease or upon breach by the Building Corporation or the Town of this Agency Agreement or any other agreement between the Building Corporation and the Town after written notice of termination is given by the Building Corporation or the Town at least seven (7) days in advance of the date of termination of agency. The authority and appointment herein contained are limited to a total construction cost for the Project, as established by the receipt and award of construction contracts by the Town pursuant to the Agency Agreement.
3. The Town hereby accepts the appointment of agency by the Building Corporation as described in Paragraph 1 of this Agency Agreement and acknowledges the terms and conditions of the Lease.
4. The Town shall construct the Project pursuant to IC 36-1-12, and shall execute all contracts for the Project pursuant to said chapter on behalf of the Building Corporation.
5. The Town, in the bidding of the contracts pursuant to said chapter, shall adopt specifications pertaining to the work to be performed, the timetable for the performance of the work, require performance, payment, and maintenance bonds, and such other matters as may be required by statute for public construction, provided such conditions, specifications, and matters are in accordance with the Plans and all supplements and amendments thereto. The Town may make such modifications and amendments to the Plans as required for construction of the Project consistent with the overall design set forth in the Plans and may adopt such special conditions as may be required in its opinion to satisfactorily complete the construction of the Project, provided that such modifications, amendments or special conditions do not (i) alter the character of the Project or reduce the value thereof or (ii) exceed the contingency amount identified by the Architect on deposit with the Trustee named in the Trust Indenture and Mortgage between such Trustee and the Building Corporation (the "Trustee").
6. The Building Corporation hereby empowers the Town to assume full responsibility for obtaining

all necessary licenses, inspections, zoning approvals, building permits and any and all acts necessary to comply with any applicable statutory and regulatory requirements regarding the construction, zoning and leasing of the Project.

7. The sole responsibility for construction and purchase of items constituting the Project shall be that of the Town, which has the sole responsibility of dealing with contractors and subcontractors in the construction of the Project. The Town shall ensure that all components of the Project are properly invoiced to and titled in the Building Corporation prior to the commencement of the Lease.

8. The Town shall have sole responsibility to inspect, on behalf of the Building Corporation, the construction of improvements and the appurtenances and their installation, although the Building Corporation reserves the right, at any time, to conduct such independent inspection as it deems appropriate. If the improvements or appurtenances are not properly constructed or installed in accordance with specifications, do not operate or hold up as represented or warranted by any supplier or contractor, or are unsatisfactory for any reason, the Town, during the term of this Agency Agreement, shall make any claim on account thereof solely against said supplier or contractor.

9. The Building Corporation hereby assigns to the Town, during the term of this Agency Agreement, all its rights and benefits pursuant to any warranties, duties, or obligations of any manufacturer, wholesaler, retailer, installer, contractor, or subcontractor who provides any labor or materials for or in the Project.

10. The Town, on behalf of the Building Corporation, shall be responsible for processing all contractor claims for payment in a timely manner consistent with internal policies of the Town regarding payment of contractor claims.

11. The Town shall accept the completed Project on behalf of the Building Corporation, which acceptance shall be evidenced by:

- (a) the execution of a Certificate of Completion by the Architect; and
- (b) the execution of a Certificate of Acceptance by the Town, accepting the Project as completed on behalf of the Building Corporation.

12. The terms and conditions of the Agency Agreement shall inure to the benefit of and bind the respective parties hereto and their successors in interest and assigns, and no portion of this Agency Agreement may be assigned by any party without the prior written consent of all other parties.

13. The agency provisions herein contained apply only as stated and shall not be deemed to create any partnership, joint venture or other enterprise of any type or nature between the Building Corporation and the Town.

14. No amendment, modification or alteration of the terms of this Agency Agreement shall be binding unless duly executed by the parties hereto in writing, dated subsequent to the date hereof.

IN WITNESS WHEREOF, the President of the Town Council hereby executes this Agency Agreement

to be effective as of the day and year first written above.

TOWN OF VEEDERSBURG, INDIANA

Richard L. Rusk
President

ATTEST:

Kathryn M. York
Clerk-Treasurer

VAN BUREN - HUB CITY BUILDING
CORPORATION

Terry Shields
President

ATTEST:

Sue Dickerson
Secretary

RESOLUTION NO. 02-02

RESOLUTION AUTHORIZING APPLICATION SUBMISSION AND LOCAL MATCH COMMITMENT

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA AUTHORIZING THE SUBMITTAL OF THE CFF APPLICATION TO THE INDIANA DEPARTMENT OF COMMERCE AND ADDRESSING RELATED MATTERS.

WHEREAS, the Council of the Town of Veedersburg, Indiana recognizes the need to stimulate growth and to maintain a sound economy within its corporate limits; and

WHEREAS, the Housing and Community Development Act of 1974, as amended, authorizes the Indiana Department of Commerce to provide grants to local units of government to meet the housing and community development needs of low-and moderate-income persons; and

WHEREAS, the Town of Veedersburg, Indiana has conducted or will conduct public hearings prior to the submission of an application to the Indiana Department of Commerce, said public hearings to assess the housing, public facilities and economic needs of its low-and moderate-income residents;

NOW, THEREFORE, BE IT RESOLVED by the Council of Veedersburg, Indiana that:

1. The Town Council President is authorized to prepare and submit an application for grant funding to address planning grant to study the improvement of the wastewater system, and to execute and administer a resultant grant including requisite general administration and project management, contracts and agreements pursuant to regulations of the Indiana Department of Commerce and the United States Department of Housing and Urban Development.
2. The Town of Veedersburg, Indiana hereby commits the requisite local funds in the amount of Four Thousand Dollars (\$4000.00), in the form of sewer operating funds, as matching funds for said program, such commitment to be contingent upon receipt of CDBG Planning funding from the Indiana Department of Commerce.

Adopted by the Town of Veedersburg, Indiana this 12th day of November, 2002 at 7:00 P.M.

SIGNATURE: Carl Hoagland
Carl Hoagland, Town Council President

ATTEST; Laura Bennett
Laura Bennett, Clerk-Treasurer

RESOLUTION NO. 1-03

LOCAL DISPLACEMENT PLAN

The Town of Veedersburg will consider for submission to the Indiana Department of Commerce, under its various Community Development Block Grants funded programs, only projects and activities that will result in the displacement of as few persons or businesses as necessary to meet State and Local Development goals and objectives.

1.

2.

The Town of Veedersburg will certify to the State, as part of its application process, that it is seeking fund for a project or activity that will minimize displacement.

3.

The Town of Veedersburg will provide referral and reasonable moving assistance, both in terms of staff time and dollars, to all persons involuntarily and permanently displaced by any project or activity funded with Community Development Block Grant funds.

4.

All persons and businesses directly displaced by the Town of Veedersburg as the results of a project or activity funded with Community Development Block Grant funds will receive all assistance required under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, including provisions of the Uniform Relocation Act Amendments of 1987, Title I of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

5.

The Town of Veedersburg will provide reasonable benefits and relocation assistance to all person and businesses involuntarily and permanently displaced by the Community Development Block Grant activity funded by the State in accordance with appendices attached hereto, provided they do not receive benefits as part of such action under number 4 above.

Passed this 28th day of January, 2003.

Carl Hoagland

Joseph M. Cox

Kevin R. George

Richard C. Burton

Attest: Laura Bennett

RESOLUTION NO. 2011-9

RESOLUTION OF THE TOWN OF VEEDERSBURG REDEVELOPMENT COMMISSION APPROVING AN AMENDMENT TO THE DECLARATORY RESOLUTION AND ECONOMIC DEVELOPMENT PLAN FOR THE TOWN OF VEEDERSBURG, COUNTY OF FOUNTAIN, VEEDERSBURG, FIRST ECONOMIC DEVELOPMENT DISTRICT

WHEREAS, the Town of Veedersburg Redevelopment Commission (the “Commission” as the governing body for the Town of Veedersburg Redevelopment Department, pursuant to Indiana Code 36-7-14, as amended (the “Act” has heretofore adopted a declaratory resolution (as subsequently confirmed and amended, the “Declaratory Resolution” designating an area known as the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (as previously amended, the “Economic Development Area” as an Economic Development Area pursuant to the Act, designating the entire Economic Development Area as an “allocation area” pursuant to Section 39 of the Act, and approving an Economic Development Plan for the Economic Development Area (as previously amended, the “Plan” and

WHEREAS, pursuant to Sections 15-17.5 of the Act, the Commission desires to amend the Declaratory Resolution and the Plan by adding the parcels (the “Additional Parcels” described in [Exhibit A](#) attached hereto to the Economic Development Area and the corresponding allocation area and adding the additional projects (the “Additional Projects” described in [Exhibit B](#) attached hereto to the Plan (the Additional Parcels and the Additional Projects referred to herein collectively as the “Amendment” and

WHEREAS, the Commission has caused to be prepared maps and plats showing the boundaries of the Economic Development Area, the location of various parcels of property, streets, alleys, and other features affecting the replatting, replanning, rezoning, redevelopment or economic development of the Economic Development Area, and the parts of the Economic Development Area that are to be devoted to public ways, sewerage and other public purposes under the Plan, as amended by the Amendment; and

WHEREAS, the Commission has caused to be prepared a list of the parcels of property located in the Economic Development Area and the owners thereof; and

WHEREAS, the proposed Amendment and supporting data were reviewed and considered at this meeting;

NOW, THEREFORE, BE IT RESOLVED by the Town of Veedersburg Redevelopment Commission, as the governing body of the Town of Veedersburg Redevelopment Department, as follows:

1. The Commission hereby finds that it will be of public utility and benefit to adopt the Amendment, and that the public health and welfare will be benefited by the Amendment. The Commission further finds and determines that the Amendment is reasonable and appropriate when considered in relation to the Plan and the purposes of the Act, and that the Plan, with the Amendment, conforms to the comprehensive plan for the Town. The Commission hereby reconfirms the findings

and determinations set forth in the Declaratory Resolution with respect to the Economic Development Area.

2. The Amendment is hereby approved in all respects. The Plan, as amended by the Amendment, is hereby confirmed in all respects.

3. Any member of the Commission is hereby authorized to take such actions as are necessary to implement the purposes of this resolution, and any such action taken prior to the date hereof is hereby ratified and approved.

4. This Resolution, together with any supporting data, shall be submitted to the Town Council of the Town of Veedersburg (the "Town Council" as provided in the Act, and if approved by the Town Council shall be submitted to a public hearing and remonstrance as provided by the Act, after public notice as required by the Act.

Adopted this 6th day of September, 2011.

TOWN OF VEEDERSBURG
REDEVELOPMENT COMMISSION

Bob Barker
President

Vice President

Marci S. Roark
Secretary

Connie Meihls
Member

Member

EXHIBIT A

The Additional Parcels consist of the following:

(See attached)

EXHIBIT B

The Additional Projects consist of the following:

(See Attached)



Map Containing "Exhibit A"

**AMENDMENT DATED SEPTEMBER 6, 2011, TO ECONOMIC DEVELOPMENT PLAN
FOR TOWN OF VEEDERSBURG, COUNTY OF FOUNTAIN, VEEDERSBURG FIRST
ECONOMIC DEVELOPMENT DISTRICT**

The Economic Development Plan relating to the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (the “Economic Development Area” is hereby amended as follows:

1. The Economic Development Area and corresponding TIF Allocation Area are expanded to include

the parcels set forth in Exhibit A hereto.

2. Tax increment revenues from the corresponding TIF Allocation Area, as expanded, may be used to finance the cost of infrastructure improvements in or serving the TIF Allocation Area, as expanded.

Estimated cost of infrastructure improvements: \$ 5,000,000 .

RESOLUTION NO. 2011-9

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA,
APPROVING AN AMENDMENT TO A DECLARATORY RESOLUTION APPROVED AND
ADOPTED BY THE TOWN OF VEEDERSBURG REDEVELOPMENT COMMISSION**

WHEREAS, the Town of Veedersburg Redevelopment Commission (the “Redevelopment Commission”) previously adopted and amended a Declaratory Resolution (the “Declaratory Resolution”) establishing the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (the “Economic Development Area”) and the related Allocation Area (the “Allocation Area”) in the Town, and approving an Economic Development Plan for the Economic Development Area (the “Plan”); and

WHEREAS, on September 6, 2011, the Redevelopment Commission approved and adopted a Resolution (the “2011 Resolution”) amending the Declaratory Resolution to add certain parcels to the Economic Development Area and the related Allocation Area;

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Veedersburg, Indiana, as follows:

1. The Town Council hereby approves the 2011 Resolution and the amendment to the Plan as provided in the 2011 Resolution.
2. This Resolution shall be in full force and effect from and after its passage by the Town Council as required by law.

DULY PASSED on this 13th day of September, 2011.

VEEDERSBURG TOWN COUNCIL

Keith K. Smith
Member

Stephen R. Cates
Member

Bob Barker
Member

Member

Member

ATTEST:

Keri Lynn Grubb
Clerk-Treasurer

RESOLUTION NO. 2011-10

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA,
APPROVING A MODIFYING RESOLUTION APPROVED AND ADOPTED BY THE TOWN
OF VEEDERSBURG REDEVELOPMENT COMMISSION**

WHEREAS, the Town of Veedersburg Redevelopment Commission (the “Redevelopment Commission”) previously adopted and amended a Declaratory Resolution (the “Declaratory Resolution”) establishing the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (the “Economic Development Area”) and the related Allocation Area (the “Allocation Area”) in the Town, and approving an Economic Development Plan for the Economic Development Area (the “Plan”);

WHEREAS, on September 6, 2011, the Redevelopment Commission approved and adopted a Resolution (the “2011 Resolution”) amending the Declaratory Resolution to add certain parcels to the Economic Development Area and the related Allocation Area, which the Town Council approved by resolution at its meeting of September 13, 2011; and

WHEREAS, on November 14, 2011, the Redevelopment Commission, following a public hearing, passed a resolution modifying and confirming the Declaratory Resolution (the “Modifying Resolution”), such modification consisting of the addition to the Economic Development Area and the related Allocation Area of certain additional parcels as described in the Modifying Resolution;

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Veedersburg, Indiana, as follows:

1. The Town Council hereby approves the Modifying Resolution and the amendment to the Plan as provided in the Modifying Resolution.
2. This Resolution shall be in full force and effect from and after its passage by the Town Council as required by law.

DULY PASSED on this 22 day of November, 2011.

VEEDERSBURG TOWN COUNCIL

Keith K. Smith
Member

Stephen R. Cates
Member

Travis Covault
Member

Bob Barker
Member

Seth A. Hoagland
Member

ATTEST:

Keri Lynn Grubb
Clerk-Treasurer

RESOLUTION NO. 02-2013

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, APPROVING AN AMENDMENT TO A DECLARATORY RESOLUTION APPROVED AND ADOPTED BY THE TOWN OF VEEDERSBURG REDEVELOPMENT COMMISSION

WHEREAS, the Town of Veedersburg Redevelopment Commission (the “Redevelopment Commission”) previously adopted and amended a Declaratory Resolution (the “Declaratory Resolution”) establishing the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (the “Economic Development Area”) and the related Allocation Area (the “Allocation Area”) in the Town, and approving an Economic Development Plan for the Economic Development Area (the “Plan”); and

WHEREAS, on April 1, 2013, the Redevelopment Commission approved and adopted a Resolution (the “2013 Resolution”) amending the Declaratory Resolution to add to the Plan for the Economic Development Area an additional project, consisting of the acquisition by purchase or lease of a fire truck;

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Veedersburg, Indiana, as follows:

1. The Town Council hereby approves the 2013 Resolution and the amendment to the Plan as provided in the 2013 Resolution.
2. This Resolution shall be in full force and effect from and after its passage by the Town Council as required by law.

DULY PASSED on this 9th day of April, 2013.

VEEDERSBURG TOWN COUNCIL

Keith K. Smith
Member

Tim A. Shumaker
Member

Stephen R. Cates
Member

Troy Finley
Member

Teresa K. Cooper
Member

ATTEST:

Kathy J. Pugh
Clerk-Treasurer

RESOLUTION NO. 01-2014

RESOLUTION OF THE TOWN OF VEEDERSBURG REDEVELOPMENT COMMISSION APPROVING AN AMENDMENT TO THE DECLARATORY RESOLUTION AND ECONOMIC DEVELOPMENT PLAN FOR THE TOWN OF VEEDERSBURG, COUNTY OF FOUNTAIN, VEEDERSBURG, FIRST ECONOMIC DEVELOPMENT DISTRICT

WHEREAS, the Town of Veedersburg Redevelopment Commission (the “Commission”), as the governing body for the Town of Veedersburg Redevelopment Department, pursuant to Indiana Code 36-7-14, as amended (the “Act”), has heretofore adopted a declaratory resolution (as subsequently confirmed and amended, the “Declaratory Resolution”) designating an area known as the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (as previously amended, the “Economic Development Area”) as an Economic Development Area pursuant to the Act, designating the entire Economic Development Area as an “allocation area” pursuant to Section 39 of the Act, and approving an Economic Development Plan for the Economic Development Area (as previously amended, the “Plan”); and

WHEREAS, pursuant to Sections 15-17.5 of the Act, the Commission desires to amend the Declaratory Resolution and the Plan by adding the projects described in [Exhibit A](#) attached hereto (collectively, the “2014 Project”) to the Plan (the “Amendment”); and

WHEREAS, the Commission has caused to be prepared maps and plats showing the boundaries of the Economic Development Area, the location of various parcels of property, streets, alleys, and other features affecting the replatting, replanning, rezoning, redevelopment or economic development of the Economic Development Area, and the parts of the Economic Development Area that are to be devoted to public ways, sewerage and other public purposes under the Plan, as amended by the Amendment; and

WHEREAS, the Commission has caused to be prepared a list of the parcels of property located in the Economic Development Area and the owners thereof; and

WHEREAS, the Commission has caused to be prepared an estimate of the cost of the 2014 Project as set forth in [Exhibit A](#) hereto; and

WHEREAS, the proposed Amendment and supporting data were reviewed and considered at this meeting;

NOW, THEREFORE, BE IT RESOLVED by the Town of Veedersburg Redevelopment Commission, as the governing body of the Town of Veedersburg Redevelopment Department, as follows:

1. The Commission hereby finds that it will be of public utility and benefit to adopt the Amendment, and that the public health and welfare will be benefited by the Amendment. The Commission further finds and determines that the Amendment is reasonable and appropriate when considered in relation to the Plan and the purposes of the Act, and that the Plan, with the Amendment, conforms to the comprehensive plan for the Town. The Commission hereby reconfirms the findings

and determinations set forth in the Declaratory Resolution with respect to the Economic Development Area.

2. The Amendment is hereby approved in all respects. The Plan, as amended by the Amendment, is hereby confirmed in all respects.

3. Any member of the Commission is hereby authorized to take such actions as are necessary to implement the purposes of this resolution, and any such action taken prior to the date hereof is hereby ratified and approved.

4. This Resolution, together with any supporting data, shall be submitted to the Town Council of the Town of Veedersburg (the “Town Council”) as provided in the Act, and if approved by the Town Council shall be submitted to a public hearing and remonstrance as provided by the Act, after public notice as required by the Act.

Adopted this 3rd day of February, 2014.

TOWN OF VEEDERSBURG
REDEVELOPMENT COMMISSION

Mike Booe
President

Teresa K. Cooper
Vice President

Sherry Bailey
Secretary

Mark Rusk
Member

Travis Covault
Member

EXHIBIT A

The 2014 Project consists of the acquisition by purchase or lease of a police car and other capital expenditures relating to public safety. The 2014 Project will directly serve and benefit the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District Allocation

Area by fostering job creation in the Allocation Area through enhanced public safety in the Allocation Area. The Redevelopment Commission's estimated share of the cost of the 2014 Project is \$50,000.

**AMENDMENT, DATED FEBRUARY 3, 2014, TO ECONOMIC DEVELOPMENT PLAN FOR
TOWN OF VEEDERSBURG, COUNTY OF FOUNTAIN, VEEDERSBURG, FIRST
ECONOMIC DEVELOPMENT DISTRICT**

The 2014 Project consists of the acquisition by purchase or lease of a police car and other capital expenditures relating to public safety. The 2014 Project will directly serve and benefit the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District Allocation Area by fostering job creation in the Allocation Area through enhanced public safety in the Allocation Area. The Redevelopment Commission's estimated share of the cost of the 2014 Project is \$50,000.

RESOLUTION NO. 02-2014

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, APPROVING AN AMENDMENT TO A DECLARATORY RESOLUTION APPROVED AND ADOPTED BY THE TOWN OF VEEDERSBURG REDEVELOPMENT COMMISSION

WHEREAS, the Town of Veedersburg Redevelopment Commission (the “Redevelopment Commission”) previously adopted and amended a Declaratory Resolution (the “Declaratory Resolution”) establishing the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (the “Economic Development Area”) and the related Allocation Area (the “Allocation Area”) in the Town, and approving an Economic Development Plan for the Economic Development Area (the “Plan”); and

WHEREAS, on February 3, 2014, the Redevelopment Commission approved and adopted a Resolution (the [“2014 Resolution”](#)) amending the Declaratory Resolution to add to the Plan for the Economic Development Area certain additional projects, consisting of the acquisition by purchase or lease of a police car and other capital expenditures relating to public safety;

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Veedersburg, Indiana, as follows:

1. The Town Council hereby approves the 2014 Resolution and the amendment to the Plan as provided in the 2014 Resolution.
2. This Resolution shall be in full force and effect from and after its passage by the Town Council as required by law.

DULY PASSED on this 11th day of February, 2014.

VEEDERSBURG TOWN COUNCIL

Teresa K. Cooper Member

Tim Shumaker
Member

Troy Finley
Member

Mark Rusk
Member

Member

ATTEST:

Kathy J. Pugh

**RESOLUTION OF THE TOWN OF VEEDERSBURG REDEVELOPMENT COMMISSION
CONFIRMING AN AMENDMENT TO THE DECLARATORY RESOLUTION AND THE
ECONOMIC DEVELOPMENT PLAN FOR THE TOWN OF VEEDERSBURG, COUNTY OF
FOUNTAIN, VEEDERSBURG, FIRST ECONOMIC DEVELOPMENT DISTRICT**

WHEREAS, the Town of Veedersburg (the **“Town”**) Redevelopment Commission (the **“Commission”**), as the governing body for the Town of Veedersburg Redevelopment Department (the **“Department”**), previously adopted a Declaratory Resolution (as subsequently confirmed and amended, the **“Original Resolution”**) designating an area known as the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (the **“Economic Development Area”**), as an Economic Development Area pursuant to Indiana Code Section 36-7-14, as amended (the **“Act”**); and

WHEREAS, the Original Resolution approved an economic development plan for the Economic Development Area (the **“Original Plan”**); and

WHEREAS, the Commission, on February 3, 2014, adopted a Declaratory Resolution (the **“Declaratory Resolution”**), amending the Original Resolution and the Original Plan to add to the Plan for the Economic Development Area certain additional projects, consisting of the acquisition by purchase or lease of a police car and other capital expenditures relating to public safety (the **“Amendment”**); and

WHEREAS, pursuant to Section 16 of the Act, the Town Council of the Town, on February 11, 2014, adopted a resolution which approved the Declaratory Resolution and the Amendment; and

WHEREAS, the Commission has received the written orders of approval as required by Section 17(a) of the Act; and

WHEREAS, pursuant to Section 17 of the Act, the Commission caused to be published a Notice of Public Hearing with respect to the Amendment and filed a copy of said Notice in the offices of all departments, bodies or officers of the Town having to do with Town planning, variances from zoning ordinances, land use or the issuance of building permits; and

WHEREAS, at the hearing (the **“Public Hearing”**) held by the Commission on March 10, 2014, the Commission heard all persons interested in the proceedings and considered any written remonstrances that were filed and all evidence presented; and

WHEREAS, the Commission now desires to take final action determining the public utility and benefit of the Amendment and confirming the Declaratory Resolution, in accordance with Section 17 of the Act;

Now, THEREFORE, BE IT RESOLVED by the Town of Veedersburg Redevelopment Commission,

as follows:

1. The Commission hereby reconfirms the findings and determinations set forth in the Original Resolution with respect to the Economic Development Area, as previously amended.
2. After considering the evidence presented at the Public Hearing, the Commission hereby confirms the findings and determinations, designations and approving and adopting actions contained in the Declaratory Resolution.
3. After considering the evidence presented at the Public Hearing, the Commission hereby finds and determines that it will be of public utility and benefit to proceed with the Amendment, and the Amendment is hereby approved in all respects.
4. The Declaratory Resolution is hereby confirmed.
5. This Resolution constitutes final action, pursuant to Section 17(d) of the Act, by the Commission determining the public utility and benefit of the Amendment and confirming the Declaratory Resolution pertaining to the Economic Development Area.
6. The Secretary of the Commission is directed to record the final action taken by the Commission pursuant to the requirements of Sections 17(d) of the Act.

Adopted this 10th day of March, 2014.

TOWN OF VEEDERSBURG
REDEVELOPMENT COMMISSION

L. Michael Booe
President

Teresa K. Cooper
Vice President

Sherry Bailey
Secretary

Mark Rusk
Member

Travis Covault
Member

**Resolution 06-2014 Resolution of the Town of Veedersburg Redevelopment Commission 2015
Budget Year Determination for TIF Revenues**

WHEREAS, the Town of Veedersburg Redevelopment Commission (the “Commission”), has previously established the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District Allocation Area (the “TIF Allocation Area”) for purposes of capturing tax increment revenues pursuant to Indiana Code 36-7-14-39 (the “TIF Revenues”); and

WHEREAS, pursuant to Indiana Code 36-7-14-39 and 50 IAC 8-2-4, the Commission is required to make a determination on TIF Revenues and notify the Fountain County Auditor, the Veedersburg Town Council, and overlapping taxing units; and

WHEREAS, the Commission has determined that, for budget year 2015, the Commission will need to capture all of the incremental assessed value from the TIF Allocation Area in order to generate TIF Revenues sufficient to meet the Commission's outstanding debt service obligations, to pay for projects that are located in or directly serve or benefit the TIF Allocation Area, and to meet other purposes permitted by Indiana Code 36-7-14-39(b)(3); and

WHEREAS, for purposes of evidencing compliance with Senate Enrolled Act 118, the Commission hereby further determines that the amount of excess assessed value captured by the Commission in the TIF Allocation Area is not expected to generate more than 200% of the amount of TIF Revenues necessary to pay principal and interest on bonds, lease obligations and other amounts projected to be spent for legally authorized purposes from the TIF Revenues in 2015. Accordingly, the Commission shall not be required to obtain the approval of the Town Council of the determinations set forth herein;

NOW, THEREFORE, BE IT RESOLVED by the Town of Veedersburg Redevelopment Commission as follows: the Commission has determined that (a) there is no excess assessed value from the TIF Allocation Area that may be allocated to the respective taxing units for budget year 2015 pursuant to Indiana Code 36-7-14-39(b)(4), and (b) all potential captured assessment (as defined in 50 IAC 8-1-16) with respect to the TIF Allocation Area in 2015 shall be captured assessment (as defined in 50 IAC 8-1-10), and (c) the Fountain County Auditor, the Veedersburg Town Council, and overlapping taxing units will be notified by sending **Exhibit A** via Certified Mail Return Receipt Requested or Hand Delivery with written confirmation of receipt.

BE IT FURTHER RESOLVED that the President of the Redevelopment Commission is hereby authorized and directed to cause to be prepared and submitted to the Town Council the Report required pursuant to Indiana Code 36-7-14-13(e) by not later than August 1, 2014.

ADOPTED and APPROVED at a meeting of the Town of Veedersburg Redevelopment Commission held on the 7th day of July, 2014.

TOWN OF VEEDERSBURG
REDEVELOPMENT COMMISSION
L. Michael Booe Pres. VRC

Travis Covault

Teresa K. Cooper

Sherry Bailey

**RESOLUTION OF THE TOWN OF VEEDERSBURG REDEVELOPMENT COMMISSION
APPROVING AN AMENDMENT TO THE DECLARATORY RESOLUTION AND
ECONOMIC DEVELOPMENT PLAN FOR THE TOWN OF VEEDERSBURG, COUNTY OF
FOUNTAIN, VEEDERSBURG, FIRST ECONOMIC DEVELOPMENT DISTRICT**

WHEREAS, the Town of Veedersburg Redevelopment Commission (the “Commission”), as the governing body for the Town of Veedersburg Redevelopment Department, pursuant to Indiana Code 36-7-14, as amended (the “Act”), has heretofore adopted a declaratory resolution (as subsequently confirmed and amended, the “Declaratory Resolution”) designating an area known as the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (as previously amended, the “Economic Development Area”) as an Economic Development Area pursuant to the Act, designating the entire Economic Development Area as an “allocation area” pursuant to Section 39 of the Act, and approving an Economic Development Plan for the Economic Development Area (as previously amended, the “Plan”); and

WHEREAS, pursuant to Sections 15-17.5 of the Act, the Commission desires to amend the Declaratory Resolution and the Plan by adding the parcels (the “Additional Parcels”) described in [Exhibit A](#) attached hereto to the Economic Development Area and the corresponding allocation area and adding the additional projects (the “Additional Projects”) described in [Exhibit B](#) attached hereto to the Plan (the Additional Parcels and the Additional Projects referred to herein collectively as the “Amendment”); and

WHEREAS, the Commission has caused to be prepared maps and plats showing the boundaries of the Economic Development Area, the location of various parcels of property, streets, alleys, and other features affecting the replatting, replanning, rezoning, redevelopment or economic development of the Economic Development Area, and the parts of the Economic Development Area that are to be devoted to public ways, sewerage and other public purposes under the Plan, as amended by the Amendment; and

WHEREAS, the Commission has caused to be prepared a list of the parcels of property located in the Economic Development Area and the owners thereof; and

WHEREAS, the proposed Amendment and supporting data were reviewed and considered at this meeting;

NOW, THEREFORE, BE IT RESOLVED by the Town of Veedersburg Redevelopment Commission, as the governing body of the Town of Veedersburg Redevelopment Department, as follows:

1. The Commission hereby finds that it will be of public utility and benefit to adopt the Amendment, and that the public health and welfare will be benefited by the Amendment. The Commission further finds and determines that the Amendment is reasonable and appropriate when considered in relation to the Plan and the purposes of the Act, and that the Plan, with the Amendment, conforms to the comprehensive plan for the Town. The Commission hereby reconfirms the findings

and determinations set forth in the Declaratory Resolution with respect to the Economic Development Area.

2. The Amendment is hereby approved in all respects. The Plan, as amended by the Amendment, is hereby confirmed in all respects.

3. Any member of the Commission is hereby authorized to take such actions as are necessary to implement the purposes of this resolution, and any such action taken prior to the date hereof is hereby ratified and approved.

4. This Resolution, together with any supporting data, shall be submitted to the Town Council of the Town of Veedersburg (the “Town Council”) as provided in the Act, and if approved by the Town Council shall be submitted to a public hearing and remonstrance as provided by the Act, after public notice as required by the Act.

Adopted this 2nd day of February, 2015.

TOWN OF VEEDERSBURG
REDEVELOPMENT COMMISSION

L. Michael Booe
President

Teresa K. Cooper
Vice President

Sherry Bailey
Secretary

Mark Rusk
Member

Travis Covault
Member

EXHIBIT A

The Additional Parcels consist of the following:

(See attached)

EXHIBIT B

The Additional Projects consist of the following:

Improvements to Mill Street

1. Approximate cost: \$540,000

Renovation of existing building known as the Cushman Building, currently owned by the Town and located at 109 East 2nd Street in the Allocation Area.

2. Approximate cost: \$150,000

RESOLUTION NO. #02-15

A PRELIMINARY BOND RESOLUTION OF THE TOWN OF VEEDERSBURG REDEVELOPMENT COMMISSION

WHEREAS, the Town of Veedersburg Redevelopment Commission (the “Commission”), governing body of the Town of Veedersburg Redevelopment District (the “District”), previously established the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (the “**Economic Development Area**”); and

WHEREAS, the Commission desires to finance the construction and acquisition of various local public improvements in or serving the Economic Development Area (collectively, the “**Project**”); and

WHEREAS, the Commission reasonably expects to reimburse expenditures for the Project with proceeds of bonds issued by or on behalf of the Commission, in the maximum principal amount of Seven Hundred Fifty Thousand Dollars (\$750,000) and payable from tax increment revenues generated by the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District Allocation Area (the “**Bonds**”), to be issued by the Commission for the purpose of financing the Project; and

WHEREAS, the Commission desires to establish its intent, pursuant to Treas. Reg. §1.150-2 and IC 5-1-14-6(c), that said costs of the Project are to be reimbursed from the proceeds of the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF VEEDERSBURG REDEVELOPMENT COMMISSION, GOVERNING BODY OF THE TOWN OF VEEDERSBURG REDEVELOPMENT DISTRICT, AS FOLLOWS:

Section 1. The Commission hereby makes a preliminary determination to issue bonds for the purpose of financing the Project and paying related costs. Said bonds shall be in the maximum principal amount of Seven Hundred Fifty Thousand Dollars (\$750,000), with a final maturity no later than February 1, 2040, and shall bear a per annum interest rate not to exceed seven and five-tenths percent (7.5%).

Section 2. The Bonds will be payable from tax increment revenues generated by the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District Allocation Area.

Section 3. The Commission hereby declares its intent to reimburse expenditures for the Project with proceeds of the Bonds.

Section 4. The President, Vice President, Secretary or any other officer or member of the Commission is authorized to take all such actions and to execute all such instruments as are desirable to carry out the transactions contemplated by this Resolution, in such forms as such officer or member executing the same shall deem proper, to be conclusively evidenced by the execution thereof.

Section 5. This Resolution shall be in full force and effect immediately from and after its passage.

ADOPTED at a meeting of the Commission held on February 2, 2015, in Veedersburg, Indiana.

VEEDERSBURG REDEVELOPMENT
COMMISSION

L. Michael Booe President

ATTEST:

Sherry Bailey
Secretary

RESOLUTION NO. 03-15

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA,
APPROVING AN AMENDMENT TO A DECLARATORY RESOLUTION APPROVED AND
ADOPTED BY THE TOWN OF VEEDERSBURG REDEVELOPMENT COMMISSION**

WHEREAS, the Town of Veedersburg Redevelopment Commission (the “Redevelopment Commission”) previously adopted and amended a Declaratory Resolution (the “Declaratory Resolution”) establishing the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (the “Economic Development Area”) and the related Allocation Area (the “Allocation Area”) in the Town, and approving an Economic Development Plan for the Economic Development Area (the “Plan”); and

WHEREAS, on February 2, 2015, the Redevelopment Commission approved and adopted a Resolution ([the “2015 Resolution”](#)) amending the Declaratory Resolution to add certain projects to the Plan, as set forth in the 2015 Resolution;

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Veedersburg, Indiana, as follows:

1. The Town Council hereby approves the 2015 Resolution and the amendments to the Plan as provided in the 2015 Resolution.
2. This Resolution shall be in full force and effect from and after its passage by the Town Council as required by law.

DULY PASSED on this 10th day of February, 2015.

VEEDERSBURG TOWN COUNCIL

Teresa K. Cooper
Member

Stephen R. Cates
Member

Troy Finley
Member

Mark Rusk
Member

L. Michael Booe
Member

ATTEST:

Kathy J. Pugh

RESOLUTION NO. 04-15

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG
APPROVING THE ISSUANCE OF BONDS OF THE TOWN OR VEEDERSBURG
REDEVELOPMENT COMMISSION, AND RELATED MATTERS**

WHEREAS, the Town of Veedersburg Redevelopment Commission (the “Commission”) contemplates the issuance of bonds, in one or more series, in an aggregate principal amount not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000) (the “Bonds”) to finance the construction and acquisition of various local public improvements for redevelopment purposes in or serving the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District, together with related expenses (collectively, the “Project”); and

WHEREAS, the Town of Veedersburg Town Council (the “Town Council”) now desires to approve the issuance of the Bonds, which shall be payable from tax increment revenues generated by the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District Allocation Area;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF VEEDERSBURG TOWN COUNCIL AS FOLLOWS:

1. The Town Council hereby approves the issuance of the Bonds, in one or more series, in an aggregate principal amount not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000) (or such lesser amount as the Commission shall determine prior to the sale of the Bonds), to finance the costs of the Project and to pay all incidental expenses incurred in connection therewith, including the costs of issuance of the Bonds.
2. The interest rate on the Bonds shall not exceed seven and five-tenths percent (7.50%) per annum. A portion of the Bond proceeds may be applied to pay capitalized interest on the Bonds or to fund a reserve fund for the Bonds if determined to be necessary or appropriate by the President of the Commission with the advice the Commission's financial advisor. The final maturity date of the Bonds shall not be later than February 1, 2040. The Bonds may be subject to redemption prior to maturity on terms determined by the Commission prior to the sale of the Bonds, with the advice of the Commission's financial advisor.
3. The proper officers of the Town are hereby authorized and directed, for and on behalf of the Town, to execute and deliver any contract, agreement, certificate, instrument or other document and to take any action as such person determines to be necessary or appropriate to accomplish the purposes of this Resolution, such determination to be conclusively evidenced by such person's execution of such contract, agreement, certificate, instrument or other document or such person's taking of such action.
3. This Resolution shall be in full force and effect from and after its passage.

DULY PASSED on this 10th day of February, 2015.

VEEDERSBURG TOWN COUNCIL

Teresa K. Cooper
Member

Stephen R. Cates
Member

Troy Finley
Member

Mark Rusk
Member

L. Michael Booe
Member

ATTEST:

Kathy J. Pugh
Clerk-Treasurer

RESOLUTION NO. 05-15

RESOLUTION OF THE TOWN OF VEEDERSBURG REDEVELOPMENT COMMISSION CONFIRMING AN AMENDMENT TO THE DECLARATORY RESOLUTION AND THE ECONOMIC DEVELOPMENT PLAN FOR THE TOWN OF VEEDERSBURG, COUNTY OF FOUNTAIN, VEEDERSBURG, FIRST ECONOMIC DEVELOPMENT DISTRICT

WHEREAS, the Town of Veedersburg (the “**Town**”) Redevelopment Commission (the “**Commission**”), as the governing body for the Town of Veedersburg Redevelopment Department (the “**Department**”), previously adopted a Declaratory Resolution (as subsequently confirmed and amended, the “**Original Resolution**”) designating an area known as the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (the “**Economic Development Area**”), as an Economic Development Area pursuant to Indiana Code Section 36-7-14, as amended (the “**Act**”); and

WHEREAS, the Original Resolution approved an economic development plan for the Economic Development Area (the “**Original Plan**”); and

WHEREAS, the Commission, on February 2, 2015, adopted a Declaratory Resolution ([the “Declaratory Resolution”](#)), amending the Original Resolution and the Original Plan to add to the Plan for the Economic Development Area certain additional projects (the “**Amendment**”); and

WHEREAS, pursuant to Section 16 of the Act, the Town Council of the Town, on February 10, 2015, adopted a resolution which approved the Declaratory Resolution and the Amendment; and

WHEREAS, the Commission has received the written orders of approval as required by Section 17(a) of the Act; and

WHEREAS, pursuant to Section 17 of the Act, the Commission caused to be published a Notice of Public Hearing with respect to the Amendment and filed a copy of said Notice in the offices of all departments, bodies or officers of the Town having to do with Town planning, variances from zoning ordinances, land use or the issuance of building permits; and

WHEREAS, at the hearing (the “**Public Hearing**”) held by the Commission on March 2, 2015, the Commission heard all persons interested in the proceedings and considered any written remonstrances that were filed and all evidence presented; and

WHEREAS, the Commission now desires to take final action determining the public utility and benefit of the Amendment and confirming the Declaratory Resolution, in accordance with Section 17 of the Act;

NOW, THEREFORE, BE IT RESOLVED by the Town of Veedersburg Redevelopment Commission, as follows:

1. The Commission hereby reconfirms the findings and determinations set forth in the Original Resolution with respect to the Economic Development Area, as previously amended.
2. After considering the evidence presented at the Public Hearing, the Commission hereby confirms the findings and determinations, designations and approving and adopting actions contained in the Declaratory Resolution.
3. After considering the evidence presented at the Public Hearing, the Commission hereby finds and determines that it will be of public utility and benefit to proceed with the Amendment, and the Amendment is hereby approved in all respects.
4. The Declaratory Resolution is hereby confirmed.
5. This Resolution constitutes final action, pursuant to Section 17(d) of the Act, by the Commission determining the public utility and benefit of the Amendment and confirming the Declaratory Resolution pertaining to the Economic Development Area.
6. The Secretary of the Commission is directed to record the final action taken by the Commission pursuant to the requirements of Sections 17(d) of the Act.

Adopted this 2nd day of March, 2015.

TOWN OF VEEDERSBURG
REDEVELOPMENT COMMISSION

L. Michael Booe
President

Teresa K. Cooper
Vice President

Sherry Bailey
Secretary

Mark Rusk
Member

Member

RESOLUTION NO. 06-2015

**RESOLUTION OF THE TOWN OF VEEDERSBURG REDEVELOPMENT COMMISSION
AUTHORIZING THE ISSUANCE OF BONDS FOR THE PURPOSE OF FUNDING CERTAIN
LOCAL PUBLIC IMPROVEMENTS IN OR SERVING THE TOWN OF VEEDERSBURG,
COUNTY OF FOUNTAIN, VEEDERSBURG, FIRST ECONOMIC DEVELOPMENT
DISTRICT ALLOCATION AREA AND PAYING THE COSTS OF ISSUING THE BONDS;
AND APPROPRIATING THE PROCEEDS THEREOF**

WHEREAS, within the Town of Veedersburg, Indiana, a governmental unit and political subdivision of the State (the “Town”), there has been created the Town of Veedersburg Redevelopment District (the “District”), governed by the Town of Veedersburg Redevelopment Commission (the “Commission”); and

WHEREAS, the Commission has previously created an economic development area designated as the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (the “Veedersburg Economic Development Area”), designated the Veedersburg Economic Development Area as an allocation area (the “Veedersburg Allocation Area”) under I.C. 36-7-14 and I.C. 36-7-25 (collectively, the “Act”), and created the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District Allocation Area Fund (the “Veedersburg Allocation Fund”); and

WHEREAS, the Commission has adopted an Economic Development Plan (as amended from time to time, the “Plan”), which sets forth various economic development projects for the Veedersburg Economic Development Area; and

WHEREAS, the Act authorizes the Commission to issue bonds of the District, in the name of the Town, in anticipation of revenues of the District and to use the proceeds of such bonds to finance or refinance property in or serving the economic development area; and




WHEREAS, the Commission deems it advisable to issue the “Town of Veedersburg, Indiana Redevelopment District Tax Increment Revenue Bonds, Series 2015” (the “2015 Bonds”) (or such other designation as the President of the Commission shall approve) in an original principal amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000) (the “Authorized Amount”) for the purpose of providing for (i) the financing of various local public improvements in or serving the Veedersburg Allocation Area (collectively, the “Project”), (ii) funding a debt service reserve account for the 2015 Bonds, if determined to be necessary, (iii) all incidental expenses incurred in connection therewith (all of which are deemed to be a part of the Project), and (iv) the costs of selling and issuing the 2015 Bonds; and

WHEREAS, the Project to be financed by the 2015 Bonds is located in or serves the Veedersburg Allocation Area; and

WHEREAS, it will be of public utility and benefit and in the best interests of the District and its citizens to pay the costs of the Project and of the sale and issuance of the 2015 Bonds,



Editor's Note: Pages of this Bond Ordinance are available as digital images:

-  #06-2015, 3/2/2015, Redevelopment Commission Bond Issue - Page 1
-  #06-2015, 3/2/2015, Redevelopment Commission Bond Issue - Page 2
-  #06-2015, 3/2/2015, Redevelopment Commission Bond Issue - Page 3
-  #06-2015, 3/2/2015, Redevelopment Commission Bond Issue - Page 4
-  #06-2015, 3/2/2015, Redevelopment Commission Bond Issue - Page 5
-  #06-2015, 3/2/2015, Redevelopment Commission Bond Issue - Page 6
-  #06-2015, 3/2/2015, Redevelopment Commission Bond Issue - Page 7
-  #06-2015, 3/2/2015, Redevelopment Commission Bond Issue - Page 8
-  #06-2015, 3/2/2015, Redevelopment Commission Bond Issue - Page 9
-  #06-2015, 3/2/2015, Redevelopment Commission Bond Issue - Page 10
-  #06-2015, 3/2/2015, Redevelopment Commission Bond Issue - Page 11
-  #06-2015, 3/2/2015, Redevelopment Commission Bond Issue - Page 12
-  #06-2015, 3/2/2015, Redevelopment Commission Bond Issue - Page 13
-  #06-2015, 3/2/2015, Redevelopment Commission Bond Issue - Page 14

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#06-2015, 3/2/2015, Redevelopment Commission Bond Issue - Page 15

+/-

#06-2015, 3/2/2015, Redevelopment Commission Bond Issue - Page 16

+/-

#06-2015, 3/2/2015, Redevelopment Commission Bond Issue - Page 17

+/-

#06-2015, 3/2/2015, Redevelopment Commission Bond Issue - Page 18

+/-

#06-2015, 3/2/2015, Redevelopment Commission Bond Issue - Page 19, Signatures

RESOLUTION NO. 01-2016

RESOLUTION OF THE VEEDERSBURG REDEVELOPMENT COMMISSION
AUTHORIZING THE APPLICATION OF TAX INCREMENT REVENUES TO
REIMBURSE THE TOWN FOR A PORTION OF THE COST OF A WATERWORKS
PROJECT OF THE TOWN

WHEREAS, the Town of Veedersburg Redevelopment Commission (the “Commission”) as the governing body for the Town of Veedersburg Redevelopment Department, pursuant to Indiana Code 36-7-14, as amended (the “Act”) has heretofore adopted a declaratory resolution (as subsequently confirmed and amended, the “Declaratory Resolution”) designating an area known as the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (as previously amended, the “Economic Development Area”) as an Economic Development Area pursuant to the Act, designating the entire Economic Development Area as an “allocation area” (the “Allocation Area”) pursuant to Section 39 of the Act, and approving an Economic Development Plan for the Economic Development Area (as previously amended, the “Plan”); and

WHEREAS, the Town of Veedersburg, Indiana (the “Town”) has determined to undertake a waterworks project in the Town (the “Project”); and

WHEREAS, the Project will serve and benefit the Economic Development Area, and the Commission wishes to apply up to \$700,000 of tax increment revenues generated by the Allocation Area to reimburse the Town for a portion of the cost of the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE VEEDERSBURG REDEVELOPMENT COMMISSION, GOVERNING BODY OF THE DISTRICT, AS FOLLOWS:

1. The Clerk-Treasurer of the Town, as the fiscal officer of the Commission, is hereby directed to transfer up to \$700,000 of tax increment revenues on hand and generated by the Allocation Area to the Town to reimburse the Town for a portion of the cost of the Project.
2. The Commission’s obligation to make the reimbursement authorized hereby shall be junior to any existing or future pledges by the Commission of such tax increment revenues to obligations of the Commission or the Town.
3. This Resolution shall be in full force and effect from and after its passage.

ADOPTED this 6th day of June, 2016.

VEEDERSBURG REDEVELOPMENT COMMISSION

L. Michael Booe Pres.
President

Teresa K. Cooper
Vice President

Sherry Bailey
Secretary

Mark Rusk
Member

Travis Covault
Member

RESOLUTION NO. 02-2016

RESOLUTION OF THE VEEDERSBURG REDEVELOPMENT COMMISSION DETERMINING NEED TO CAPTURE INCREMENTAL ASSESSED VALUATION

WHEREAS, the Veedersburg Redevelopment Commission (the “Commission”) previously has established the following allocation areas for purposes of capturing incremental property taxes (the “TIF Revenues”) pursuant to Indiana Code 36-7-14, as amended:

The VEEDERSBURG First Economic Development District (an allocation area);

WHEREAS, under IC 36-7-14-39(b)(4), the Commission is required to make certain determinations relating to its need to capture TIF Revenues for the following budget year with respect to each Allocation Area;

NOW, THEREFORE, BE IT RESOLVED by the Veedersburg Redevelopment Commission, as follows:

1. Pursuant to IC 36-7-14-39(b)(4), the Commission hereby determines that, for budget year 2017, all of the incremental assessed value of taxable property in each Allocation Area is needed to produce TIF Revenues necessary to make, when due, principal and interest payments on bonds issued pursuant to IC 36-7-14-39(b)(3), plus the amount necessary for other purposes described in IC 36-7-14-39(b)(3) with respect to each such Allocation Area. The Commission therefore determines that there is no excess assessed value in any of the Allocation Areas that may be released to the respective taxing units in the manner prescribed in IC 36-7-14-39(b)(1).
2. The Commission hereby further determines, with respect to each Allocation Area, that the amount of excess assessed value captured by the Commission in each such Allocation Area is not expected to generate more than 200% of the amount of TIF Revenues necessary to pay principal and interest on bonds, lease obligations and other amounts projected to be spent for legally authorized purposes from the TIF Revenues in 2017 in the respective Allocation Area(s). Accordingly, the Commission shall not be required to obtain the approval of the Veedersburg Town Council of the determinations set forth herein.
3. The Secretary of the Commission is directed to record this resolution in the official minutes of the Commission, and the President of the Commission is hereby authorized to provide, by not later than June 15, 2016, written notice of the determination made herein to the Fountain County Auditor, the Town Council of the Town of Veedersburg, and to each taxing unit that is wholly or partly located within each such Allocation Area, and also (in an electronic format) to the Indiana Department of Local Government Finance, in the manner set forth in IC 36-7-14-39(b)(4)(B).
4. The President of the Commission is hereby authorized and directed, in the name and on behalf of the Commission, to execute and deliver such documents and to take such actions as such officer or member deems necessary or desirable to carry out the intent of this resolution, including, but not limited to, providing the written notice to the offices described in Section 3 above, and any and all

actions previously taken by any officer or member of the Commission in connection with the foregoing determinations, be, and hereby are, ratified and approved.

5. The Commission hereby approves the form of Letter of Determination to the County Auditor attached hereto as Exhibit A, and to be provided to the persons identified at the end of the document.

6. This Resolution shall take effect immediately upon adoption.

ADOPTED by the Veedersburg Redevelopment Commission this 6th day of June, 2016.

VEEDERSBURG REDEVELOPMENT COMMISSION

Mike Booe Pres.

Mark Rusk

Sherry Bailey

Travis Covault

Teresa K. Cooper

**RESOLUTION OF THE TOWN OF VEEDERSBURG REDEVELOPMENT COMMISSION
APPROVING AN AMENDMENT TO THE DECLARATORY RESOLUTION AND
ECONOMIC DEVELOPMENT PLAN FOR THE TOWN OF VEEDERSBURG, COUNTY OF
FOUNTAIN, VEEDERSBURG, FIRST ECONOMIC DEVELOPMENT DISTRICT**

WHEREAS, the Town of Veedersburg Redevelopment Commission (the “Commission”), as the governing body for the Town of Veedersburg Redevelopment Department, pursuant to Indiana Code 36-7-14, as amended (the “Act”), has heretofore adopted a declaratory resolution (as subsequently confirmed and amended, the “Declaratory Resolution”) designating an area known as the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (as previously amended, the “Economic Development Area”) as an “economic development area” pursuant to the Act, designating the entire Economic Development Area as an “allocation area” pursuant to Section 39 of the Act (the “Allocation Area”), and approving an Economic Development Plan for the Economic Development Area (as previously amended, the “Plan”); and

WHEREAS, pursuant to Sections 15-17.5 of the Act, the Commission desires to amend the Declaratory Resolution and the Plan by adding the additional projects (the “Additional Projects”) described in [Exhibit A](#) attached hereto to the Plan (the Additional Projects referred to herein collectively as the “Amendment”); and

WHEREAS, the Commission has caused to be prepared maps and plats showing the boundaries of the Economic Development Area, the location of various parcels of property, streets, alleys, and other features affecting the replatting, replanning, rezoning, redevelopment or economic development of the Economic Development Area, and the parts of the Economic Development Area that are to be devoted to public ways, sewerage and other public purposes under the Plan, as amended by the Amendment; and

WHEREAS, the Commission has caused to be prepared a list of the parcels of property located in the Economic Development Area and the owners thereof; and

WHEREAS, the proposed Amendment and supporting data were reviewed and considered at this meeting;

NOW, THEREFORE, BE IT RESOLVED by the Town of Veedersburg Redevelopment Commission, as the governing body of the Town of Veedersburg Redevelopment Department, as follows:

1. The Commission hereby finds that it will be of public utility and benefit to adopt the Amendment, and that the public health and welfare will be benefited by the Amendment. The Commission further finds and determines that the Amendment is reasonable and appropriate when considered in relation to the Plan and the purposes of the Act, and that the Plan, with the Amendment, conforms to the comprehensive plan for the Town. The Commission hereby reconfirms the findings and determinations set forth in the Declaratory Resolution with respect to the Economic Development Area.

2. The Amendment is hereby approved in all respects. The Plan, as amended by the Amendment, is hereby confirmed in all respects.
3. Any member of the Commission is hereby authorized to take such actions as are necessary to implement the purposes of this resolution, and any such action taken prior to the date hereof is hereby ratified and approved.
4. This Resolution, together with any supporting data, shall be submitted to the Town Council of the Town of Veedersburg (the “Town Council”) as provided in the Act, and if approved by the Town Council shall be submitted to a public hearing and remonstrance as provided by the Act, after public notice as required by the Act.

Adopted this 6th day of February, 2017.

TOWN OF VEEDERSBURG
REDEVELOPMENT COMMISSION

Mike Booe
President

Mark Rusk
Vice President

Teresa K. Cooper
Secretary

Greg Wright
Member

Member

EXHIBIT A

**AMENDMENT, DATED FEBRUARY 6, 2017, TO ECONOMIC DEVELOPMENT PLAN FOR
TOWN OF VEEDERSBURG, COUNTY OF FOUNTAIN, VEEDERSBURG, FIRST
ECONOMIC DEVELOPMENT DISTRICT**

The Economic Development Plan relating to the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (the “Economic Development Area”) is hereby amended to include the following additional projects (the “Additional Projects”):

1. Tax increment revenues from the Allocation Area may be used to offset payments by developers on promissory notes in connection with economic development revenue bond financings undertaken by the Town, or to pay principal or interest on economic development revenue bonds issued by the Town to provide incentives to developers (including, without limitation, the developer of a grocery store to serve the Town), in furtherance of the economic development or redevelopment purposes of the Allocation Area. The provision of incentives by the application of tax increment revenues to offset developer promissory notes that secure economic development revenue bonds, or to pay principal or interest on economic development revenue bonds issued by the Town to provide incentives to developers, in furtherance of the economic development or redevelopment purposes of the Allocation Area, has become an established financing tool and an increasingly common form of incentive for attracting economic development and redevelopment.
2. Tax increment revenues from the Allocation Area may also be used to finance the cost of infrastructure improvements in or serving the Allocation Area, including, without limitation, curbs, gutters, water lines, waste water lines, street paving and construction, storm sewer lines, and storm water basin improvement in, serving or benefiting the Allocation Area (in addition to any other uses described in the Plan for the existing Economic Development Area). Although the precise nature of infrastructure that may be necessary from time to time to attract and retain prospective redevelopment and economic development opportunities in the Allocation Area cannot be predicted with certainty, the availability of adequate infrastructure is of fundamental importance in attracting and retaining such opportunities in the Allocation Area.

The cost of the Additional Projects in the Economic Development Area (including costs relating to the issuance of bonds for the Additional Projects) is currently estimated not to exceed \$250,000.

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA,
APPROVING AN AMENDMENT TO A DECLARATORY RESOLUTION APPROVED AND
ADOPTED BY THE TOWN OF VEEDERSBURG REDEVELOPMENT COMMISSION**

WHEREAS, the Town of Veedersburg Redevelopment Commission (the “Redevelopment Commission”) previously adopted and amended a Declaratory Resolution (the “Declaratory Resolution”) establishing the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (the “Economic Development Area”) and the related Allocation Area (the “Allocation Area”) in the Town, and approving an Economic Development Plan for the Economic Development Area (the “Plan”); and

WHEREAS, on February 6, 2017, the Redevelopment Commission approved and adopted a Resolution (the [“2017 Resolution”](#)) amending the Declaratory Resolution to add certain projects to the Plan for the Economic Development Area, as described in [Exhibit A](#) hereto;

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Veedersburg, Indiana, as follows:

1. The Town Council hereby approves the 2017 Resolution and the amendment to the Plan as provided in the 2017 Resolution.
2. This Resolution shall be in full force and effect from and after its passage by the Town Council as required by law.

DULY PASSED on this 14th day of February, 2017.

VEEDERSBURG TOWN COUNCIL

Keith K. Smith
Member

Teresa K. Cooper
Member

Troy Finley
Member

Mark Rusk
Member

Member

ATTEST:
Kathy J. Pugh
Kathy Pugh, Clerk-Treasurer

EXHIBIT A

**AMENDMENT, DATED FEBRUARY 6, 2017, TO ECONOMIC DEVELOPMENT PLAN FOR
TOWN OF VEEDERSBURG, COUNTY OF FOUNTAIN, VEEDERSBURG, FIRST
ECONOMIC DEVELOPMENT DISTRICT**

The Economic Development Plan relating to the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (the “Economic Development Area”) is hereby amended to include the following additional projects (the “Additional Projects”):

1. Tax increment revenues from the Allocation Area may be used to offset payments by developers on promissory notes in connection with economic development revenue bond financings undertaken by the Town, or to pay principal or interest on economic development revenue bonds issued by the Town to provide incentives to developers (including, without limitation, the developer of a grocery store to serve the Town), in furtherance of the economic development or redevelopment purposes of the Allocation Area. The provision of incentives by the application of tax increment revenues to offset developer promissory notes that secure economic development revenue bonds, or to pay principal or interest on economic development revenue bonds issued by the Town to provide incentives to developers, in furtherance of the economic development or redevelopment purposes of the Allocation Area, has become an established financing tool and an increasingly common form of incentive for attracting economic development and redevelopment.
2. Tax increment revenues from the Allocation Area may also be used to finance the cost of infrastructure improvements in or serving the Allocation Area, including, without limitation, curbs, gutters, water lines, waste water lines, street paving and construction, storm sewer lines, and storm water basin improvement in, serving or benefiting the Allocation Area (in addition to any other uses described in the Plan for the existing Economic Development Area). Although the precise nature of infrastructure that may be necessary from time to time to attract and retain prospective redevelopment and economic development opportunities in the Allocation Area cannot be predicted with certainty, the availability of adequate infrastructure is of fundamental importance in attracting and retaining such opportunities in the Allocation Area.

The cost of the Additional Projects in the Economic Development Area (including costs relating to the issuance of bonds for the Additional Projects) is currently estimated not to exceed \$250,000.

RESOLUTION OF THE TOWN OF VEEDERSBURG REDEVELOPMENT
COMMISSION CONFIRMING AN AMENDMENT TO THE DECLARATORY
RESOLUTION AND THE ECONOMIC DEVELOPMENT PLAN FOR THE TOWN
OF VEEDERSBURG, COUNTY OF FOUNTAIN, VEEDERSBURG, FIRST
ECONOMIC DEVELOPMENT DISTRICT

WHEREAS, the Town of Veedersburg (the **“Town”**) Redevelopment Commission (the **“Commission”**), as the governing body for the Town of Veedersburg Redevelopment Department (the **“Department”**), previously adopted a Declaratory Resolution (as subsequently confirmed and amended, the **“Original Resolution”**) designating an area known as the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (the **“Economic Development Area”**), as an Economic Development Area pursuant to Indiana Code Section 36-7-14, as amended (the **“Act”**); and

WHEREAS, the Original Resolution approved an economic development plan for the Economic Development Area (the **“Original Plan”**); and

WHEREAS, the Commission, on February 6, 2017, adopted a Declaratory Resolution (the **“Declaratory Resolution”**), amending the Original Resolution and the Original Plan to add to the Plan for the Economic Development Area certain additional projects (the **“Amendment”**); and

WHEREAS, pursuant to Section 16 of the Act, the Town Council of the Town, on February 14, 2017, adopted a resolution which approved the Declaratory Resolution and the Amendment; and

WHEREAS, the Commission has received the written orders of approval as required by Section 17(a) of the Act; and

WHEREAS, pursuant to Section 17 of the Act, the Commission caused to be published a Notice of Public Hearing with respect to the Amendment and filed a copy of said Notice in the offices of all departments, bodies or officers of the Town having to do with Town planning, variances from zoning ordinances, land use or the issuance of building permits; and

WHEREAS, at the hearing (the **“Public Hearing”**) held by the Commission on March 6, 2017, the Commission heard all persons interested in the proceedings and considered any written remonstrances that were filed and all evidence presented; and

WHEREAS, the Commission now desires to take final action determining the public utility and benefit of the Amendment and confirming the Declaratory Resolution, in accordance with Section 17 of the Act;

NOW, THEREFORE, BE IT RESOLVED by the Town of Veedersburg Redevelopment Commission, as follows:

1. The Commission hereby reconfirms the findings and determinations set forth in the Original Resolution with respect to the Economic Development Area, as previously amended.
2. After considering the evidence presented at the Public Hearing, the Commission hereby confirms the findings and determinations, designations and approving and adopting actions contained in the Declaratory Resolution.
3. After considering the evidence presented at the Public Hearing, the Commission hereby finds and determines that it will be of public utility and benefit to proceed with the Amendment, and the Amendment is hereby approved in all respects.
4. The Declaratory Resolution is hereby confirmed.
5. This Resolution constitutes final action, pursuant to Section 17(d) of the Act, by the Commission determining the public utility and benefit of the Amendment and confirming the Declaratory Resolution pertaining to the Economic Development Area.
6. The Secretary of the Commission is directed to record the final action taken by the Commission pursuant to the requirements of Sections 17(d) of the Act.

Adopted this 6th day of March, 2017.

TOWN OF VEEDERSBURG
REDEVELOPMENT COMMISSION

L. Michael Booe
President

Mark Rusk
Vice President

Teresa K. Cooper
Secretary

Greg Wright
Member

Travis Covault
Member

**A RESOLUTION OF THE VEEDERSBURG REDEVELOPMENT COMMISSION
IRREVOCABLY PLEDGING CERTAIN TAX INCREMENT REVENUES FROM THE TOWN
OF VEEDERSBURG, COUNTY OF FOUNTAIN, VEEDERSBURG, FIRST ECONOMIC
DEVELOPMENT AREA ALLOCATION AREA TO THE PAYMENT OF THE TOWN OF
VEEDERSBURG, INDIANA, ECONOMIC DEVELOPMENT TAX INCREMENT REVENUE
BONDS, SERIES 2017 (MANNING PROJECT)**

WHEREAS, the Veedersburg Redevelopment Commission (the “Commission”) has created the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District, has designated such area as the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District Allocation Area (the “Allocation Area”) for purposes of the allocation and distribution of property taxes under IC 36-7-14-39, and has created the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District Allocation Fund (the “Allocation Fund”) pursuant to IC 36-7-14-39; and

WHEREAS, Ronald D. Manning, CPA, and R.D. Manning (collectively, the “Developer”) intend to finance a certain commercial development project and related facilities, consisting of a grocery store (the “Project”), which will be located in or serve and benefit the Allocation Area and

WHEREAS, the Veedersburg Economic Development Commission and the Town of Veedersburg, Indiana, are expected to consider approving the issuance of the Town of Veedersburg, Indiana, Economic Development Tax Increment Revenue Bonds, Series 2017 (Manning Project) (the “Bonds”), the net proceeds of which will be provided to the Developer and applied to certain costs of the Project; and

WHEREAS, as an inducement to the Developer to undertake the Project and create and preserve jobs in the Town of Veedersburg, the Commission has agreed to pledge the tax increment revenues generated from the Allocation Area to the payment of the Bonds;

NOW, THEREFORE, BE IT RESOLVED by the Veedersburg Redevelopment Commission, as follows:

1. The tax increment revenues generated from the Allocation Area and deposited into the Allocation Fund pursuant to IC 36-7-14-39 (the “TIF Revenues”) shall be set aside and used only as set forth in this Resolution.
2. On each January 15 and July 15 during the term of the Bonds, a sufficient amount of TIF Revenues, to the extent available, from the Allocation Area for the payment of principal and interest on the Bonds on the immediately following principal and interest payment date (i.e., the immediately following February 1 or August 1) shall be transferred to the appropriate trustee or agent for deposit into the appropriate funds and accounts and application to the payment of the Bonds. The Redevelopment Commission may use any amount of the TIF Revenues in excess of the amount due on such immediately following principal and interest payment date for any purpose permitted by law. The Bonds shall have a final maturity date not later than February 1, 2023. and shall have a maximum

principal amount not in excess of Two Hundred Fifty Thousand Dollars (\$250,000).

3. Pursuant to IC 36-7-14-39(b)(3)(D) and IC 5-1-14-4, the Commission hereby pledges the TIF Revenues deposited into the Allocation Fund for application to the payment of the Bonds.

4. Upon the defeasance of the Bonds, any moneys remaining in the funds and accounts applicable to the Bonds shall be returned to the Commission for deposit into the Allocation Fund and may be used by the Commission for any purpose permitted by law.

5. The proper officers of the Commission are hereby authorized to take such further actions and enter into such agreements as they deem necessary or appropriate in furtherance of the matters approved hereby.

6. This resolution shall take effect immediately upon adoption by the Commission.

Adopted the 6th day of March, 2017.

VEEDERSBURG REDEVELOPMENT
COMMISSION

L. Michael Booe
President

Mark Rusk
Vice President

Teresa K. Cooper
Secretary

Greg Wright
Member

Travis Covault
Member

FACILITIES FOR RONALD D. MANNING, CPA, AND R.D. MANNING

The Veedersburg Economic Development Commission (the “Commission”) proposes to recommend to the Town Council of the Town of Veedersburg, Indiana (the “Town”), that it provide the proceeds of certain economic development revenue bonds to Ronald D. Manning, CPA, and R.D. Manning (collectively, the “Developer”) for the financing of certain economic development facilities in the Town.

In connection therewith, the Commission hereby reports as follows:

- A. The proposed economic development facilities consist of the acquisition and construction of a grocery store in the Town (the “Project”).
- B. The Commission estimates that except for those public works and services for which funds of the Town and other parties are expected to be available, there are no public works or services, including public ways, schools, water, sewer, street lights and fire protection, which will be made necessary or desirable by the Project, because any such works or services already exist or will be provided by the Developer or other parties.
- C. The Commission estimates that the total costs of the Project for which funding is not otherwise available will not exceed \$250,000.
- D. The Commission estimates that the Project will result in the creation of between four and ten new permanent full-time jobs in the Town, with an annual payroll between \$80,000 and \$250,000, by September 30, 2017, and that the Project will result in the creation of business opportunities in the Town.
- E. The Project will not have any adverse competition effect on other facilities similar to the Project already constructed or operating in or near the Town of Veedersburg, Indiana, because there are no facilities similar to the Project already constructed or operating in or near the Town of Veedersburg, Indiana.

Adopted this 14th day of March, 2017.

Tom W. Booe
President, Veedersburg Economic
Development Commission

ATTEST:

Philip E. DeSutter
Secretary, Veedersburg Economic
Development Commission

FINDINGS OF FACT

Based on careful consideration of evidence and testimony submitted to the Veedersburg Economic Development Commission (the “Commission”), the Commission hereby makes the following findings of fact with respect to the competitive impact on similar facilities already constructed or operating in the Town of Veedersburg, Indiana, as a result of the proposed economic development facilities of Ronald D. Manning, CPA, and R.D. Manning (collectively, the “Developer”).

1. The Project involves the investment by the Developer in a grocery store development to be located in the Town of Veedersburg, County of Fountain, First Economic Development District Allocation Area in the Town of Veedersburg.
2. The Project will not have any adverse competition effect on other facilities similar to the Project already constructed or operating in or near the Town of Veedersburg, Indiana, because there are no facilities similar to the Project already constructed or operating in or near the Town of Veedersburg, Indiana.

**RESOLUTION OF THE TOWN VEEDERSBURG REDEVELOPMENT COMMISSION
APPROVING A FORM OF ECONOMIC DEVELOPMENT AGREEMENT WITH RONALD
D. MANNING, CPA, AND R.D. MANNING**

WHEREAS, there has been presented to this Redevelopment Commission for its consideration an Economic Development Agreement in the form of [Exhibit A](#) attached hereto (the “Economic Development Agreement”); and

WHEREAS, pursuant to the Economic Development Agreement, the Redevelopment Commission and the Town of Veedersburg, Indiana (the “Town”) would, subject to the procedures required by law, provide certain incentives for the benefit of Ronald D. Manning, CPA, and R.D. Manning (collectively, the “Developer”) in return for the Developer’s commitment to make certain investments in the City; and

WHEREAS, the Redevelopment Commission desires to induce the Developer to make such investment and create jobs in the City on the terms set forth in the Economic Development Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE VEEDERSBURG REDEVELOPMENT COMMISSION AS FOLLOWS:

Section 1. The Redevelopment Commission hereby approves the Economic Development Agreement substantially in the form attached hereto, with such changes as the President of the Redevelopment Commission shall approve, such approval to be evidenced by his execution thereof.

Section 2. This Resolution shall be in full force and effect from and after its passage.

Adopted this 6th day of March, 2017.

VEEDERSBURG REDEVELOPMENT
COMMISSION

L. Michael Booe
President

Mark Rusk
Vice President

Teresa K. Cooper
Secretary

Travis Covault
Greg Wright

ECONOMIC DEVELOPMENT AGREEMENT

THIS ECONOMIC DEVELOPMENT AGREEMENT (the “Agreement”) is made and entered into as of the 6th day of March, 2017, by and among the Town of Veedersburg, Indiana (the “Town”), the Town of Veedersburg Redevelopment Commission (the “Redevelopment Commission”), and Ronald D. Manning, CPA, and R.D. Manning (collectively, the “Developer”),

W I T N E S S E T H:

WHEREAS, the Town desires to foster economic development and redevelopment within the Town; and

WHEREAS, the Developer has approached the Town regarding the acquisition, construction, installation and equipping by the Developer of a grocery store on certain land (the “Project Site”) in the Town, as more particularly described in [Exhibit A](#) attached hereto (the “Project”); and

WHEREAS, as part of the Project, the Developer intends to make an investment in improvements and operating capital in the approximate amount of between Seven Hundred Thousand Dollars (\$700,000) and Eight Hundred Thousand Dollars (\$800,000) and to undertake the development of the Project on the Project Site; and

WHEREAS, the Developer has requested certain economic development and redevelopment assistance from the Town; and

WHEREAS, the Town and the Redevelopment Commission (each, a “Town Body” and, collectively, the “Town Bodies”) have determined that the completion of the Project is in the best interests of the citizens of the Town, and, therefore, the Town Bodies desire to take certain steps in order to induce the Developer to complete the Project; and

WHEREAS, to stimulate and induce the development of the Project Site and the completion of the Project, the Town Bodies have agreed, subject to further proceedings as required by law, to provide the economic development and redevelopment incentive described herein.

NOW, THEREFORE, in consideration of the foregoing and of the mutual covenants and agreements herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

ARTICLE I. RECITALS

1.01 Recitals Part of Agreement. The representations, covenants and recitations set forth in the foregoing recitals are material to this Agreement and are hereby incorporated into and made a part of this Agreement as though they were fully set forth in this Section 1.01.

ARTICLE II. MUTUAL ASSISTANCE

2.01 Mutual Assistance. The parties agree, subject to further proceedings required by law, to take such actions, including the execution and delivery of such documents, instruments, petitions and certifications (and, in the case of the Town Bodies, the adoption of such ordinances and resolutions), as may be necessary or appropriate, from time to time, to carry out the terms, provisions and intent of this Agreement and to aid and assist each other in carrying out said terms, provisions and intent.

ARTICLE III. PROJECT DEVELOPMENT

3.01 Property. The Developer has acquired, or shall cause to be acquired, and shall improve the Project Site described in [Exhibit A](#) attached hereto (which is generally located at 300 N. Main Street, in Veedersburg, Indiana), subject to the performance by the Town Bodies of their respective obligations under this Agreement, by the acquisition, construction, installation and equipping of the Project on the Project Site, as more particularly described in Section 3.02 hereof.

3.02 Project Description and Development; Job Creation. The Project shall consist of the items and/or parameters set forth in [Exhibit A](#) attached hereto. The Developer shall commence construction of the Project by no later than thirty (30) days following the successful procurement of all permits and other governmental approvals, and shall complete construction and equipping of the Project by June 30, 2017, subject to permitted delays provided for in Section 3.03 hereof. The Developer reasonably anticipates that the Project will create between four and ten permanent full-time jobs in the Town with an annual payroll between \$80,000 and \$250,000, by not later than six (6) months following the date of issuance of the Bonds (as defined below).

3.03 Permitted Delays. Whenever performance is required of any party hereunder, such party shall use all due diligence and take all necessary measures in good faith to perform; provided, however, that if completion of performance shall be delayed at any time by reason of acts of God, war, civil commotion, riots, strikes, picketing, or other labor disputes, unavailability of labor or materials, or damage to work in progress by reason of fire or other casualty or similar causes beyond the reasonable control of a party (other than financial reasons), then the time for performance as herein specified shall be appropriately extended by the time of the delay actually caused by such circumstances. If (i) there should arise any permitted delay for which the Developer or any of the Town Bodies is entitled to delay its performance under this Agreement and (ii) the Developer or such Town Body anticipates that such permitted delay will cause a delay in its performance under this Agreement, then the Developer or such Town Body, as the case may be, agrees to provide written notice to the other parties to this Agreement of the nature and the anticipated length of such delay.

ARTICLE IV. ECONOMIC DEVELOPMENT INCENTIVE; FORGIVABLE PROMISSORY

NOTE

4.01 Economic Development Revenue Bonds. The Town shall, subject to further proceedings required by law, cause the issuance of economic development revenue bonds pursuant to IC 36-7-12 (the “Bonds”), in the principal amount not to exceed \$250,000, the net proceeds of which bonds in the amount of \$200,000 will be provided to the Developer for application to specific costs of the Project in accordance with the requirements for draws to be set forth in a trust indenture to be entered into by the Town in connection with the issuance of the Bonds, which trust indenture shall limit the application of net proceeds of the Bonds to expenditures for equipment and building improvements (with expenditures for inventory, startup costs or other costs to be ineligible for funding from the net proceeds of the Bonds). The substantially final form of construction fund requisition is set forth in Exhibit C hereto. The Town and the Redevelopment Commission shall not pledge to the repayment of the Bonds any tax revenues or other funds of the Town, except the annual TIF Revenues (as defined below) generated by the Town of Veedersburg, County of Fountain, First Economic Development District Allocation Area (the “Allocation Area”) for a period ending not later than February 1, 2018.

4.02 Creation of Economic Development Area and Pledge of TIF Revenues. The Redevelopment Commission has heretofore created, pursuant to IC 36-7-14, an “economic development area” designated as the “Town of Veedersburg, County of Fountain, First Economic Development District” and the related Allocation Area, which includes the Project Site. The Redevelopment Commission shall, subject to further proceedings required by law, cause the real property tax increment revenues generated by the Allocation Area (the “TIF Revenues”) to be pledged to the payment of the Bonds for a period ending not later than February 1, 2018.

4.03 Alternative Financing. If the Town Bodies and the Developer agree that a form of financing other than the issuance of the Bonds would better accomplish the purposes of this Agreement, the terms of this Agreement will be amended to provide for such alternative financing.

4.04 Forgivable Promissory Note. In connection with the issuance of the Bonds, Ronald D. Manning and R.D. Manning shall, jointly and severally, execute a promissory note to the Town Parties in the principal amount of the Bonds, substantially in the form of Exhibit B hereto (the “Note”). The Note shall be payable in five (5) equal annual installment amounts of 20% of the principal amount of the Note, which installments shall bear interest at a rate of five percent (5.0%) per annum, payable on the dates on which principal is due. The Note shall be forgiven as follows:

(a) If the Developer has, during the first 12-month period after the completion of the Project (but in no event later than December 31, 2018), maintained an average of at least four (4) full-time employees and a minimum annual payroll of \$80,000, and has continuously operated the Project throughout such year, the Developer’s obligation to pay principal and interest on the Note on the first principal payment date shall be forgiven.

(b) If the Developer has, during the second 12-month period after the completion of the Project, maintained an average of at least four (4) full-time employees and a minimum annual payroll of \$80,000, and has continuously operated the Project throughout such year, the Developer’s obligation to pay principal and interest on the Note on the second principal payment date shall be forgiven.

- (c) If the Developer has, during the third 12-month period after the completion of the Project, maintained an average of at least four (4) full-time employees and a minimum annual payroll of \$80,000, and has continuously operated the Project throughout such year, the Developer's obligation to pay principal and interest on the Note on the third principal payment date shall be forgiven.
- (d) If the Developer has, during the fourth 12-month period after the completion of the Project, maintained an average of at least four (4) full-time employees and a minimum annual payroll of \$80,000, and has continuously operated the Project throughout such year, the Developer's obligation to pay principal and interest on the Note on the fourth principal payment date shall be forgiven.
- (e) If the Developer has, during the fifth 12-month period after the completion of the Project, maintained an average of at least four (4) full-time employees and a minimum annual payroll of \$80,000, and has continuously operated the Project throughout such year, the Developer's obligation to pay principal and interest on the Note on the fifth principal payment date shall be forgiven.
- (f) If the Developer ceases to operate the Project for a period longer than one month, then the principal and interest on the Note shall be immediately due and payable in full.

ARTICLE V. AUTHORITY

5.01 **Actions.** Each of the Town Bodies represents and warrants that it has taken or will take (subject to further proceedings required by law and the Developer's performance of its agreements and obligations hereunder) such action(s) as may be required and necessary to enable each of the respective Town Bodies to execute this Agreement and to carry out fully and perform the terms, covenants, duties and obligations on its part to be kept and performed as provided by the terms and provisions hereof.

5.02 **Powers.** The Town Bodies represent and warrant that each has full constitutional and lawful right, power and authority, under currently applicable law, to execute and deliver and perform their respective obligations under this Agreement.

ARTICLE VI. GENERAL PROVISIONS

6.01 **Indemnity; No Joint Venture or Partnership.** The Developer covenants and agrees at its expense to pay and to indemnify and save the Town Bodies, and their officers and agents (the "Indemnitees") harmless of, from and against, any and all claims, damages, demands, expenses and liabilities relating to bodily injury or property damage resulting directly or indirectly from the Developer's (and/or any affiliate's thereof) development activities with respect to the Project unless such claims, damages, demands, expenses or liabilities arise by reason of the negligent act or omission of the Town Bodies, or other Indemnitees. However, nothing contained in this Agreement shall be construed as creating either a joint venture or partnership relationship between the Town Bodies, and the Developer or any affiliate thereof.

6.02 **Time of Essence.** Time is of the essence of this Agreement. The parties shall make every

reasonable effort to expedite the subject matters hereof (subject to any time limitations described herein) and acknowledge that the successful performance of this Agreement requires their continued cooperation.

6.03 Breach. Before any failure of any party of this Agreement to perform its obligations under this Agreement shall be deemed to be a breach of this Agreement, the party claiming such failure shall notify, in writing, the party alleged to have failed to perform such obligation and shall demand performance. No breach of this Agreement may be found to have occurred if performance has commenced to the reasonable satisfaction of the complaining party within thirty (30) days of the receipt of such notice. If after said notice, the breaching party fails to cure the breach, the non-breaching party may seek any remedy available at law or equity.

6.04 Amendment. This Agreement, and any exhibits attached hereto, may be amended only by the mutual consent of the parties, by the adoption of an ordinance or resolution of each of the Town Bodies approving said amendment, as provided by law, and by the execution of said amendment by the parties or their successors in interest.

6.05 No Other Agreement. Except as otherwise expressly provided herein, this Agreement supersedes all prior agreements, negotiations and discussions relative to the subject matter hereof and is a full integration of the agreement of the parties.

6.06 Severability. If any provision, covenant, agreement or portion of this Agreement or its application to any person, entity or property, is held invalid, such invalidity shall not affect the application or validity of any other provisions, covenants, agreements or portions of this Agreement and, to that end, any provisions, covenants, agreements or portions of this Agreement are declared to be severable.

6.07 Indiana Law. This Agreement shall be construed in accordance with the laws of the State of Indiana.

6.08 Notices. All notices and requests required pursuant to this Agreement shall be deemed sufficiently made if delivered, as follows:

To the Developer:

Robert D. Manning and R.D. Manning
105 E. 2nd Street
Veedersburg, IN 47987

To the Town Bodies:

Town of Veedersburg
Attn: Clerk-Treasurer
100 S. Main Street
Veedersburg, IN 47987

or at such other addresses as the parties may indicate in writing to the other either by personal delivery, courier, or by registered mail, return receipt requested, with proof of delivery thereof. Mailed notices shall be deemed effective on the third day after mailing; all other notices shall be effective when delivered.

6.09 Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same agreement.

6.10 Assignment. The rights and obligations contained in this Agreement may not be assigned by the Developer or any affiliate thereof without the express prior written consent of each of the Town Bodies; provided, however, that the Developer may transfer all or a portion of its rights and obligations hereunder to an affiliate of the Developer upon notice to but without the consent of the Town Bodies, but any such transfer to an affiliate of the Developer shall not have the effect of releasing the Developer from its obligations hereunder.

6.11 No Third Party Beneficiaries. This Agreement shall be deemed to be for the benefit solely of the parties hereto and shall not be deemed to be for the benefit of any third party.

6.12 Effective Date. Notwithstanding anything herein to the contrary, this Agreement shall not be effective until all parties hereto have executed this Agreement and each of the Town Bodies has approved or ratified this Agreement at public meetings.

IN WITNESS WHEREOF, the parties have duly executed this Agreement pursuant to all requisite authorizations as of the date first above written.

TOWN OF VEEDERSBURG, INDIANA

By: Keith K. Smith
President of Town Council

TOWN OF VEEDERSBURG
REDEVELOPMENT COMMISSION

By: L. Michael Booe
President

Ronald D. Manning

R. D. Manning
R.D. Manning

EXHIBIT A

DESCRIPTION OF PROJECT

The Project will be located on the Project Site (as described below) and will consist of the construction, acquisition and equipping of a self-service shop offering a wide variety of food and household products, organized into aisles. Items to be sold shall include meat, fresh produce, dairy and baked goods, along with canned and packaged goods and non-food items such as kitchenware, household cleaners, pharmacy products and pet supplies.

PROJECT SITE

The address of the Project Site is 300 N. Main St., Veedersburg, Indiana (which is the location of the former Veedersburg Food Basket).

EXHIBIT B

(FORM OF NOTE)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AUTHORIZING THE ISSUANCE OF THE TOWN OF VEEDERSBURG, INDIANA, TAXABLE ECONOMIC DEVELOPMENT TAX INCREMENT REVENUE BONDS, SERIES 2017 (MANNING PROJECT), AND THE PROVISION OF THE PROCEEDS THEREOF TO RONALD D. MANNING, CPA, AND R.D. MANNING, AND AUTHORIZING AND APPROVING OTHER ACTIONS IN RESPECT THERETO

WHEREAS, the Town of Veedersburg, Indiana (the “Town”), is a political subdivision of the State of Indiana and by virtue of I.C. 36-7-11.9 and I.C. 36-7-12 (collectively, the “Act”), is authorized and empowered to adopt this ordinance (this “Bond Ordinance”) and to carry out its provisions; and

WHEREAS, Ronald D. Manning, CPA, and R.D. Manning (collectively, the “Developer”), desire to finance the construction of certain economic development facilities consisting of a grocery store which is in or directly serving and benefiting the Town of Veedersburg, County of Fountain, First Economic Development District Allocation Area (the “Project”); and

WHEREAS, the Developer has advised the Town of Veedersburg Economic Development Commission (the “Commission”) and the Town that it proposes that the Town issue its Taxable Economic Development Tax Increment Revenue Bonds, Series 2017 (Manning Project) in an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000) (the “Bonds”), under the Act and provide the proceeds of such Bonds to the Developer for the purpose of financing a portion of the costs of the Project; and

WHEREAS, the completion of the Project results in the diversification of industry and the creation of business opportunities in the Town; and

WHEREAS, pursuant to I.C. § 36-7-12-24, the Commission published notice of a public hearing (the “Public Hearing”) on the proposed issuance of the Bonds to finance a portion of the Project; and

WHEREAS, on the date specified in the notice of the Public Hearing, the Commission held the Public Hearing on the Project; and

WHEREAS, the Commission has performed all actions required of it by the Act preliminary to the adoption of this Bond Ordinance and has approved and forwarded to the Town Council the forms of: (1) a Financing Agreement between the Town and the Developer (the “Agreement”); (2) a Trust Indenture (the “Indenture”) between the Town and a trustee to be selected by the Clerk-Treasurer of the Town (the “Trustee”); (3) the Bonds; and (4) this Bond Ordinance (the Agreement, the Indenture, the Bonds, and this Bond Ordinance, collectively, the “Financing Agreements”).

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

1. Findings; Public Benefits. The Town Council hereby finds and determines that the Project involves the acquisition, construction and equipping of an “economic development facility” as that

phrase is used in the Act; that the Project will increase employment opportunities and increase diversification of economic development in the Town, will improve and promote the economic stability, development and welfare in the Town, will encourage and promote the expansion of industry, trade and commerce in the Town and the location of other new industries in the Town; that the public benefits to be accomplished by this Bond Ordinance, in tending to overcome insufficient employment opportunities and insufficient diversification of industry, are greater than the cost of public services (as that phrase is used in the Act) which will be required by the Project; and, therefore, that the financing of the Project by the issue of the Bonds under the Act: (i) will be of benefit to the health and general welfare of the Town; and (ii) complies with the Act.

2. Approval of Financing. The proposed financing of the Project by the issuance of the Bonds under the Act, in the form that such financing was approved by the Town of Veedersburg Economic Development Commission, is hereby approved.

3. Authorization of the Bonds. The issuance of the Bonds, payable solely from revenues and receipts derived from the Financing Agreements, is hereby authorized.

4. Terms of the Bonds. (a) The Bonds, in the aggregate principal amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000), shall (i) be executed at or prior to the closing date by the manual or facsimile signatures of the Town Council President and the Clerk-Treasurer of the Town; (ii) be dated as of the date of their delivery; (iii) mature on a date not later than February 1, 2018; (iv) bear interest at such rate as determined with the purchaser thereof (the "Purchaser") not exceeding five percent (5.0%) per annum; (v) be issuable in such denominations as set forth in the Financing Agreements; (vi) be issuable only in fully registered form; (vii) be subject to registration on the bond register as provided in the Indenture; (viii) be payable in lawful money of the United States of America; (ix) be payable at the office of the Trustee as provided in the Indenture; (x) be subject to optional redemption prior to maturity and subject to redemption as otherwise provided in the Financing Agreements; (xi) be issued in one or more series; and (xii) contain such other terms and provisions as may be provided in the Financing Agreements.

(b) The Bonds and the interest thereon do not and shall never constitute an indebtedness of, or a charge against the general credit or taxing power of the Town, but shall be special and limited obligations of the Town, payable solely from revenues and other amounts derived from the Financing Agreements. Forms of the Financing Agreements are before this meeting and are by this reference incorporated in this Bond Ordinance, and the Clerk-Treasurer of the Town is hereby directed, in the name and on behalf of the Town, to insert them into the minutes of the Town Council and to keep them on file.

5. Sale of the Bonds. The Town Council President and the Clerk-Treasurer of the Town are hereby authorized and directed, in the name and on behalf of the Town, to sell the Bonds to the Purchaser at such prices as are determined on the date of sale and approved by the Town Council President and the Clerk-Treasurer of the Town.

6. Execution and Delivery of Financing Agreements. The Town Council President and the Clerk-Treasurer of the Town are hereby authorized and directed, in the name and on behalf of the Town, to execute or endorse and deliver the Agreement, the Indenture, and the Bonds, submitted to the Town

Council, which are hereby approved in all respects.

7. Changes in Financing Agreements. The Town Council President and the Clerk-Treasurer of the Town are hereby authorized, in the name and on behalf of the Town, without further approval of the Town Council or the Commission, to approve such changes in the Financing Agreements as may be permitted by the Act, such approval to be conclusively evidenced by their execution thereof.

8. General. The Town Council President and the Clerk-Treasurer of the Town, and each of them, are hereby authorized and directed, in the name and on behalf of the Town, to execute or endorse any and all agreements, documents and instruments, perform any and all acts, approve any and all matters, and do any and all other things deemed by them, or either of them, to be necessary or desirable in order to carry out and comply with the intent, conditions and purposes of this Bond Ordinance (including the preambles hereto and the documents mentioned herein), the Project, the issuance and sale of the Bonds, and the securing of the Bonds under the Financing Agreements, and any such execution, endorsement, performance or doing of other things heretofore effected be, and hereby is, ratified and approved.

9. Binding Effect. The provisions of this Bond Ordinance and the Financing Agreements shall constitute a binding contract between the Town and the holders of the Bonds, and after issuance of the Bonds this Bond Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of the holders of the Bonds as long as the Bonds or interest thereon remains unpaid.

10. Repeal. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

11. Effective Date. This Bond Ordinance shall be in full force and effect immediately upon adoption and compliance with I.C. § 36-2-6.

12. Copies of Financing Agreements on File. Two copies of the Financing Agreements incorporated into this Bond Ordinance were duly filed in the office of the Clerk-Treasurer of the Town, and are available for public inspection in accordance with I.C. § 36-1-5-4.

13. Effectiveness of Ordinance. This Ordinance shall be in full force and effect from and after its passage by the Town Council.

ALL OF WHICH IS PASSED AND ADOPTED THIS 14th DAY OF MARCH, 2017, BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, FOUNTAIN COUNTY, INDIANA.

TOWN OF VEEDERSBURG, FOUNTAIN
COUNTY, TOWN COUNCIL

Keith K. Smith
President

Teresa K. Cooper

Member

Troy Finley
Member

Mark Rusk
Member

Member

Attest:

Kathy J. Pugh
Kathy Pugh, Clerk-
Treasurer

**A RESOLUTION APPROVING AND AUTHORIZING CERTAIN ACTIONS AND PROCEEDINGS
WITH RESPECT TO CERTAIN PROPOSED ECONOMIC DEVELOPMENT REVENUE BONDS
AND RELATED MATTERS**

WHEREAS, the Town of Veedersburg, Indiana (the “Town”), is authorized by I.C. 36-7-11.9 and I.C. 36-7-12 (collectively, the “Act”) to issue revenue bonds for the financing of economic development facilities, and to provide the proceeds of the revenue bond issue to another entity or developer to finance the acquisition, construction, renovation, installation and equipping of said facilities;

WHEREAS, Ronald D. Manning, CPA, and R.D. Manning (collectively, the “Developer”) desire to finance the acquisition, construction and equipping of a grocery store in the Town (the “Project”);

WHEREAS, the Developer will own and have completed or will complete the Project for use in the operation of its grocery store operations to be located in the in the Town;

WHEREAS, the Developer has advised the Veedersburg Economic Development Commission (the “Commission”) and the Town that it proposes that the Town issue revenue bonds in an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000) (the “Bonds”) under the Act and provide the proceeds of such Bonds to the Developer for the purpose of financing a portion of the Project;

WHEREAS, the Commission has studied the Project and the proposed financing of the Project and its effect on the health and general welfare of the Town and its citizens;

WHEREAS, the completion of the Project will result in the diversification of industry and the creation of between four and ten new permanent full-time jobs in the Town, with an annual payroll between \$80,000 and \$250,000, by September 30, 2017;

WHEREAS, pursuant to I.C. § 36-7-12-24, the Commission published notice of a public hearing (the “Public Hearing”) on the proposed issuance of the Bonds to finance the Project; and

WHEREAS, on the date hereof the Commission held the public hearing on the Project and considered any adverse competitive effect the Project may have on competing similar facilities in the area served by the Developer;

NOW, THEREFORE, BE IT RESOLVED BY THE VEEDERSBURG ECONOMIC DEVELOPMENT COMMISSION AS FOLLOWS:

SECTION 1. The Commission hereby finds, determines, ratifies and confirms that the diversification of industry, the creation of business opportunities and the creation of opportunities for gainful employment within the jurisdiction of the Town are desirable, serve a public purpose, and are of benefit to the health and general welfare of the Town; and that it is in the public interest that the Town take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the creation of opportunities for gainful employment within the jurisdiction of the Town.

SECTION 2. In making the findings herein, the Commission has considered any adverse competitive effect the Project may have on any similar facilities already constructed or operating in or near the Town.

SECTION 3. The Commission hereby approves the report with respect to the Project presented at this meeting.

SECTION 4. The Commission finds, determines, ratifies and confirms that the issuance and sale of the Bonds in an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000) and the provision of the proceeds of the Bonds to the Developer for the financing of the Project will be of benefit to the health and general welfare of the Town, will serve the public purposes referred to above in accordance with the Act, and will fully comply with the Act.

SECTION 5. The financing of a portion of the Project through the issuance of the Bonds, in one or more series, in an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000), is hereby approved and recommended to the Veedersburg Town Council.

SECTION 6. The Commission hereby approves and recommends to the Veedersburg Town Council the terms of the following documents in the form presented at this meeting: (i) a Financing Agreement between the Town and the Developer; (ii) a Trust Indenture, between the Town and a trustee to be selected by the Clerk-Treasurer of the Town; (iii) the Bonds; and (iv) an Ordinance of the Veedersburg Town Council.

SECTION 7. Any officer of the Commission is hereby authorized and directed, in the name and on behalf of the Commission, to execute any and all other agreements, documents and instruments, perform any and all acts, approve any and all matters, and do any and all other things deemed by them, or any of them, to be necessary or desirable in order to carry out and comply with the intent, conditions and purposes of this resolution (including the preambles hereto and the documents mentioned herein), the Project and the issuance and sale of the Bonds, and any such execution, performance, approval or doing of other things heretofore effected be, and hereby is, ratified and approved.

SECTION 8. The Secretary of this Commission shall transmit this resolution, together with the forms of the documents approved by this resolution, to the Veedersburg Town Council.

SECTION 9. This resolution shall be in full force and effect upon adoption.

Adopted this 14th day of March, 2017.

VEEDERSBURG ECONOMIC
DEVELOPMENT COMMISSION

Philip S. DeSutter
Member

Carter Morrett
Member

Tom W. Booe
Member

RESOLUTION NO. 07-2017

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA,
APPROVING A FORM OF ECONOMIC DEVELOPMENT AGREEMENT AMONG THE TOWN
OF VEEDERSBURG, THE TOWN OF VEEDERSBURG REDEVELOPMENT COMMISSION,
AND RONALD D. MANNING, CPA, AND R.D. MANNING

WHEREAS, there has been presented to the Town Council (the “Town Council”) of the Town of Veedersburg, Indiana (the “Town”), for its consideration an Economic Development Agreement among the Town, the Veedersburg Redevelopment Commission (the “Redevelopment Commission”), and Ronald D Manning, CPA, and R.D. Manning, in the form of [Exhibit A](#) attached hereto (the “Economic Development Agreement”); and

WHEREAS, pursuant to the Economic Development Agreement, the Company would construct in the Town a grocery store; and

WHEREAS, the Town Council believes that the approval of the Economic Development Agreement is in the best interests of the citizens of the Town and necessary for the redevelopment and economic development of the Town; and

WHEREAS, the Town Council desires to approve the Economic Development Agreement substantially in the form of [Exhibit A](#) hereto;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. The Town Council of the Town of Veedersburg, Indiana, hereby approves the Economic Development Agreement substantially in the form attached hereto, with such changes as the Town Council President of the Town shall approve, such approval to be evidenced by his execution thereof.

Section 2. Two copies of the attached Economic Development Agreement shall be kept on file in the office of the Clerk-Treasurer of the Town for public inspection.

Section 3. The Town Council President, the Clerk-Treasurer or any other officer of the Town is hereby authorized and directed to take any action as such officer deems necessary or desirable to effectuate this Resolution, and any such actions heretofore taken are hereby ratified and approved.

DULY PASSED on this 14th day of March, 2017.

VEEDERSBURG TOWN COUNCIL

Teresa K. Cooper
Member

Troy Finley

Member

Mark Rusk
Member

Keith K. Smith
Member

Member

ATTEST:

Kathy J. Pugh
Kathy Pugh, Clerk-Treasurer

ORDINANCE # 05-2017

Ordinance Adopting an Economic Development Rider

WHEREAS, the Town Council of the Town of Veedersburg, Indiana recognizes the need to stimulate growth and to maintain a sound economy within the Town of Veedersburg, Indiana; and

WHEREAS, the Town of Veedersburg is a member of the Indiana Municipal Power Agency (IMPA); and

WHEREAS, IMPA adopted an Economic Development Rider available to all IMPA members with customers that meet the IMPA Rider's requirements; and

WHEREAS, the incentives provided by the IMPA Rider are to be passed through to customers that meet the IMPA Rider's requirements through the adoption by this Council of a local Economic Development Rider (attached as [Exhibit A.](#))

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF VEEDERSBURG:

SECTION 1. The findings and determinations set forth in the preambles to this Ordinance are hereby made findings and determinations of the Council

SECTION 2. The Economic Development Rider attached hereto as Exhibit A is hereby adopted by the Council, to be effective immediately.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg, Indiana, this 9th day of May, 2017.

Keith K. Smith

Troy Finley

Teresa K. Cooper

Mark Rusk

Stephen R. Cates
Veedersburg Town Council

ATTEST: Kathy J. Pugh
Clerk-Treasurer

Economic Development Rider

1. **Availability.** This Rider is available to a Qualifying Customer (as defined herein) to encourage large power users to expand or create new operations within the Utility's service territory.

Qualifications. A "Qualifying Customer" is a new or existing non-residential customer in the Utility's service territory that is establishing new operations or expanding existing operations such that the new or expanded operations will result in new or additional demand of at least one (1) MW (1000 kW) at one delivery point (the "Qualifying Demand") and the new or expanded operations has involved a capital investment of at least one million dollars (\$1,000,000) within the Utility's service territory.

2. For a Qualifying Customer that is expanding operations, Qualifying Demand is measured from the average monthly peak demand for the twelve (12) months immediately preceding the effective date of the Service Application. For a Qualifying Customer that is establishing new operations, Qualifying Demand is measured from zero.

A Qualifying Customer is not a customer: (1) with "new" demand that results from a change in ownership of an existing establishment without qualifying new load; (2) renewing service following interruptions such as equipment failure, temporary plant shutdown, strike, economic conditions, or natural disaster; or (3) that has shifted its load from one operation or customer to another within the Utility's service territory. The Utility may determine exclusively, without recourse by the customer, whether an event has occurred that would prevent a customer from being a Qualifying Customer.

Rate Incentive. Beginning with the effective date indicated in the Service Application submitted by the Qualifying Customer, Utility will receive a credit on its wholesale bill for the qualifying new load. The incentive amount received by Utility from the Indiana Municipal Power Agency for such load will be passed in full to Qualifying Customers. For reference purposes, the discount to the Qualifying Customer's wholesale cost for qualifying new load will be calculated according to the following schedule:

3.	Months 1-12	20%
	Months 13-24	15%
	Months 25-36	10%
	Months 37-48	10%
	Months 49-60	5%

The Qualifying Customer must meet the minimum Qualifying Demand during each month of the incentive period (*i.e.*, months 1 through 60, as designated above). Failure to meet the minimum

Qualifying Demand in a particular month will result in 0% reduction for that month.

Terms and Conditions. The Qualifying Customer must submit a Service Application to the Utility specifying: (1) a description of the amount and nature of the new load; (2) the basis on which the Qualifying Customer meets the requirements of this Rider; (3) the Qualifying Customer's desired effective date; and (4) [any other information required by the Utility].

4. This Rider will terminate on the same date that IMPA's economic development rider terminates, except that any Qualifying Customer receiving the rate incentive at the time of the Rider's termination may continue receiving the incentive for the remainder of the applicable incentive period (as long it continues to meet the Rider's requirements)
5. **Applicable Rate Schedules.** This Rider is applicable to the following rate schedules: [List applicable rate schedules here].

LARGE POWER SERVICE

AVAILABILITY

Available for any customer having a connected transformer capacity of 525 kVA or more; or, at the option of the Utility, any customer with power service having energy use of less than 200 kWh per kW of maximum billing load. Applicant must be located adjacent to an electric distribution line of the Electric Utility that is adequate and suitable for supplying the service requested.

CHARACTER OF SERVICE

Service under this schedule shall be alternating current, 60 Hertz, at any poly phase voltage supplied by the Electric Utility in the locality for which service is required.

MONTHLY RATE

- | | |
|---------------------|--|
| A. Customer Charge: | \$100.00 per meter per month |
| B. Demand Charge: | \$ 7.80 per kW of Maximum Load per month |
| C. Energy Charges: | \$0.0670 per kWh per month |

D. Minimum Monthly Charge

The minimum monthly charge shall be the Customer Charge plus the Distribution Charge and Maximum Load Charge.

E. Rider: FCA

The above rates and charges are subject to the Riders, as determined by the Town, for monthly Fuel Clause Adjustment (FCA) charges.

DETERMINATION OF DEMAND

The Demand for any month shall be the maximum load for the month. Maximum load shall be the average number of kilowatts in the recorded 30 minute interval in such month during which the energy metered is greater than in any other such 30 minute interval as measured by suitable recording instruments provided by the Electric Utility.



INDUSTRIAL POWER SERVICE

AVAILABILITY

Available to any customer where monthly demands exceed 2,000 kW and the load factor exceeds 60 percent pursuant to an Agreement between the Customer and the Town of Veedershurg, Indiana.

CHARACTER OF SERVICE

Service under this schedule shall be alternating current, 60 Hertz, poly-phase at a mutually agreed to voltage.

MONTHLY RATE

- | | |
|------------------------------|--|
| A. Customer Charge: | \$600.00 per meter per month |
| B. Distribution Charge: | \$ 2.00 per kVA of Distribution Demand per month |
| C. Generation Demand Charge: | \$ 15.85 per kW of Maximum Load per month |

D. Energy Charge: \$0.0515 per kWh per month

E. Minimum Monthly Charge

The minimum monthly charge shall be the Customer Charge plus the Distribution Charge and Generation Demand Charge.

F. Riders: FCA

The above rates and charges are subject to the Riders, as determined by the Town, for monthly Fuel Clause Adjustment (FCA) charges.

DETERMINATION OF GENERATION DEMAND

The Generation Demand for any month shall be the maximum load for the month. Maximum load shall be the average number of kilowatts in the recorded 30 minute interval in such month during which the energy metered is greater than in any other such 30 minute interval as measured by suitable recording instruments provided by the Electric Utility.

DETERMINATION OF DISTRIBUTION DEMAND

The Distribution Demand in kVA shall be taken each month as the highest 30 minute registration in kilowatts during the month, or 60% of the highest monthly load during the preceding twelve months, divided by the average lagging power factor established during the month corrected to the nearest kVA.

TERM OF SERVICE

Service arrangements under this rate schedule will be made for an initial term of not less than one (1) year with a longer term if specified in a contract between the Customer and the Electric

Attachments:

+/- #05-2017: Adopting Economic Development Rider (5/9/2017) - Sample Invoice, Page 1

+/- #05-2017: Adopting Economic Development Rider (5/9/2017) - Sample Invoice, Page 2

+/-

#05-2017: Adopting Economic Development Rider (5/9/2017) - Sample Invoice, Page 3

+/-

#05-2017: Adopting Economic Development Rider (5/9/2017) - Sample Invoice, Page 4

**RESOLUTION OF THE TOWN OF VEEDERSBURG REDEVELOPMENT COMMISSION
APPROVING AN AMENDMENT TO THE DECLARATORY RESOLUTION AND
ECONOMIC DEVELOPMENT PLAN FOR THE TOWN OF VEEDERSBURG, COUNTY OF
FOUNTAIN, VEEDERSBURG, FIRST ECONOMIC DEVELOPMENT DISTRICT**

WHEREAS, the Town of Veedersburg Redevelopment Commission (the “Commission”), as the governing body for the Town of Veedersburg Redevelopment Department, pursuant to Indiana Code 36-7-14, as amended (the “Act”), has heretofore adopted a declaratory resolution (as subsequently confirmed and amended, the “Declaratory Resolution”) designating an area known as the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (as previously amended, the “Economic Development Area”) as an “economic development area” pursuant to the Act, designating the entire Economic Development Area as an “allocation area” pursuant to Section 39 of the Act (the “Allocation Area”), and approving an Economic Development Plan for the Economic Development Area (as previously amended, the “Plan”); and

WHEREAS, pursuant to Sections 15-17.5 of the Act, the Commission desires to amend the Declaratory Resolution and the Plan by adding the additional projects (the “Additional Projects”) described in [Exhibit A](#) attached hereto to the Plan (the Additional Projects referred to herein collectively as the “Amendment”); and

WHEREAS, the Commission has caused to be prepared maps and plats showing the boundaries of the Economic Development Area, the location of various parcels of property, streets, alleys, and other features affecting the replatting, replanning, rezoning, redevelopment or economic development of the Economic Development Area, and the parts of the Economic Development Area that are to be devoted to public ways, sewerage and other public purposes under the Plan, as amended by the Amendment; and

WHEREAS, the Commission has caused to be prepared a list of the parcels of property located in the Economic Development Area and the owners thereof; and

WHEREAS, the proposed Amendment and supporting data were reviewed and considered at this meeting;

NOW, THEREFORE, BE IT RESOLVED by the Town of Veedersburg Redevelopment Commission, as the governing body of the Town of Veedersburg Redevelopment Department, as follows:

1. The Commission hereby finds that it will be of public utility and benefit to adopt the Amendment, and that the public health and welfare will be benefited by the Amendment. The Commission further finds and determines that the Amendment is reasonable and appropriate when considered in relation to the Plan and the purposes of the Act, and that the Plan, with the Amendment, conforms to the comprehensive plan for the Town. The Commission hereby reconfirms the findings and determinations set forth in the Declaratory Resolution with respect to the Economic Development Area.

2. The Amendment is hereby approved in all respects. The Plan, as amended by the Amendment, is hereby confirmed in all respects.
3. Any member of the Commission is hereby authorized to take such actions as are necessary to implement the purposes of this resolution, and any such action taken prior to the date hereof is hereby ratified and approved.
4. This Resolution, together with any supporting data, shall be submitted to the Town Council of the Town of Veedersburg (the “Town Council”) as provided in the Act, and if approved by the Town Council shall be submitted to a public hearing and remonstrance as provided by the Act, after public notice as required by the Act.

Adopted this 5th day of June, 2017.

TOWN OF VEEDERSBURG
REDEVELOPMENT COMMISSION

L. Michael Booe
President

Mark Rusk
Vice President

Teresa K. Cooper
Secretary

Greg Wright
Member

Member

EXHIBIT A

**AMENDMENT, DATED JUNE 5, 2017, TO ECONOMIC DEVELOPMENT PLAN FOR
TOWN OF VEEDERSBURG, COUNTY OF FOUNTAIN, VEEDERSBURG, FIRST
ECONOMIC DEVELOPMENT DISTRICT**

The Economic Development Plan relating to the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (the “Economic Development Area”) is hereby amended to include the following additional projects (the “Additional Projects”):

1. The acquisition or construction of projects to enhance the public safety of the entire Town, including the Economic Development Area, including, without limitation, the acquisition of fire department air packs.
2. The acquisition or construction of projects to enhance the cultural attractiveness of the entire Town, including the Economic Development Area.

The cost of the Additional Projects in the Economic Development Area is currently estimated not to exceed \$50,000.

RESOLUTION NO. 11-2017

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, APPROVING AN AMENDMENT TO A DECLARATORY RESOLUTION APPROVED AND ADOPTED BY THE TOWN OF VEEDERSBURG REDEVELOPMENT COMMISSION

WHEREAS, the Town of Veedersburg Redevelopment Commission (the “Redevelopment Commission”) previously adopted and amended a Declaratory Resolution (the “Declaratory Resolution”) establishing the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (the “Economic Development Area”) and the related Allocation Area (the “Allocation Area”) in the Town, and approving an Economic Development Plan for the Economic Development Area (the “Plan”); and

WHEREAS, on June 5, 2017, the Redevelopment Commission approved and adopted a Resolution (the [“2017 Resolution”](#)) amending the Declaratory Resolution to add certain projects to the Plan for the Economic Development Area, as described in [Exhibit A](#) hereto;

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Veedersburg, Indiana, as follows:

1. The Town Council hereby approves the 2017 Resolution and the amendment to the Plan as provided in the 2017 Resolution.
2. This Resolution shall be in full force and effect from and after its passage by the Town Council as required by law.

DULY PASSED on this 15th day of June, 2017.

VEEDERSBURG TOWN COUNCIL

Keith K. Smith
Member

Troy Finley
Member

Mark Rusk
Member

Stephen R. Cates
Member

Member

ATTEST:
Kathy J. Pugh
Kathy Pugh, Clerk-Treasurer

EXHIBIT A

**AMENDMENT, DATED JUNE 5, 2017, TO ECONOMIC DEVELOPMENT PLAN FOR
TOWN OF VEEDERSBURG, COUNTY OF FOUNTAIN, VEEDERSBURG, FIRST
ECONOMIC DEVELOPMENT DISTRICT**

The Economic Development Plan relating to the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (the “Economic Development Area”) is hereby amended to include the following additional projects (the “Additional Projects”):

1. The acquisition or construction of projects to enhance the public safety of the entire Town, including the Economic Development Area, including, without limitation, the acquisition of fire department air packs.
2. The acquisition or construction of projects to enhance the cultural attractiveness of the entire Town, including the Economic Development Area.

The cost of the Additional Projects in the Economic Development Area is currently estimated not to exceed \$50,000.

RESOLUTION OF THE TOWN OF VEEDERSBURG REDEVELOPMENT
COMMISSION CONFIRMING AN AMENDMENT TO THE DECLARATORY
RESOLUTION AND THE ECONOMIC DEVELOPMENT PLAN FOR THE TOWN
OF VEEDERSBURG, COUNTY OF FOUNTAIN, VEEDERSBURG, FIRST
ECONOMIC DEVELOPMENT DISTRICT

WHEREAS, the Town of Veedersburg (the **“Town”**) Redevelopment Commission (the **“Commission”**), as the governing body for the Town of Veedersburg Redevelopment Department (the **“Department”**), previously adopted a Declaratory Resolution (as subsequently confirmed and amended, the **“Original Resolution”**) designating an area known as the Town of Veedersburg, County of Fountain, Veedersburg, First Economic Development District (the **“Economic Development Area”**), as an Economic Development Area pursuant to Indiana Code Section 36-7-14, as amended (the **“Act”**); and

WHEREAS, the Original Resolution approved an economic development plan for the Economic Development Area (as subsequently amended, the **“Original Plan”**); and

WHEREAS, the Commission, on June 5, 2017, adopted a Declaratory Resolution (the **“Declaratory Resolution”**), amending the Original Resolution and the Original Plan to add to the Plan for the Economic Development Area certain additional projects as described therein (the **“Amendment”**); and

WHEREAS, pursuant to Section 16 of the Act, the Town Council of the Town, on June 15, 2017, adopted a resolution which approved the Declaratory Resolution and the Amendment; and

WHEREAS, the Commission has received the written orders of approval as required by Section 17(a) of the Act; and

WHEREAS, pursuant to Section 17 of the Act, the Commission caused to be published a Notice of Public Hearing with respect to the Amendment and filed a copy of said Notice in the offices of all departments, bodies or officers of the Town having to do with Town planning, variances from zoning ordinances, land use or the issuance of building permits; and

WHEREAS, at the hearing (the **“Public Hearing”**) held by the Commission on July 11, 2017, the Commission heard all persons interested in the proceedings and considered any written remonstrances that were filed and all evidence presented; and

WHEREAS, the Commission now desires to take final action determining the public utility and benefit of the Amendment and confirming the Declaratory Resolution, in accordance with Section 17 of the Act;

NOW, THEREFORE, BE IT RESOLVED by the Town of Veedersburg Redevelopment Commission,

as follows:

1. The Commission hereby reconfirms the findings and determinations set forth in the Original Resolution with respect to the Economic Development Area, as previously amended.
2. After considering the evidence presented at the Public Hearing, the Commission hereby confirms the findings and determinations, designations and approving and adopting actions contained in the Declaratory Resolution.
3. After considering the evidence presented at the Public Hearing, the Commission hereby finds and determines that it will be of public utility and benefit to proceed with the Amendment, and the Amendment is hereby approved in all respects.
4. The Declaratory Resolution is hereby confirmed.
5. This Resolution constitutes final action, pursuant to Section 17(d) of the Act, by the Commission determining the public utility and benefit of the Amendment and confirming the Declaratory Resolution pertaining to the Economic Development Area.
6. The Secretary of the Commission is directed to record the final action taken by the Commission pursuant to the requirements of Sections 17(d) of the Act.

Adopted this 11th day of July, 2017.

TOWN OF VEEDERSBURG
REDEVELOPMENT COMMISSION

L. Michael Booe
President

Mark Rusk
Vice President

Teresa K. Cooper
Secretary

Mark Summers
Member

Greg Wright
Member

Veedersburg, Indiana
Town Council

RESOLUTION 2018-_01_

RESOLUTION APPROVING A STATEMENT OF BENEFITS
FOR MASTERGUARD CORPORATION

WHEREAS, The Town Council (“Council”) of Veedersburg, Indiana (“Town”), did on the 16th day of August, 1994, adopt a resolution designating certain real property ([“Declaratory Resolution”](#)) located in the Town and set forth in the Declaratory Resolution as an economic revitalization area understand pursuant to IC 6-1.1-12.1 (“ERA”) and the Declaratory Resolution [was confirmed](#) on the 20th day of September, following a public hearing pursuant to IC 6-1.1-12.1-1 *et seq.* (“Act”); and

WHEREAS, Masterguard Corporation (“Taxpayer”) submitted a Statement of Benefits Form-1 (“SB-1”) attached hereto as [Exhibit A](#) and incorporated herein by reference, applying for an assessed value deduction in accordance with IC 6-1.1-12.1-3, IC 6-1.1-12.1-4 and 6-1.1-12.1-17 in connection with the rehabilitation of certain real property and requesting approval thereof; and

WHEREAS, the Resolutions adopted in 1994 remain in full force and effect.

WHEREAS, The Council hereby determines that the deduction under IC 6-1.1-12.1-3 should be allowed based on the following findings:

- (i) The value of the redevelopment or rehabilitation is reasonable for projects of this nature;
- (ii) The number of individuals to be employed reasonably result from the redevelopment or rehabilitation of the real property;
- (iii) The annual salaries of those individuals to be employed reasonably resulted from the redevelopment or rehabilitation of the real property;
- (iv) the number of individual opportunities for employment, both temporary and permanent, and the compensation paid to employees, along with the acquisition and construction of the improvements, create benefits of the type and quality anticipated by this Council with the ERA and can reasonably be expected to result from the described redevelopment or rehabilitation of the real property; and
- (v) The totality of the benefits provided by the redevelopment or rehabilitation is sufficient to justify the deduction; and

WHEREAS, The Council hereby determines that the use of the deduction schedule authorized under

IC 6-1.1-12.1-17 is appropriate as demonstrated by:

- (i) The total amount of the Taxpayer's investment in real and personal property;
- (ii) The number of new full-time equivalent jobs created;
- (iii) The average wage of the new employees compared to the state minimum wage; and
- (iv) The infrastructure requirements for the Taxpayer's investment; and

WHEREAS, The Council hereby finds that the purposes of the Act are served by allowing the deduction provided by IC 6-1.1-12.1-3 in accordance with the alternate schedule attached hereto as [Exhibit B](#);

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF VEEDERSBURG, FOUNTAIN COUNTY, INDIANA, THAT:

- Section 1. The Taxpayer shall be entitled to the deduction provided by IC 6-1.1-12.1-3 in accordance with [Exhibit B](#).
- Section 2. The SB-1 and abatement application submitted by the Taxpayer are hereby approved.
- Section 3. This resolution shall be effective from and after passage.

Adopted this 9th day of January, 2018.

VEEDERSBURG TOWN COUNCIL

Keith K. Smith

Teresa K. Cooper

Troy Finley

Mark Rusk

ATTEST:
Kathy J. Pugh
Clerk-Treasurer

=====

EXHIBIT B

Tax Abatement Schedule
10 Year Real Property Tax Abatement

Year	Percentage Amount of Deduction
1	100%
2	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%


=====

Attachments:

+/-

#01-2018R: Approving a Statement of Benefits for Masterguard Corporation (1/9/2018) -

Description of Planned Improvements

 #01-2018R: Approving a Statement of Benefits for Masterguard Corporation (1/9/2018) - Statement of Benefits Form [**Exhibit A, Form SB-1**]

Copy of [Resolution No. 94-13](#), Declaratory Resolution for the Designation of an Economic Revitalization Area, adopted 8/16/1994.

Copy of [Resolution No. 94-15](#), Confirmation of Declaratory Resolution for the Designation of an Economic Revitalization Area, adopted 9/20/1994.

 #01-2018R: Letter from Warren County Economic Development Corporation (10/10/2011)

 #01-2018R: Email regarding Local Incentives Letter (11/02/2011)

 #01-2018R: Application for Incentives, IEDC - Page 1

 #01-2018R: Application for Incentives, IEDC - Page 2

RESOLUTION OF THE TOWN OF VEEDERSBURG REDEVELOPMENT
COMMISSION DETERMINING NEED TO CAPTURE INCREMENTAL ASSESSED
VALUATION

WHEREAS, the Redevelopment Commission previously has established the Town of Veedersburg, County of Fountain, First Economic Development District Allocation Area for purposes of capturing tax increment revenues pursuant to IC 36-7-14.

WHEREAS, under IC 36-7-14-39 (b)(4), the Commission is required to make certain determinations relating to its need to capture TIF Revenues for the following budget year with respect to each Allocation Area;

NOW, THEREFORE, BE IT RESOLVED by the Town of Veedersburg Redevelopment Commission, as follows:

1. Pursuant to IC 36-7-14-39 (b)(4), the Commission hereby determines that, for budget year 2019, all of the incremental assessed value of taxable property in each Allocation Area is needed to produce TIF Revenues necessary to make, when due, principal and interest payments on bonds issued pursuant to IC 36-7-14-39 (b)(4), plus the amount necessary for other purposes described in IC 36-7-14-39 (b)(4) with respect to each such Allocation Area. The Commission therefore determines that there is no excess assessed value in any of the Allocation Areas that may be released to the respective taxing units in the manner prescribed in IC 36-7-14-39 (b)(4).
2. The Commission hereby further determines, with respect to each Allocation Area, that the amount of excess assessed value captured by the Commission in each such Allocation Area is not expected to generate more than 200% of the of TIF Revenues necessary to pay principal and interest on bonds and other amounts projected to be spent for legally authorized purposes from the TIF Revenues in 2019 in the respective Allocation Areas. Accordingly, the Commission shall not be required to obtain the approval the Veedersburg Town Council of the determinations set forth herein
3. The Secretary of the Commission is directed to record this resolution in the official minutes of the Commission, and President of the Commission is hereby authorized to provide, by not later than June 15, 2018, written notice of the determination made herein to the Fountain County Auditor, the Veedersburg Town Council and to each taxing unit that is wholly or partly located within each such Allocation Area, and also to the Indiana Department of Local Government Finance, in the manner set forth in IC 36-7-14-39 (b)(4)(B).
4. The President of the Commission is hereby authorized and directed, in the name and on behalf of the Commission, to execute and deliver such documents and to take such actions as such officer or member deems necessary or desirable to carry out the intent of the resolution, including, but not limited to, providing the written notice to the offices described in Section 3 about, and any and all actions previously taken by any officer or member of the Commission in connection with the foregoing determinations, be, and hereby are, ratified and approved.
5. This Resolution shall take effect immediately upon adoption.

ADOPTED by the Veedersburg Redevelopment Commission this 4th day of June, 2018.

Mike Booe Pres.

Teresa K. Cooper

Mark Summers

Mark Rusk

Greg Wright

VEEDERSBURG REDEVELOPMENT
COMMISSION

AN ORDINANCE AMENDING ORDINANCE NO. 4-66 and 4-82 CONCERNING RATES, FEES,
AND CHARGES FOR THE USE OF SERVICES RENDERED BY THE TOWN OF
VEEDERSBURG, INDIANA, ETC.

Whereas, the Board of Trustees of the Town of Veedersburg has heretofore determined that it is necessary to increase penalties, and certain deposits on utilities because of increased losses on town provided services and the increase of the usage of electric heat; now, therefore:

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF VEEDERSBURG,
INDIANA:

Section 1. That the minimum charge for any user of water and sewage shall not be less than \$4.25 per month.

Editor's Note: This "minimum charge", as stated in 1985, is no longer valid. See the latest Waterworks and Sewage Works Ordinances for current minimum charges.

Section 2. That the penalty for late payment of utility bills shall be increased to ten (10) %.

Section 3. That the electrical meter deposits on any service including but not limited to houses, rental property, or mobile homes that utilize electric heat as the primary heating source be increased to Two hundred dollars (\$200.00).

Editor's Note: See [Ordinance No. 2-09, Section 3](#), adopted 8/11/2009, and [Ordinance No. 94-20, Section 4](#) adopted 11/15/1994 - as amended by [Ordinance No. 01-07](#), adopted 3/27/2007 - regarding "security deposits".

Section 4. That the meter deposits on any businesses that have consistently and repeatedly caused a loss of monies to the Town may be raised by Board action to eliminate future losses.

Section 5. All ordinances and parts of ordinance in conflict here with are hereby repealed.

Section 6. This ordinance shall be in full force and effect from April 1, 1985.

Section 7. The individual sections herein are declared to be severable from any other section herein.

Approved and adopted by the Board of Trustees of the Town of Veedersburg, Indiana, on the 4th day of March, 1985.

BOARD OF TRUSTEES

Attest:

Ralph Cushman

Dorothy Dice
Clerk-Treasurer

Catherine Dismore

James O. Songer

RESOLUTION 4-92

A RESOLUTION SELLING POLICY FOR FIRE DEPT. FILLING SWIMMING POOLS WITH TOWN WATER.

Be it resolved by the Town Council of Veedersburg, In that:

SECTION 1. The Veedersburg Van Buren Fire Department will fill no pool outside of the departments fire district.

Section 2. Any pool filled by using Town Water, the fire department will be responsible for collecting the money and seeing the Town Clerk-Treas. is paid for the water used.

SECTION 3. This resolution shall be in full force and effect after passage.

Dated this 16th day of June 1992.

The Veedersburg Town Council

Donald L. Bailey

Terri J. Gadd

Ralph Cushman

ATTEST:

Kathryn M. York
Clerk-Treas.

ORDINANCE NO. 5 -96

AN ORDINANCE AMENDING ORDINANCE NO. 4-66 AND 10-92 OF THE TOWN OF VEEDERSBURG, INDIANA, AS FROM TIME TO TIME AMENDED TO PROVIDE FOR A ONCE A YEAR RATE CAP FOR FILLING SWIMMING POOLS

WHEREAS, some residents of the Town of Veedersburg own swimming pools and their rates for sanitary sewer service are artificially -high in the month in which the pool is filled, since the sewer rates are based on water consumption but the water placed in the pools would not be discharged into the sanitary sewer system; and

WHEREAS, the Town Council of the Town of Veedersburg has determined to offer owners of swimming pools a once a year reduction in such owners' sewer rates to account for the filling of the swimming pool.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Veedersburg as follows:

Section 1. Amendment of Rates. Ordinance Nos. 4-66 and [10-92](#) are hereby amended as follows:

Owners of a swimming pool shall be entitled to a once a year modification of the otherwise applicable sewer charges in accordance with the following procedure: On or before the 10th day of the month in which the owner intends to fill his or her swimming pool, the owner shall notify the Town's utility office of the fact that the owner intends to fill the pool in such month. Instead of being charged for sewage disposal services based on the level of water consumption in such month, the Town shall charge the owner for sewage disposal services based on the month with the highest level of water consumption for such owner in the immediately preceding 11--month period.

Dated this 16th day of April, 1996.

VEEDERSBURG TOWN COUNCIL

Donald L. Bailey
Don Bailey, President

Richard L. Rusk
Richard Rusk

Greg Seibold
Greg Seibold

Richard C. Burton
Richard Burton

Tim Shumaker
Tim Shumaker

Attest:

Kathryn M. York
Kathryn York, Clerk-Treasurer

ORDINANCE NO. 6 -96

AN ORDINANCE PROVIDING FOR TERMINATION OF TOWN UTILITY SERVICES FOR NONPAYMENT OF CHARGES AND FOR APPLICATION OF PARTIAL PAYMENTS RECEIVED

WHEREAS, some customers of the Town's utility services have failed to pay their bills when due and the Town Council of the Town of Veedersburg desires to establish the procedures to be followed when bills are not paid when due and the procedures for application of partial payments;

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Veedershmng as follows:

Section 1. Termination of Service Upon 30-Day Delinquency. Any customer of the utilities of the Town of Veedersburg who shall fail to pay in full the charges for any utility or trash hauling services provided by the Town within 30 days of the final date on which such bills may be paid without penalty shall no longer be entitled to receive utility services from the Town. The Town's employees are authorized and directed to turn off all utility services, including water, sewer, trash hauling and electricity, to any customer whose bill, or any part thereof, is more than 30 days past due.

Section 2. Application of Payments. If a customer shall pay less than all of the monthly bill for electricity, water, trash hauling and sewer services provided by the Town, such partial payment shall be applied to the customer's bill in the following order: The partial payment shall be first applied to the electric bill, if any. The remaining portion of the partial payment, if any, shall be next applied to the water bill and then to the trash hauling bill. The remaining portion of the partial payment, if any, shall finally be applied to the sewer bill.

Section 3. Effective Date. This Ordinance shall be in full force and effect on June 1 , 1996.

Section 4. Partial Invalidity. If any term or provision of this Ordinance, or the application thereof to any person or circumstance, shall be invalid or unenforceable, the remainder of this Ordinance, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid, shall he unaffected thereby and each term or provision of this Ordinance shall be valid and be enforced to the fullest extent permitted by law.

Dated this 16th day of April, 1996.

VEEDERSBURG TOWN COUNCIL

Donald L. Bailey
Don Bailey, President

Richard L. Rusk
Richard Rusk

Greg Seibold
Greg Seibold

Richard C. Burton
Richard Burton

Tim Shumaker
Tim Shumaker

Attest:

Kathryn M. York
Kathryn York, Clerk-Treasurer

**ORDINANCE REGULATING BILLING ADJUSTMENTS FOR UTILITIES
PROVIDED BY THE TOWN OF VEEDERSBURG**

WHEREAS, the Town Council of the Town of Veedersburg has previously adopted ordinances regulating the use by customers of the utilities offered by the Town of Veedersburg and

WHEREAS, the Town Council of the Town of Veedersburg has determined that it is in the best interest of both the Town and its users that an ordinance be adopted outlining the procedure to be used if there is believed to be an error in billing for said utilities to be applied uniformly to all users of the Town of Veedersburg regulated utilities.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Veedersburg as follows:

Section 1. Adjustment of Bills.

A. Adjustment due to Meter Errors. If any service meter, after being tested by a Town of Veedersburg employee for the applicable utility, is found to have a percentage of error greater than three percent (3%) for watthour meters and four percent (4%) for demand meters, the bills for service shall be adjusted as follows:

(1) Fast Meters: When a meter is found to have a positive average error, the Town of Veedersburg shall refund, or credit the customer's account with the amount of any charges in excess of either (i) an average bill for the kilowatt-hours and or demand units incorrectly metered or (ii) separate bills individually adjusted for the percent of error for the period the meter was fast, if such period can be determined, or one year, whichever period is shorter. An average bill shall be calculated on the basis of kilowatt- hours and/or demand units registered on the meter over corresponding periods either prior or subsequent to the period for which the meter is determined to be fast. No part of a minimum service charge shall be refunded.

(2) Stopped or Slow Meters: When a meter is stopped or has a negative average error, the Town of Veedersburg may charge the customer for the kilowatt-hours and/or demand units incorrectly registered for one-half the period since the last previous test or one year, whichever is shorter. The amount of the charge to the customer shall be estimated on the basis of either (i) an average bill as herein below described or (ii) separate bills individually adjusted for the percent of error. An average bill shall be calculated on the basis of kilowatt-hours and/or demand units registered on the meter over corresponding periods either prior or subsequent to the period for which the meter is determined to be slow or stopped. The utility may charge the customer for such amounts except where the utility negligently allows the stopped or slow meter to remain in service.

B. Other Billing Adjustments. All other billing errors, including incorrect service agreement applications, may be adjusted to the known date of error or for a period of one year, whichever period is shorter.

Section 2. Effective Date: This Ordinance shall be effective immediately upon passage.

Dated this _____ day of May, 2005.

VEEDERSBURG TOWN COUNCIL

Carl Hoagland

Albert Goodson

Richard C. Burton

Attest:

Laura Bennett
Laura Bennett, Clerk-Treasurer

Clerk: Publish one time immediately upon passage

RESOLUTION 1-05

A RESOLUTION ESTABLISHING POLICY REGARDING COLLECTION OF UNPAID UTILITY BILLS

WHEREAS; It is the desire of the council of the Town of Veedersburg to establish policy in regard to the collection of unpaid utility bills, and

WHEREAS; It is not cost-effective to pursue collection of such bills in sums that are unsubstantial, and

WHEREAS; It is not possible to collect such bills if the customer's whereabouts cannot be determined, the customer is deceased or the customer has filed bankruptcy.

THEREFORE, be it now ordained that the following policy shall be established:

SECTION 1: In the event it is determined that the unpaid bill is the debt of an individual who has filed bankruptcy or is deceased, such bill shall be written off as uncollectible by the Clerk-Treasurer.

SECTION 2: In the event it is determined that the unpaid bill is the debt of an individual whose whereabouts cannot be determined through reasonable effort, such bill shall be written off as uncollectible by the Clerk-Treasurer.

In the event it is determined that the unpaid bill is the debt of an individual whose whereabouts are known, the Clerk-Treasurer may file in small claims court to collect such debts using the following guidelines:

SECTION 3: Any unpaid bill of \$100.00 or less shall be written off as uncollectible by the Clerk-Treasurer.

Any expenses incurred in the filing of small claims shall be paid from and refunded to the Electric Operating Fund.

Passed and adopted this 12th day of July, 2005.

Carl Hoagland

Bryan Lanham

Al Goodson

Richard C. Burton

Attest: Laura Bennett
Clerk-Treasurer

ORDINANCE NO. 2-09

ON ORDINANCE AMENDING THE TERMINATION OF TOWN UTILITIES SERVICES FOR NONPAYMENT OF CHARGES, FOR APPLICATION OF PARTIAL PAYMENTS RECEIVED, AND FOR INCREASE IN AMOUNT OF SECURITY DEPOSITS

WHEREAS, the Town of Veedersburg under Ordinance No. 97-29 has established procedures for when customers of the Town's utility services fail to pay their bills when due and establish procedures for application of partial payments and for the establishment of the amount of security deposits and;

WHEREAS, the current procedures in process for termination of utility services has become ineffective and caused problems for the town as well as some residents, and;

WHEREAS, the Town Council finds it necessary, advisable and in the best interest of the Town of Veedersburg and it's citizens to amend the Town's existing Ordinance thereto;

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Veedersburg, Fountain County, Indiana as follows:

Section 1: Termination of service upon delinquency. Customers of the Utilities of the Town of Veedersburg shall be subject to the following process and procedure for payment of utility bills and termination of service;

- (1) Utility bills are due on the 15th day of each month.
- (2) If invoices for utility services are not paid by the 15th day of the month, a late fee equal to 10% of the invoice shall be added thereto.
- (3) Any customer who has not paid his/her utility bill by the 15th day of the month will be subject to disconnection by the 23rd of the month. If the 23rd day of any given month falls on a holiday or weekend, disconnections shall be done on the next regular business day.
- (4) If utility service is disconnected for nonpayment, there shall be assessed a reconnection fee of \$25.00 for electric utility and \$25.00 for water utility. These reconnection fees, along with payment in full of any past due balances, must be paid before any utility services shall be restored.
- (5) If utility services have been disconnected, all payments to the Town must be made in the form of cash or money order. Reconnect payments and unpaid balances received at the Clerk-Treasurer Office after 3:00 p.m. will have service reconnected on the next business day.
- (6) If customer's utility bill is not paid by the 23rd day of the month, the customer shall no longer be entitled to receive any utility or trash hauling services from the Town. Town employees are authorized and directed to turn off and discontinue all utility and trash hauling services, including water, sewer, electricity and trash hauling, to any customer who fails to pay all utility and trash hauling bills in full

within the time periods provided in this Section 1.

Section 2. Application of Payments. If a customer shall pay less than all of the total outstanding balance for electricity, water, trash hauling and sewer services provided by the Town, such partial payment shall be applied to the customer's bill in the following order: The remaining portion of the partial payment, if any, shall be next applied to the electric bill, if any. The remaining portion of the partial payment, if any, shall be next applied to the water bill, if any. The remaining portion of the partial payment, if any, shall be next applied to the trash hauling bill, if any. The remaining portion of the partial payment, if any, shall finally be applied to the sewer bill, if any. If a partial payment is sufficient to pay only a part of the bill for a particular service, the payment shall be applied to the past due portion of the bill, if any, before being applied to the current charges. **THIS SECTION IS INTENDED TO INSTRUCT THE CLERK-TREASURER ON HOW PARTIAL PAYMENTS ARE TO BE APPLIED AND IS NOT INTENDED FOR THE BENEFIT OF CUSTOMERS OF THE TOWN. IF PAYMENTS IN FULL ARE NOT MADE BY THE TIMES SPECIFIED IN SECTION 1 OF THIS ORDINANCE, THE CUSTOMER SHALL NO LONGER BE ENTITLED TO UTILITY AND TRASH HAULING SERVICES FROM THE TOWN AS SPECIFIED IN SECTION 1 OF THIS ORDINANCE.**

Section 3. If a security deposit is required of a customer pursuant to rules previously established by the Town, the amount of the required deposit shall be \$400.00 for all customers, \$300.00 of the deposit shall be held as security deposit for electric charges and \$100.00 shall be held as security deposit for payment of water charges.

Section 4. Customer security deposits may be refunded to the customer after the customer has established creditworthiness by paying all utility payments owed to the town for 36 consecutive months. The Customer shall be required to apply in writing to the Town for the security deposit refund.

(Amended by [Ord. No. 2017-11](#), adopted 11/28/2017.)

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Section 4. 5. Effective Date. This Ordinance shall be in full force and effect on September 1, 2009.

Section 5. 6. Partial Invalidity. If any term or provision of this Ordinance, the application thereof to any person or circumstance, shall be invalid or unenforceable, the remainder of this Ordinance, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid, shall be unaffected thereby and each term or provision of this Ordinance shall be valid and be enforced to the fullest extent permitted by law.

Section 6. 7. Repeal. Ordinance No. 97-29 is hereby repealed on the effective date of this Ordinance.

Passed and adopted by the Council of the Town of Veedersburg on the 11th day of August, 2009

Keith K. Smith

Stephen R. Cates

Travis Covault

Bob Barker

Seth A. Hoagland

Attest: Laura Bennett
Clerk-Treasurer

ORDINANCE 2-83

AN ORDINANCE FOR THE REMOVAL OF THE VEEDERSBURG ELECTRIC AND WATER
PUBLIC UTILITIES FROM JURISDICTION OF THE PUBLIC COMMISSION FOR APPROVAL
OF RATES AND CHARGES PURSUANT TO INDIANA CODE 8-1.5-3-9.

Be it ordained by the Municipal Lesislative Body of the Town of Veedersburg that the following question be submitted to the registered voters of the municipality in the next election. "Shall the municipally owned Electric and Water utilities be taken out of the jurisdiction of the Public Service commission for approval of rates and charges?"

This ordinance is passed pursuant to Indiana Code 8-1.5-3-9 and is pursuant to a Petition signed by more than 5% of the registered voters of the municipality, all as provided by I.C.8-1.5-3-9 (B)1.

Passed unanimously at a meeting of the quorum of the municipal legislative body of the Town of Veedersburg.

Herschel Clark, President
Town Board of Trustees

Warren S. Randolph
Warren Randolph, Trustee

Herman Holder
Herman Holder, Trustee

ATTEST:

Dorothy Dice
Dorothy Dice, Clerk-Treasurer

TOWN OF VEEDERSBURG
ORDINANCE NO. 97- 23

AN ORDINANCE PROVIDING FOR FEES TO BE COLLECTED IN THE EVENT A CUSTOMER REQUESTS A UTILITY CONNECTION OR DISCONNECTION DURING NON-BUSINESS HOURS OR A CONNECTION OR DISCONNECTION FOR THE CUSTOMER'S CONVENIENCE

WHEREAS, customers have requested that the Town of Veedersburg connect and/or disconnect its water, sewer and/or electrical services during hours on which the employees are normally not on duty for the convenience of the customer, and providing such services during non-business hours causes the Town to incur personnel expenses, which may include overtime pay; and

WHEREAS, other customers have chosen to not install main service connection valves or breakers in their facilities, and have requested temporary disconnections and connections from the Town for the customer's convenience; and

WHEREAS, the Town Council of the Town of Veedersburg has determined that a fee should be charged a customer who requests either of the services set forth above to defray the Town's costs of providing such services;

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Veedersburg, Indiana:

Section 1. Fee for After Hours Connection or Disconnection. If a customer requests that a utility connection and/or disconnection be made for the customer's convenience during hours other than those during which the employees of the Town of Veedersburg are normally on duty, such customer shall be charged a fee for providing such services at a rate equal to \$ 25.00 plus the actual cost to the Town of providing such services.

Section 2. Fee for Providing Temporary Service Connections or Disconnections. If a customer requests the Town to temporarily connect or disconnect utility services, and such request is necessitated by the customer's failure to have a breaker or valve that is normally present in most facilities of the same type and could have provided the desired interruption in service, the customer shall be charged a fee for providing such services at a rate equal to the greater of \$ 25.00 or the actual cost to the Town of providing such services.

Costs to be paid within 30 days invoice.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT IMMEDIATELY UPON ITS PASSAGE.

Passed and adopted by the Town Council of the Town of Veedersburg, Indiana, on the 9 day of Sept , 1997.

Donald L. Bailey
Donald L. Bailey, President

Richard Rusk
Richard Rusk

Gregory Seibold
Greg Seibold

Richard C. Burton
Richard C. Burton

Tim Shumaker
Tim Shumaker

Attest:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

TOWN OF VEEDERSBURG
ORDINANCE NO. 95-2

AN ORDINANCE PROHIBITING WATER AND SEWER CONNECTIONS BETWEEN
NOVEMBER 1 OF EACH YEAR AND THE MARCH 1 OF THE FOLLOWING CALENDAR
YEAR

WHEREAS, water lines have a greater tendency to break or leak if digging in the vicinity of such lines or connections to such lines occurs during the winter months; and

WHEREAS, it is a hardship on employees of the Town of Veedersburg to work on water and sewer lines during the winter months, and a hardship on residents of the Town of Veedersburg if a water line breaks during the winter months;

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Veedersburg, Indiana:

- 1. No connections to the Town's water and sewer mains shall be made between November 1 of each year and March 1 of the succeeding calendar year.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT IMMEDIATELY UPON ITS
PASSAGE.

Passed and adopted by the Town Council of the Town of Veedersburg, Indiana, on the 17th day of
January , 1995.

Ralph Cushman
Ralph V. Cushman, President

Donald L. Bailey
Donald L. Bailey

Richard L. Rusk
Richard Rusk

Greg F. Seibold
Greg Seibold

Richard C. Burton
Richard C. Burton

Attest:

Kathryn M. York

Kathryn M. York, Clerk-Treasurer

Town of Veedersburg

LOCAL RESOLUTION #1-13 APPROVING THE WATER and WASTEWATER PLAN

WHEREAS, the Town of Veedersburg had identified adequate reason to analyze the water and wastewater treatment systems, and

WHEREAS, the Town of Veedersburg has hired Triad and Associates to define and describe the issues, advise us of our options, and make recommendations to address this issue in the near future, and

WHEREAS, the Town of Veedersburg has received federal Community Development Block Grant dollars from the Indiana Office of Community and Rural Affairs to fund this study and has contributed \$4,400 as local match for this project, and

WHEREAS, the Town of Veedersburg has reviewed the process and completed study thoroughly and is satisfied with the services performed, information contained therein, and methodology applied;

WHEREAS, the Town of Veedersburg has received six copies of this document for our records and will keep them on file in the town offices for future reference, and

BE IT RESOLVED by the Town of Veedersburg that the final document is hereby approved, contingent upon comments and approval received from the Indiana Office of Community and Rural Affairs. The Town of Veedersburg will fully consider all comments and feedback received from the Indiana Office of Community and Rural Affairs and will direct its consultant to provide amended copies of this plan reflecting all said comments.

Signed this 22nd day of January, 2013 at 7:20 p.m.

Keith K. Smith
Chief Elected Official Signature

Keith K. Smith
Printed Name

Attest:

Kathy J. Pugh
Clerk Treasurer Signature

Kathy J. Pugh

Printed Name

ORDINANCE NO. 2017-11
AN ORDINANCE AMENDING
ORDINANCE NO. 02-09

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG,
INDIANA, REGARDING AMENDING DEPOSIT AMOUNTS FOR UTILITY SERVICES**

WHEREAS, the Town of Veedersburg, Indiana (the “Town”), owns and operates a municipal utilities for water and electric (“Utilities”), and collects rates and charges for the utility services rendered by the electric and water Utilities, and

WHEREAS, the existing deposit amounts are insufficient to cover expenses and past due amounts when a customer fails to pay an account in full; and

WHEREAS, it is necessary to increase existing deposit amounts in order to provide sufficient funds to meet expenses when a customer fails to pay an account in full; and

WHEREAS, the Town, acting through its Town Council, adopted [Ordinance 2-83](#) on September 1, 1983, pursuant to IC 8-1.5-3-9.1, removing Utilities from jurisdiction of the Indiana Utility Regulatory Commission for purposes of approval of rates and charges and the issuance of stocks, bonds, notes, or other evidences of indebtedness; and

WHEREAS, this Town Council has the power, authority and responsibility to approve new deposit amounts without publication of notice for a public hearing;

WHEREAS, a public meeting on November 28, 2017 about the changes in deposit amounts was held and any interested persons were afforded the opportunity to be heard concerning the proposed changes.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, THAT [SECTION THREE OF ORDINANCE NO. 02-19](#) IS AMENDED AND SECTION 4 IS ADDED AS FOLLOWS:

1. The Town Council hereby approves the following schedule of deposit amounts listed below and rendered by the Town of Veedersburg, Indiana, which charges shall replace the currently existing charges for the services listed below:

Section 3. If a security deposit is required of a customer pursuant to rules previously established by the Town, the amount of the required deposit shall be \$400.00 for all customers, \$300.00 of the deposit shall be held as security deposit for electric charges and \$100.00 shall be held as security deposit for payment of water charges.

Section 4. Customer security deposits may be refunded to the customer after the customer has established creditworthiness by paying all utility payments owed to the town for 36 consecutive months. The Customer shall be required to apply in writing to the Town for the security deposit refund.

SO ADOPTED this 28th day of November , 2017.

TOWN COUNCIL OF THE TOWN OF
VEEDERSBURG, INDIANA

Keith K. Smith
President

Teresa K. Cooper

Troy Finley

Stephen R. Cates

ATTEST:
Kathy J. Pugh
Clerk-Treasurer

ORDINANCE NO. 2-81

An Ordinance to authorize the licensing and franchising for the transmission of television signals through the use of cables and matters relating thereto and connected therewith.

BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section I: It is deemed and found to be necessary and proper by the Board of Town Trustees of the Town of Veedersburg, Indiana, to authorize and license a corporation or individual engaging in the transmission of television signals to the general public of the Town of Veedersburg by use of cable.

Section II: The Town Board of Trustees, upon request by individuals or corporations may establish an exclusive franchise for the transmission of television signals through the use of cable to the citizens and inhabitants of the Town of Veedersburg, Indiana.

Section III: That the Town Board of Trustees shall be authorized and empowered to enter into a Contract with said individuals stipulating the terms and conditions of said Agreement with such individuals engaged in the transmission of television signals through the use of cable.

Section IV: That any and all income derived from said franchise and the operation thereof shall enure to the benefit of the Town of Veedersburg, and such funds shall be paid into the General Fund of said municipality.

(Amended by [Ord. No. 82-2](#), adopted 1/19/1982.)

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Section V: This Ordinance shall be in force and effect on and after the 3rd day of March, 1981.

The foregoing Ordinance, as passed and approved on first reading this 3rd day of March, 1981.

Herschel Clark
Herschel Clark, President

ATTEST:

Dorothy Dice
Dorothy Dice, Town Clerk-
Treasurer

Herman Holder
Herman Holder, Trustee

Warren S. Randolph
Warren S. Randolph, Trustee

The foregoing Ordinance was passed after a suspension of the rules, and approved unanimously on

final reading and consideration this 3rd day of March, 1981.

Herschel Clark
Herschel Clark, President

ATTEST:

Dorothy Dice
Dorothy Dice, Town Clerk-
Treasurer

Herman Holder, Trustee

Warren S. Randolph
Warren S. Randolph, Trustee

ORDINANCE NO. 82-2

An Ordinance amending the existing [Ordinance No. 2-81](#), concerning authorization and licensing and franchising for the transmission of television signals through the use of cables and matters relating thereto and connected therewith.

BE IT ORDAINED by the Town Board of Trustees of the Town of Veedersburg, Indiana, as follows:

1. That the Town hereby amends its existing ordinance by amending [Section IV](#) as follows:

Section IV: That any and all income derived from said franchise and the operation thereof shall enure to the benefit of the Town of Veedersburg, and such funds shall be paid into the General Fund of said municipality.

Upon approval, this ordinance shall take affect immediately.

Passed and adopted by the Board of Trustees of the Town of Veedersburg on the 19 day of January, 1982.

BOARD OF TRUSTEES,
TOWN OF VEEDERSBURG

Herschel Clark
Herschel Clark, President

Herman Holder
Herman Holder, Trustee

Warren S. Randolph
Warren S. Randolph, Trustee

ATTEST:

Dorothy Dice
Dorothy Dice, Clerk-Treasurer

TOWN OF VEEDERSBURG
ORDINANCE NO. 94-20

AN ORDINANCE ESTABLISHING THE GENERAL TERMS AND CONDITIONS FOR THE
PROVISION OF ELECTRICAL SERVICE BY THE ELECTRIC UTILITY OF THE TOWN OF
VEEDERSBURG, INDIANA

BE IT ORDAINED by the Town Council of the Town of Veedersburg, Indiana:

Section 1. Adoption of General Terms and Conditions. The General Terms and Conditions for Electrical Service, consisting of 15 typewritten pages which are attached hereto, are hereby adopted as the General Terms and Conditions for Electrical Service provided by the Electric Utility of the Town of Veedersburg, Indiana and such terms and conditions are incorporated by reference herein the same as if the same were fully set forth in this ordinance.

Section 2. Effective Date. This ordinance shall be in full force and effect immediately upon its passage.

Passed and adopted by the Town Council of the Town of Veedersburg, Indiana, on the 15 day of November , 1994.

Ralph Cushman
Ralph V. Cushman, President

Donald L. Bailey
Donald L. Bailey

Richard Rusk
Richard Rusk

Attest:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

GENERAL TERMS AND CONDITIONS FOR ELECTRIC SERVICE

RATE SCHEDULES

A copy of all available Rate Schedules and the General Terms And Conditions For Electric Service is available at the business office of Utility.

Any Rate Schedule may be revised or changed from time to time in the manner prescribed by applicable laws, and any such changes, when approved by the Town Council of the Town of

1. Veedersburg, Indiana, will supersede the present Rate Schedule.

The General Terms And Conditions For Electric Service sets forth the conditions under which service is to be rendered, and governs all classes of service to the extent applicable. In case of conflict between any provision of a Rate Schedule and the General Terms And Conditions For Electric Service, the provisions of the Rate Schedule shall prevail.

APPLICATION OR CONTRACT

A written application or contract may be required by Utility before service will be provided, which, when accepted by Utility, shall constitute the agreement between Utility and Customer. Utility shall have the right to reject any application for any valid reason.

Utility may require a minimum billing agreement whereby the installed cost of facilities is amortized over 36 months. If the Customer's monthly bill falls below the amortized monthly payment, the Customer may be required to pay the difference or the Customer pays either the monthly electric bill or the amortized payment amount, which ever is greater.

2. No agent or employee of Utility has the authority to amend, modify, alter or waive any part of the Rate Schedule or any provision included in the General Terms And Conditions For Electric Service.

In written contracts, no promises, agreements or representations of an agent or an employee of Utility shall be binding unless such promises, agreements or representation were incorporated in the contract before its execution and approval.

The benefits and obligations under any contract shall be binding upon the successors and assigns, survivors and executors or administrators, as the case may be, of the original parties for the full term of the contract; provided, however, that no assignment shall be made by Customer without first obtaining Utility's written consent. Utility may require the successor either to execute with Utility an assignment agreement wherein the successor-Customer assumes and agrees to be bound by the original contract, or to execute a new contract for service.

RATE SCHEDULE SELECTION

A copy of the rates, rules and regulations will be furnished to Customer upon application at the Utility's office. Customer shall designate the rate schedule on which the application or contract shall be based when more than one rate schedule is available for the service requested. Utility will assist Customer in the selection of the rate schedule best adapted to Customer's service requirements, provided, however, that Utility does not assume responsibility for the selection or that Customer will at all times be served under the most favorable rate schedule.

3.

Customer may change the rate schedule selection to another applicable rate schedule at any time by either written notice to Utility and/or by executing a new contract for the rate schedule selected, provided that the application of such subsequent selection shall continue for 12 months before any other selection may be made. In no case will Utility refund any monetary differences between the rate schedule under which service was billed in prior periods and the newly selected rate schedule.

SERVICE DEPOSITS

Customers applying for electric services shall be required to pay a deposit if they fail to establish their credit worthiness as determined by credit history which must show no delinquent electric bills for the prior 12 months. Said deposit shall be \$300.00 which shall be paid prior to establishment of service. Upon discontinuation of electric service, said sum will be refunded provided that no amounts are owed to said Town. If there are any bills or damages owing, said deposit will be applied to said bills for damages and any excess shall be refunded to the user. If for any reason electric service cannot be furnished to said user, the deposit shall be refunded.

4.

(Amended by [Ordinance No. 01-07](#), adopted 3/27/2007.)



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5. CUSTOMER'S INSTALLATION

Customer shall install and maintain suitable entrance equipment, switches, and protective devices to afford reasonably adequate protection to Utility's property and system against fault originating beyond the service connection to Customer. Such service connection is the point of the physical connection between Utility's and Customer's facilities beyond which point Customer receives and assumes responsibility and liability for the service rendered.

All such Customer's equipment shall be constructed and maintained subject to approval by the Utility and the Town Fire Inspector and in accordance with the National Electric Code, any federal, state or local law, and Utility requirements in effect at the time of installation.

Utility shall have the right to inspect Customer's installation to determine that the use of Customer's equipment will not adversely affect Utility's system or service supplied by Utility to other customers and to refuse to commence service or to continue service when such installation is deemed not to be in good operating condition, but Utility does not under any circumstances assume responsibility in connection with Customer's installation.

6. RENDERING AND PAYMENT OF BILLS

Bills for service will be rendered monthly at intervals of approximately thirty days and will be based on the charges set forth in the rate schedules and are payable at the Office of Utility.

All bills are rendered as "net" bills which will be subject to a late payment charge of 10% of the net bill when not paid by the due date shown on the bill. When the due date falls on Sunday or on any legal holiday, the first business day thereafter shall be added to the due date.

Failure to receive a bill shall not entitle Customer to pay the net bill after the designated date has passed. Upon request, Utility will inform Customer of the approximate date on which Customer should receive the bill each month and, if the bill is lost, Utility will issue a duplicate.

Final bills may be issued at the regularly scheduled billing cycle.

When Utility is unable to obtain the reading of a meter after reasonable effort, it may estimate the reading and render a bill, so marked. In the event Utility's meter fails to register properly for any reason, Utility shall estimate Customer's energy use and/or maximum demand during the period of failure based on such factors as Customer's normal load and energy usage during a like corresponding period.

When Utility is required to re-process a check rendered for payment of a Customer's bill due to nonsufficient funds, a \$20.00 charge shall be added to Customer's billing.

7. CUSTOMER'S REQUEST TO DISCONTINUE SERVICE

Customer who has not contracted for service for a specified term may have service discontinued by giving written notice at Utility's office of the date on which Customer desires that service be discontinued. Utility will endeavor to obtain the final meter reading on the date Customer specifies in his notice, if such date is a scheduled work day, but shall not be obligated to do so unless Customer's notice provides Utility at least three working days. Customer shall be obligated to pay for service rendered to Customer until the final meter reading is obtained by Utility.

Customer who has contracted for service for a specified time may have service discontinued by giving written notice at Utility's office and agreeing to pay for service used to the date of disconnection. Customer shall also be liable for the minimum charges which would be due Utility for the remaining period of the contract in accordance with the contract provisions.

8. RECONNECTION CHARGE

When Utility has discontinued service for nonpayment of a bill, temporary removal of meters, changes in service, or for any other cause, Utility reserves the right to charge Customer an amount for reconnection commensurate with the cost of such reconnection.

9. SERVICE TO BE FURNISHED

When requested by Utility, Customer shall advise Utility fully with respect to the location of the premises where service is desired and to all equipment to be operated.

Utility shall advise Customer concerning the character of service to be supplied, and shall determine the location of the service connection, and the location of the meter.

As the facilities provided by Utility for supplying service to Customer have definite capacity limitations, Customer shall not make any significant increase in requirements without sufficient advance notice to Utility in order to provide a reasonable time in which Utility may increase the capacity of its facilities. Failure to provide such notice to Utility shall make Customer liable for damages which may be occasioned to the meters or other facilities by overload.

Before Utility will make any changes in its facilities to increase capacity to a Customer, a new application or contract for service may be required by Utility.

10. PREDICATION OF RATES

Utility's rate schedules, except as provided for in items (1), (2), and (3) hereunder, are predicated upon the supply of service to one premises, at one standard voltage, at one service connection and through one meter for the ultimate use by one Customer. Premises as used herein shall mean a distinct portion of real estate on which is located the living quarters for the use of a single family, or the main building or main operation of a commercial or industrial Customer and which may include the immediate outlying or adjacent buildings used by the same Customer, provided the use of service in the immediate outlying or adjacent building is supplemental and is similar to the type of service used in the main residence, main building or main operation.

1. When service is supplied to an individual residential dwelling unit primarily for serving one family and where boarders or roomers are accommodated for incidental income, the service will be provided under the residential rate schedule.

2. When service is supplied to a residential dwelling unit where the use is primarily for the accommodations of roomers or boarders, the service will be provided under the commercial rate schedule, unless separate circuits are furnished by Customer to permit Utility to separately meter and bill the residential and commercial uses.

3. When the principal use of service supplied to a residential dwelling unit is for residential purposes, but a small amount of energy will be used for nonresidential purposes, such nonresidential

use will be permitted only when the equipment for such use is within the capacity of a 120 volt, 30 ampere branch circuit (or is less than 3000 watts capacity) and the nonresidential use is less than the residential use on the premises. When the nonresidential equipment and/or use exceeds the above stated limits, Customer will be required to separate his wiring so that the nonresidential use may be metered separately, and the nonresidential use will be billed under the appropriate nonresidential rate schedule or the entire service will be billed under the appropriate nonresidential rate schedule.

Except for the above stated provisions, when service supplied on one premises involves more than one service classification, or one standard voltage or one service connection, each such service shall be separately metered and billed unless the rate schedule specifically provides for more than one voltage and the combining of the meter readings, or when the service is supplied in such manner for Utility's operating convenience or to meet legal requirements.

11. EXTENSION OF SERVICE

Utility will extend its lines and facilities in accordance with the rules and policies of Utility.

Whenever, in the opinion of Utility, the necessary expenditure to make connection to an applicant for service is not warranted by Utility's estimate of prospective revenues to be derived therefrom, or whenever, in the opinion of Utility, the permanence of the Customer's load is questionable, Utility may require the applicant to make a deposit for line construction or service connection to guarantee Utility the recovery of such expenditures.

12. UTILITY EQUIPMENT ON CUSTOMER'S PREMISES

Customer, in entering into an agreement for electric service with Utility, will furnish to Utility a satisfactory location for and provide reasonable and safe access to Utility's meters and other equipment necessary to provide and measure service, and will also furnish to Utility the rights on, over and under Customer's premises necessary to install, operate and maintain Utility's other facilities required to supply service to Customer. Utility reserves the right to make the final decision as to the location of the meter on Customer's premises.

When Customer is not the owner of the premises and/or of the adjacent premises, Customer shall furnish Utility with satisfactory easements for the location of Utility's facilities on the premises and/or on the adjacent premises.

When Utility's transformers, meters, or other facilities are to be installed indoors on Customer's premises, Customer shall furnish without cost to Utility a suitable room or vault for housing the equipment; provided, however, that Utility shall reserve the right to make the final decision as to the location of such room or vault. Such space shall meet the requirements of the National Electrical Code, of any federal, state or city laws or regulations, and of any policies of Utility in effect at the time of the installation.

Utility may change the location of any or all of its facilities upon request of Customer, provided such change will not interfere with or jeopardize Utility's service either to Customer requesting the change or to other customers of Utility, and Customer shall be required to bear all or a portion of the expense of such change.

Customer shall provide reasonable protection from loss or damage to Utility property and may be liable to Utility in the event of such loss or damage caused by negligence of Customer or any other agent or employee of Customer.

Customer shall not disconnect, change connections, or otherwise interfere with Utility's meters or other property and shall be responsible to Utility for permitting anyone who is not an agent or employee of Utility to tamper with Utility's property. Customer shall not be permitted to attach or connect any equipment to Utility's facilities without receiving prior approval from Utility.

All facilities installed by Utility shall be and remain the property of Utility and Utility shall operate and maintain such property.

Properly authorized employees or agents of Utility shall have the right to enter upon Customer's premises at all reasonable times for the purpose of meter reading, inspecting, testing, repairing or replacing any or all of Utility's property used in supplying any service to Customer.

Upon termination of a contract or discontinuance of service, Utility shall have the right to remove all of its property from Customer's premises.

13. METERING

All service supplied by Utility will be measured by meters of standard manufacturers which are owned, installed and maintained by Utility, except under rate schedules in which the charges for service are at a flat rate predicated on a fixed use of Utility's or Customer's equipment such as outdoor lighting, etc.

Meter accuracy and periodic tests for accuracy shall be maintained in accordance with the rules and policies of the Utility.

When a meter is not recording within the limits of accuracy prescribed by such rules, an adjustment to billings may be made in accordance with such rules

14. UTILITY'S RIGHT TO DISCONTINUE SERVICE

Utility may discontinue service to any Customer without notice for any of the following reasons:

1. When, in the Utility's opinion, a condition exists that is dangerous or hazardous to life, physical safety or property;
2. When emergency repairs must be made to Utility's facilities or system;
3. When there has been tampering with Utility's meters or equipment, or evidence of fraudulent or unauthorized use of energy in such a manner as to circumvent Utility's meter; or
4. When ordered to do so by a court, another duly authorized public authority or authorized governmental agency.

Utility may discontinue service to any Customer with reasonable notice for any of the following reasons in accordance with the rules and policies of Utility:

1. When any bill remains unpaid;
2. When planned repairs are to be made to Utility's facilities or system;
3. When Customer denies access by employees of Utility to its meters or other facilities;
4. When Customer uses equipment in such a manner as to adversely affect Utility's system or service supplied by Utility to other customer's; or
5. When Customer fails to comply with the provisions of either the applicable rate schedule, the General Terms And Conditions For Electric Service, or the contract for service.

Discontinuance of service in accordance with the provisions stated above shall not constitute a breach of any obligation of Utility under any contract for service with Customer, and Utility shall not in any case be liable to Customer for any damages resulting from such discontinuance of service.

15. INTERRUPTION OF SERVICE

Utility will, at all times endeavor to provide regular and uninterrupted service, but does not guarantee against variations in service characteristics, such as frequency, voltage, phase angle, phase balance, momentary outages, loss of neutral and single phasing of three-phase systems, occasioned by acts of God, orders of public authorities, fires, strike, casualty, and necessity for making repairs or replacements of Utility's facilities.

In case the supply of service is interrupted or sustains other variations such as high or low voltage, loss of neutral, single phasing of three-phase service, phase reversals, or trouble resulting from defects in Customer's wiring or other equipment, Utility shall not be liable to Customer for damages or losses resulting from such interruption or variation in service, unless due to the gross negligence of Utility.

Such interruptions or variations shall not constitute a breach of any obligations of Utility under any contract for service with Customer.

Interruption of service caused by failure of equipment installed by Customer on Customer's side of service connection shall not be the responsibility of Utility. When Utility is requested by Customer to assist in the restoration of service, Customer will be billed an amount based on the "work order" procedure of Utility.

16. CUSTOMER'S USE OF SERVICE - RESALE AND REDISTRIBUTION

Service shall be used by Customer only for the purposes specified in the applicable contract and in accordance with the applicable rate schedule, and no Customer shall resell such service to a third party by submetering such service.

Service delivered to a new multiunit building containing units that are separately rented, leased or owned, shall be individually metered for each such occupied unit except for:

1. Service used in hotels, motels and other similar transient lodging.

2. When Customer proves the cost of purchasing and installing the wiring and equipment necessary for individual metering exceed the long-run benefits resulting from energy conservation and efficient utilization of facilities. In the event master metering is approved by Utility, Customer shall own all equipment necessary to take all service through one service connection.

17. EXCLUSIVE SERVICE

No other electrical service or source of supply shall be used by Customer on the same premises in parallel, or in conjunction with Utility's service, either by means of a throw-over switch, or any other connection except under separate contract specifically providing for reserve, auxiliary, breakdown, standby or cogeneration service.

18. TEMPORARY SERVICE

When in the opinion of Utility the use of service will not be of a permanent nature, and is other than a routine service connection, Customer may be required to pay (1) the cost of constructing the facilities to serve Customer, including labor, materials, stores freight and handling, and overhead, plus (2) the estimated cost of removing said facilities and returning same to Utility storeroom, minus (3) the estimated salvage value of material returned to Utility storeroom.

Service supplied to a temporary service connection will be billed under the applicable rate schedule.

Customer may be required to make a deposit to ensure payment of the charges under the applicable rate schedule.

19. SEASONAL USE OF POWER SERVICE

Where the nature of Customer's business is seasonal and service is used for a limited period regularly each year, Utility will furnish service to Customer under the following provisions:

1. Utility will furnish service for the period required, in accordance with the rate schedule applicable to the type of service supplied, provided that Customer shall pay the cost of connecting and disconnecting the service in accordance with the "work order" procedure of Utility.

2. Only two connections and two disconnections shall be made in any calendar year and Customer is required to submit a written application to Utility specifying the period or period of the year when service is required.

3. Customer will pay a Yearly Minimum Bill based on 12 times the monthly minimum bill of the applicable rate schedule. Customer will be billed for the maximum demand and/or energy charges used each month in accordance with the rate schedule (including applicable adjustments), subject to the following provisions:

Until the amount of the Yearly Minimum Bill for each calendar year period shall have been billed in full, Customer shall be billed monthly not less than one-twelfth (1/12) of the total which such minimum monthly billing exceeds the charge for the maximum demand and/or energy used will be

accumulated during the twelve month's period and will constitute a Reserve Billing Credit for such period. Whenever the total billing during such twelve month's period exceeds the Yearly Minimum Bill, the ensuing monthly billings during such twelve month's period will be computed on the basis of the maximum demand and/or energy used, and thereafter during such period any accumulated Reserve Billing Credit will be applied to the charges for the maximum demand and/or energy used until the Reserve Billing Credit has been exhausted or until the expiration of the twelve month's period, whichever is first. In no case will Reserve Billing Credits accumulated during one twelve month's period be applied to bills after the expiration of such twelve month's period.

20. SERVICE CONNECTIONS FROM OVERHEAD DISTRIBUTION SYSTEMS

The Utility will designate the point at which the overhead service lines will be connected to the Customer's facilities. The Customer's wires, at the point of connection with the Utility's lines, shall extend at least three (3) feet beyond the outer end of any conduit, weatherproof fitting, or insulator in order to facilitate this condition.

A Customer desiring an underground service connection from the overhead distribution system shall make arrangements with the Utility for the Utility to install the service connection. If Utility determines that underground service is feasible, Customer shall enter into a contract with Utility providing for such underground service. Upon the execution of such contract and upon payment by Customer to Utility for any additional costs incurred by Utility in providing such service, Utility shall proceed with the installation of the underground service.

Any changes made in the service connection at the Customer's request, after the original installation, shall be done at the Customer's expense.

21. SERVICE CONNECTIONS FROM UNDERGROUND DISTRIBUTION SYSTEMS

Underground service is subject to special conditions and policies making it necessary to consult the Utility before wiring or rewiring the premises. When underground service is supplied, the Utility will designate the point at which the Utility's underground lines will be connected to the Customer's facilities.

A Customer desiring an underground service connection shall make arrangements with the Utility for the Utility to install the service connection. If Utility determines that underground service is feasible, Customer shall enter into a contract with Utility providing for such underground service. Upon the execution of such contract and upon payment by Customer to Utility for any additional costs incurred by Utility in providing such service, Utility shall proceed with the installation of the underground service.

Any changes made in the service connection at the Customer's request, after the original installation, shall be done at the Customer's expense.

22. CHARACTER OF SERVICE

The Utility supplies different voltages and types of service in various locations. In all cases, the Utility must be consulted regarding the character of service available at any particular location. Service to any intermittent or highly fluctuating load must be reviewed and approved by the Utility prior to the installation of such equipment. The Utility will supply single phase or polyphase service in accordance with the following general provisions:

A. Single Phase

Appliances or devices with a rating of greater than 20 amps shall be connected at 240 volts.

Single phase motors up to but not exceeding 5 horsepower may be connected to a single phase lighting service under the following conditions:

1. Single phase motors not in excess of $\frac{1}{2}$ horsepower may be wound for 120 or 240 volts and may be operated from a lighting branch circuit.
2. Single phase motors over $\frac{1}{2}$ horsepower to 5 horsepower, inclusive, must be wound for 240 volts, be connected across the 240 volt legs of a 120/240 volts, 3 wire service, and be operated from a branch circuit separate from any lighting.
3. Upon approval by the Utility, single phase service will be made available to a Customer supplied phase converter where system conditions permit and where the nameplate rating of the largest three phase motor does not exceed 50 horsepower and where the combined nameplate ratings of all three phase motors does not exceed 75 horsepower.

B. Three Phase

The Utility will supply three phase service for power in accordance with the following general provisions:

1. Installations having a motor load aggregating more than $7\frac{1}{2}$ horsepower will ordinarily be supplied with polyphase service unless single phase service is the only service available at the Customer's premises.
2. Installations having a motor load less than that described in 1 above may be supplied with polyphase service if such service can be justified by the Utility based on availability of polyphase facilities, the Customer's present and future loading requirements, and other determinants.
3. The Utility may require the use of such starting or current limiting equipment as may, in its opinion, be necessary for use with any motor or apparatus to prevent undue disturbance, unbalance, or voltage fluctuations on its lines. Electric welders, x-ray devices and similar

equipment usually require a separate power supply for satisfactory operation. The Utility should be consulted in every case prior to the installation of such equipment.

4. Electric furnaces and other heating devices shall be energized in such a manner that the Utility's system will not experience undue disturbances, unbalances, or other voltage fluctuations.

C. Service at Primary Distribution Line Voltages

The voltage listed below is not available at all locations:

Three Phase	2400/4160 Volts Wye
	7200/12470 Volts Wye

The Utility must be consulted in each case relative to service availability and transformer size limits.

D. Primary Metering

Installations where Customer loads and voltage needs exceed the safe recommended secondary metering limits, the Utility will furnish and install the appropriate primary metering at the Customer's property line on the Utility's pole, the cost of which shall be billed to and paid by the Customer.

Installations where the Customer installs his own power transformers in or on his buildings, the Utility shall furnish and install the appropriate primary metering at the Customer's property line on the Utility's pole, the total cost of which shall be billed to and paid for by the Customer.

In all cases, the primary metering is the point beyond which the Customer is responsible to maintain all the electric facilities on his property.

ORDINANCE 4-75

September 16, 1975

"The city or town hereby adopts as a fuel clause to be added to its electric rates and charges the fuel clause approved by the Public Service Commission of Indiana in Cause No. 33061, dated July 25, 1973. as follows:

"The above rates are subject to an adjustment based on the application of fuel cost adjustment clauses in Utility's (Corporation's) purchase power agreement (s) for increases after November 1, 1975.

"The amount of adjustment per kilowatt-hour will be determined as follows:

- "(1) The total fuel adjustment as billed the Utility (Corporation) will be reduced by the amount obtained by multiplying the total kilowatt-hours purchased by the fuel adjustment factor of the Utility's (Corporation's) power supplier as of October 1, 1975.
- "(2) The resultant figure from (1) above will be divided by the total kilowatt-hours purchased, adjusted for losses."

James O. Songer
President Town Board

ATTEST:

Dorothy Dice
Clerk-Treasurer

Herschel Clark
Town Board Trustee

Alfred J. Wolf
Town Board Trustee

AN ORDINANCE AMENDING ORDINANCE 4-63 ESTABLISHING THE ACCOUNTING OF FUNDS OF THE VEEDERSBURG MUNICIPAL ELECTRIC DEPARTMENT

WHEREAS, the Town Council of the Town of Veedersburg desires to increase the operating budget of said Department

NOW, THEREFORE, BE IT ORDAINED:

1. That paragraph 3 of Ordinance 4-63 be amended by replacing "... five per cent (5%)..." with "... one per cent(1%)."
2. That paragraph 1 of Ordinance 4-63 be amended by replacing "... ninety per cent (90%)..." with "... ninety four per cent (94%)..."
3. That all ordinances in conflict herewith be repealed.
4. That this ordinance be effective immediately upon its passage.

TOWN COUNCIL, TOWN OF VEEDERSBURG

Ralph V. Cushman, Trustee

Catherine Dismore
Catherine Dismore, Trustee

Gregory F. Seibold
Gegory F. Seibold, Trustee

ATTEST:

Kathryn M. York
Kathryn M. York
Clerk-Treasurer

ORDINANCE NO. 6 -90

AN ORDINANCE AMENDING ORDINANCE no. 4-63 TO BROADEN THE SCOPE OF USAGE
OF THE DEPRECIATION AND REPLACEMENT FUND UNDER THE MUNICIPAL
ELECTRICAL DEPARTMENT

Whereas, the Town Council of the Town of Veedersburg desires to broaden the scope of said depreciation and replacement fund to include future expansion of the existing electrical system.

NOW, THEREFORE IT IS ORDAINED:

1. That paragraph 2 of Ordinance 4-63 pertaining to the accounting of funds of the Veedersburg Municipal Electrical Department be amended to read "That a sum equivalent to five per cent (5%) of the revenue of said Municipal Electrical Department be established as a ledger account for a depreciation, replacement and expansion fund."
2. That this ordinance be effective immediately upon passage.

Town Council

Ralph Cushman
Ralph V. Cushman

Catherine Dismore
Catherine Dismore

Gregory F. Seibold
Gregory Seibold

ATTEST:

Kathryn M. York
Clerk-Treasurer

ORDINANCE NO. 01-07

**AN ORDINANCE AMENDING THE ELECTRIC DEPOSITS REQUIRED IN THE TOWN OF
VEEDERSBURG**

WHEREAS, the Town Council of the Town of Veedersburg has previously adopted [Ordinance No. 94-20](#), an Ordinance that established The General Terms and Conditions for the Provision of Electrical Service By The Town of Veedersburg, Indiana; and

WHEREAS, the Town Council of the Town of Veedersburg wishes to amend Section 4 regarding Service Deposits;

NOW THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Veedersburg as follows:

Section 1. Amendment of [Section 4](#) regarding Service Deposits of the Electric General Terms and Conditions is hereby amended to read in its entirety as follows:

4. SERVICE DEPOSITS

Customers applying for electric services shall be required to pay a deposit if they fail to establish their credit worthiness as determined by credit history which must show no delinquent electric bills for the prior 12 months. Said deposit shall be \$300.00 which shall be paid prior to establishment of service. Upon discontinuation of electric service, said sum will be refunded provided that no amounts are owed to said Town. If there are any bills or damages owing, said deposit will be applied to said bills for damages and any excess shall be refunded to the user. If for any reason electric service cannot be furnished to said user, the deposit shall be refunded.

So ordained this 27th day of March, 2007.

Veedersburg Town Council

Bryan Lanham

Keith K. Smith

Joseph M. Cox

Attest: Laura Bennett
Clerk-Treasurer

TOWN ORDINANCE NO. 02 -12

An Ordinance of the Town of Veedersburg, authorizing the execution and delivery of a Supplemental Contract between Indiana Municipal Power Agency and the Town of Veedersburg, and a Power Sales Contract by and between the Town of Veedersburg and Indiana Municipal Power Agency, and other matters connected therewith.

WHEREAS, the Town of Veedersburg (the “Member”) is a municipality owning and operating on January 1, 1980, an electric utility which furnished electric service to the public and purchased electric power from public utilities; and

WHEREAS, the Member is required by law to provide its customers with an adequate, reliable and economic supply of electric power and energy, but has determined that individually it is not financially capable of providing the planning, financing, locating and building of needed new facilities for generation and transmission to satisfy future requirements of its customers; and

WHEREAS, the Member has considered whether cost reductions, efficiencies or other advantages may be realized by joining the Indiana Municipal Power Agency (the “Agency”), and whether better financial marketing acceptance may result if the Agency is responsible for issuing all of the bonds for a project or projects in a timely and orderly manner and with uniform ratings as opposed to multiple municipalities making separate issues of bonds; and

WHEREAS, on June 12, 1980, the Cities of Anderson, Crawfordsville, Greenfield, Lawrenceburg, Lebanon, Logansport, Peru, Richmond and Tipton, and the Towns of Flora and Greendale, entered into a contract creating the Agency pursuant to the provisions of IC 8-1-2.2 and various other Indiana municipalities subsequently became members of the Agency; and

WHEREAS, under the terms of said contract and pursuant to IC 8-1-2.2 and consent of the Agency, the Member may tender its supplement (the “Supplemental Contract”) to the contract of June 12, 1980, and become an additional member of the Agency, and

WHEREAS, based upon its obligations to serve its customers, and the above considerations, the Member hereby finds and determines that it is in its best interest to join with said other municipalities in the State of Indiana as an additional member of the Agency for the purpose of undertaking the planning, financing, ownership and operation of a project or projects to supply electric power and energy for its needs; and

WHEREAS, the Agency also caused to be prepared a Power Sales Contract (the “Contract”) for execution by and between the Agency and the Member and has entered into Power Sales Contracts with other members of the Agency; and

WHEREAS, representatives of the Member have reviewed the Contract and have obtained independent advice and counsel with respect thereto where appropriate and the Member has had the opportunity to review the Contract with the Agency and the Agency has responded to the Member by explaining the Contract; and

WHEREAS, the Contract sets forth the terms and conditions for sale of electric power and energy by the Agency to the Member during the term of the Contract; and

WHEREAS, the Contract is consistent with the Agency's resolution to become the requirements supplier of power and energy to the Member and other members of the Agency; and

WHEREAS, the Contract provides that the Agency will sell and deliver to the Member, and requires the Member to purchase and receive from the Agency, commencing at the time set forth in the Contract, electric power and energy required by the Member for the operation of its municipal electric system pursuant to the terms of the Contract; and

WHEREAS, the revenues derived by the Agency under the Contract will be pledged, together with other revenues derived by the Agency from Power Sales Contracts, to secure the payment of electric utility revenue bonds of the Agency whether currently outstanding or to be issued; and

WHEREAS, under the Contract the Agency has full responsibility for planning and obtaining an adequate supply of power and energy for the Member and other members of the Agency, and

WHEREAS, the Contract will become effective and will continue in effect as set forth in the Contract; and

WHEREAS, the Supplemental Contract and the Contract marked as Exhibits A and B, respectively, are attached hereto, incorporated herein by reference and two (2) copies of each are on file in the office of the Clerk-Treasurer for public inspection pursuant to IC 36-1-5-4; and

WHEREAS, based upon the foregoing facts, the Member by this Ordinance hereby finds and determines to approve the Supplemental Contract and Contract with final revisions to be mutually agreed upon between Member and Agency.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE MEMBER:

Section 1. The findings and determinations set forth in the preambles to this Ordinance are hereby made findings and determinations of the Member.

Section 2. The Member is authorized pursuant to this Ordinance (a) to tender its Supplemental Contract in a form substantially similar to that attached hereto as Exhibit A to the Contract of June 12, 1980, by and between the Cities of Anderson, Crawfordsville, Greenfield, Lawrenceburg, Lebanon, Logansport, Peru, Richmond and Tipton, and the Towns of Flora and Greendale, under the terms of which the Agency was created, (b) to apply in such Supplemental Contract to be an additional member of said Agency, and (c) to be bound by the terms and conditions of said Supplemental Contract and the Contract of June 12, 1980, as supplemented from time to time, the By-Laws of the Agency and such other lawful actions as may be heretofore have been taken by the Board of Commissioners of the Agency.

Section 3. The Member is authorized pursuant to this Ordinance to enter into the Contract in a form substantially similar to that attached hereto as Exhibit B so that the Member may provide its

customers with an adequate, reliable and economical supply of electric power and energy and join with other members of the Agency for the purpose of the Agency providing the planning, financing, locating and building of needed new facilities for generation and transmission and for other purposes contemplated in the Contract.

Section 4. The Member's electric utility shall purchase electric power and energy from the Agency under and pursuant to the terms of the Contract. The Agency shall have full responsibility for planning and obtaining an adequate supply of power and energy for the Member pursuant to the Contract.

Section 5. By this Ordinance, the President of the Town Council of the Member is hereby authorized and directed to execute and deliver, and the Clerk-Treasurer is hereby authorized to attest and seal, the Supplemental Contract and the Contract, respectively contingent upon final revisions being mutually agreed upon between Member and Agency.

Section 6. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 7. This Ordinance shall be in full force and effect from and after its passage.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg, Indiana, this 24 day of January, 2012.

TOWN OF VEEDERSBURG, INDIANA

By: Keith K. Smith ,
Town Council President

ATTEST:

Kathy J. Pugh
Clerk-Treasurer

(SEAL)

Presented by me, the undersigned Clerk-Treasurer of the Town of Veedersburg, to the Town Council President of the Town of Veedersburg for his approval on this 24 day of January 2012 at 7:00 PM

Kathy J. Pugh
Clerk-Treasurer

Approved by the undersigned Town Council President of the Town of Veedersburg, this 24 day of January, 2012.

Keith K. Smith
Town Council President,
Town of Veedersburg

ORDINANCE NO. 07-2016

An Ordinance Creating a Cash Reserve Fund on the Records of the Veedersburg Electric Utility, Providing for the Transfer of Surplus Earnings from the Electric Operating Fund to the Electric Utility Cash Reserve Fund, and Authorizing the Transfer of the Balance in the Electric Utility Cash Reserve Fund on or after January 1, 2017, to the General Fund of the Civil Town of Veedersburg

WHEREAS, there are surplus earnings on hand in the Electric Operating Fund on the date hereof; and

WHEREAS, provision has been made for current obligations, including those for operating expense, bond and interest retirement fund and all other priority fund requirements fixed by ordinance or law;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, UNDER AUTHORITY OF INDIANA CODE 8-1.5-3-11, AS FOLLOWS:

SECTION 1. That a fund entitled Electric Utility Cash Reserve Fund be established on the records of the Veedersburg Electric Utility.

SECTION 2. That an initial transfer in the amount of \$1,300,000.00 be made from the Electric Operating Fund to the Electric Utility Cash Reserve Fund, said amount of \$1,300,000.00 being considered accumulated surplus earnings on the date hereof.

SECTION 3. That on and after January 1, 2017, the amount of \$1,300,000.00 may be transferred from the Electric Utility Cash Reserve Fund to the General Fund of the Civil Town of Veedersburg.

SECTION 4. That this Ordinance shall be in full force and effect from and after its passage.

ALL OF WHICH IS PASSED AND ADOPTED THIS 31st DAY OF MAY, 2016, BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, FOUNTAIN COUNTY, INDIANA.

**TOWN OF VEEDERSBURG, FOUNTAIN
COUNTY, TOWN COUNCIL**

Teresa K. Cooper
President

Keith K. Smith
Member

Troy Finley
Member

Mark Rusk
Member

Stephen R. Cates
Member

Attest:

Kathy J. Pugh

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG,
INDIANA, REGARDING IMPLEMENTATION OF A NEW SCHEDULE OF RATES AND
CHARGES FOR ELECTRIC UTILITY SERVICES**

WHEREAS, the Town of Veedersburg, Indiana (the "Town"), owns and operates a municipal electric utility (the "Electric Utility"), and collects rates and charges for the electric utility services rendered by the Electric Utility, and

WHEREAS, the Town has commissioned a financial and cost-of-service study ("Rate Study" of the Town's Electric Utility to be developed by the IMPA Service Corp., Carmel, Indiana; and,

WHEREAS, the Rate Study indicates it is necessary to adjust certain of the existing rates and charges in order to provide sufficient funds to meet ongoing revenue requirements of operating the Electric Utility and to maintain the Electric Utility property in a sound physical and financial condition to render adequate and efficient service;

WHEREAS, the Town, acting through its Town Council, adopted [Ordinance 2-83](#) on September 1, 1983, pursuant, to IC 8-1.5-3-9.1, removing the Electric Utility from jurisdiction of the Indiana Utility Regulatory Commission for purposes of approval of rates and charges and the issuance of stocks, bonds, notes, or other evidences of indebtedness;

WHEREAS, this Town Council has the power, authority and responsibility to approve new rates and charges;

WHEREAS, notice of a public hearing on the proposed schedule of rates and charges has been published in accordance with IC 5-3-1; and

WHEREAS, such public hearing was held on Feb. 14, 2017 , at which time all owners of property served or to be served by the Electric Utility and any interested persons were afforded the opportunity to be heard concerning the proposed rates and charges;

NOW, THEREFORE, BE IT ORDERED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, THAT;

- The Town Council hereby approves that following schedule of rates and charges for the electric utility services listed below and rendered by the Town of Veedersburg, Indiana,
1. which rates shall replace the currently existing rates and charges for the services listed below:
-

RESIDENTIAL SERVICE

AVAILABILITY

Available for single phase residential service through one meter including residential lighting, household appliances, refrigeration, cooking appliances, water heating, space heating and cooling, and small motors not exceeding five horsepower individual capacity. Applicant must be located on the Electric Utility's distribution lines suitable for supplying the service requested in Veedersburg, Indiana, and vicinity.

CHARACTER OF SERVICE

Service under this schedule shall be alternating current, 60 Hertz, single phase at a voltage of approximately 120 volts two-wire or 120/240 volts three-wire.

MONTHLY RATE

- A. Customer Charge:
 - a. Single Phase Service: \$ 7.50 per meter per month
 - b. Three Phase Service: \$15.00 per meter per month
- B. Energy Charge: \$0.1055 per kWh per month
- C. Minimum Charge

The minimum monthly charge shall be the Customer Charge.

- D. Riders: FCA

The above rates and charges are subject to the Rider, as determined by the Town, for monthly Fuel Clause Adjustment (FCA) charges.

COMMERCIAL SERVICE

AVAILABILITY

Available for single phase or poly phase commercial and municipal service through one meter including small commercial lighting, miscellaneous small appliances, refrigeration, cooking, water heating, space heating and cooling and incidental motors not exceeding five horsepower individual capacity. Applicant must be located on the Electric Utility's distribution lines suitable for supplying the service requested in Veedersburg, Indiana and vicinity.

CHARACTER OF SERVICE

Service under this schedule shall be alternating current, 60 Hertz, single phase or poly phase at a voltage of approximately 120 volts two-wire or 120/240 three-wire,

MONTHLY RATE

- A. Customer Charge:

Single Phase Service:\$ 7.50 per meter per month

Three Phase Service:\$12.00 per meter per month
- B. Energy Charge:\$0.1055 per kWh
- C. Minimum Charge

The minimum monthly charge shall be the Customer Charge.
- D. Riders: FCA

The above rates and charges are subject to the Rider, as determined by the Town, for monthly Fuel Clause Adjustment (FCA) charges.

GENERAL POWER SERVICE

AVAILABILITY

Available for any power purposes except for power purposes supplied under Large Power Rate. Applicant must be located adjacent to an electric distribution line of the Electric Utility that is

adequate and suitable for supplying the service required.

CHARACTER OF SERVICE

Service under this schedule shall be alternating current, 60 Hertz, at any standard single phase or poly phase voltage supplied by the Electric Utility in the locality for which service is requested.

MONTHLY RATE

A. Customer Charge:	\$50.00 per meter per month
B. Energy Charge:	
First 5,000 kWh	\$0.1140 per kWh
Over 5,000 kWh	\$0.0970 per kWh

C. Minimum Charge

The minimum monthly charge shall be the Customer Charge.

D. Riders: FCA

The above rates and charges are subject to the Riders, as determined by the Town, for monthly Fuel Clause Adjustment (FCA) charges.

MEASUREMENT OF ENERGY

Energy shall be measured by a suitable integrating instrument or instruments.

SPECIAL TERMS AND CONDITIONS

All service hereunder will be furnished through one meter unless the law requires that a separate service for exit lighting be installed; in which case an additional meter for exit lighting will be installed by the Electric Utility.



AVAILABILITY

Available to the Civil Town of Veedersburg, Indiana, for any electric light purposes. Service required shall be located in the electric service area of the Electric Utility.

CHARACTER OF SERVICE

Service under this schedule shall be alternating current, 60 Hertz, at any standard single phase voltage supplied by the Electric Utility in the locality for which service is required.

MONTHLY RATE

- A. For Street Lighting:
- \$0.0900 per kWh
- B. Rider: FCA

The above rates and charges are subject to the Riders, as determined by the Town, for monthly Fuel Clause Adjustment (FCA) charges.



LARGE POWER SERVICE

AVAILABILITY

Available for any customer having a connected transformer capacity of 525 kVA or more; or, at the option of the Utility, any customer with power service having energy use of less than 200 kWh per kW of maximum billing load. Applicant must be located adjacent to an electric distribution line of the Electric Utility that is adequate and suitable for supplying the service requested.

CHARACTER OF SERVICE

Service under this schedule shall be alternating current, 60 Hertz, at any poly phase voltage supplied by the Electric Utility in the locality for which service is required.

MONTHLY RATE

- A. Customer Charge:
- \$100.00 per meter per month
- \$ 7.80 per kW of Maximum Load per month

- B. Demand Charge: \$0.0670 per kWh per month
- C. Energy Charges:
- D. Minimum Monthly Charge

The minimum monthly charge shall be the Customer Charge plus the Distribution Charge and Maximum Load Charge.

- E. Rider: FCA

The above rates and charges are subject to the Riders, as determined by the Town, for monthly Fuel Clause Adjustment (FCA) charges.

DETERMINATION OF DEMAND

The Demand for any month shall be the maximum load for the month. Maximum load shall be the average number of kilowatts in the recorded 30 minute interval in such month during which the energy metered is greater than in any other such 30 minute interval as measured by suitable recording instruments provided by the Electric Utility.



INDUSTRIAL POWER SERVICE

AVAILABILITY

Available to any customer where monthly demands exceed 2,000 kW and the load factor exceeds 60 percent pursuant to an Agreement between the Customer and the Town of Veedersburg, Indiana.

CHARACTER OF SERVICE

Service under this schedule shall be alternating current, 60 Hertz, poly-phase at a mutually agreed to voltage.

MONTHLY RATE

- A. Customer Charge: \$600.00 per meter per month

- B. Distribution Charge: \$ 2.00 per kVA of Distribution Demand per month
- C. Generation Demand Charge: \$ 15.85 per kW of Maximum Load per month
- D. Energy Charge: \$0.0515 per kWh per month
- E. Minimum Monthly Charge

The minimum monthly charge shall be the Customer Charge plus the Distribution Charge and Generation Demand Charge.

F. Riders: FCA

The above rates and charges are subject to the Riders, as determined by the Town, for monthly Fuel Clause Adjustment (FCA) charges.

DETERMINATION OF GENERATION DEMAND

The Generation Demand for any month shall be the maximum load for the month. Maximum load shall be the average number of kilowatts in the recorded 30 minute interval in such month during which the energy metered is greater than in any other such 30 minute interval as measured by suitable recording instruments provided by the Electric Utility.

DETERMINATION OF DISTRIBUTION DEMAND

The Distribution Demand in kVA shall be taken each month as the highest 30 minute registration in kilowatts during the month, or 60% of the highest monthly load during the preceding twelve months, divided by the average lagging power factor established during the month corrected to the nearest kVA.

TERM OF SERVICE

Service arrangements under this rate schedule will be made for an initial term of not less than one (1) year with a longer term if specified in a contract between the Customer and the Electric Utility.



OUTDOOR (DUSK TO DAWN) LIGHTING SERVICE

AVAILABILITY

Available only for continuous year-round service for outdoor lighting to any residential, farm, commercial or industrial customer located adjacent to an electric distribution line of the Utility that is adequate and suitable for supplying the service requested.

CHARACTER OF SERVICE

Dusk-to-dawn outdoor lighting service using lamps available under this schedule.

MONTHLY RATE

For each lamp, controlled by a photoelectric relay, including luminaire, one span of secondary conductor, and bracket not to exceed four (4) feet:

A. Lamp Only:

<u>Type of Lamp</u>	<u>Per Month</u>	<u>Annually (in advance)</u>
7,000 Lumens (100 Watt HPS)	\$11.00	\$121.00
20,000 Lumens (400 Watt Mercury Vapor)	\$14.00	\$154.00
400 Watt Directional	\$17.00	

B. Lamp and Pole:

<u>Type of Lamp</u>	<u>Per Month</u>	<u>Annually (in advance)</u>
7,000 Lumens (100 Watt HPS)	\$11.60	\$127.60
20,000 Lumens (400 Watt Mercury Vapor)	\$14.90	\$163.60
400 Watt Directional	\$17.60	

When additional facilities not provided for in the above charges are installed by the Utility, customer will pay in advance of installation, the cost of such additional facilities which may be required to supply service from the nearest or most suitable existing pole of the Utility to the point designated by the customer for the installation of said lamp. The Utility, at its option, may permit the customer to pay for such additional facilities in equal monthly installments extending over a period not to exceed twelve (12) months. Existing customers needing a line buried shall be charged \$350. Customers needing temporary service shall be charged \$75.

RIDER: FCA (FUEL CLAUSE ADJUSTMENT)

Applicable to rates for customers in the following service classes: Residential, Commercial, General Power, Large Power, Industrial Power and Municipal Street Lighting.

The Fuel Clause Adjustment shall be on the basis of a Purchase Power Cost Adjustment Tracking Factor occasioned solely by changes in the cost of purchased power and energy, in accordance with the Order of the Indiana Utility Regulatory Commission, approved December 13, 1989 in Cause No. 36835-S3. This tracker will be effective for all energy consumed during the billing period.

MISCELLANEOUS AND NON-RECURRING CHARGES APPLICABLE TO ALL RATE SCHEDULES

TERMS OF PAYMENT

Bills for service will be rendered monthly at intervals of approximately thirty days and will be based on the charges set forth in the rate schedules and are payable to the Utility Office.

All bills are rendered as "net" bills which will be subject to a late payment charge of 10% of the net bill when not paid by the due date shown on the bill.

Failure to receive a bill shall not entitle Customer to pay the net bill after the designated date has passed. Upon request, Electric Utility will inform Customer of the approximate date on which customer shall receive the bill each month and, if Customer notifies the Electric Utility that the electric bill is lost, Electric Utility will issue a duplicate.

RETURNED CHECK CHARGE

When Electric Utility is required to reprocess a check rendered for payment of a Customer's bill, a \$20.00 charge will be assessed,

RECONNECTION CHARGE

When Electric Utility has discontinued service for nonpayment of a bill, temporary removal of meters, changes in service, or for any other cause, Electric Utility reserves the right to charge Customer an amount for reconnection commensurate with the cost of such reconnection. The minimum Charge for such reconnection shall be \$25.00.

CONDITIONS OF SERVICE

Service shall be provided based upon the Town's "General Terms and Conditions for Electric Service" as established by ordinance of the Town Council. The "General Terms and Conditions for Electric Service" are on file and available for inspection at the Town Utility office.

Section 2, This ordinance shall be in full force and effect from and after its passage signing by the President of the Town Council, as provided by law.

PASSED and adopted by the Town Council of Veedersburg on the 14th day of February, at 6:05 o'clock p.m.

Keith K. Smith

Troy Finley

Teresa K. Cooper

Mark Rusk

Veedersburg Town Council

ATTEST:

Kathy J. Pugh
Clerk-Treasurer

ORDINANCE NO. 2-76

AN ORDINANCE FIXING THE SCHEDULE OF RATES AND CHARGES TO BE COLLECTED BY THE TOWN OF VEEDERBURG, INDIANA, FROM THE CITIZENS OF VEEDERSBURG, INDIANA SERVED BY THE SANITATION DEPARTMENT OF SAID TOWN, AND OTHER MATTERS CONNECTED THEREWITH.

WHEREAS, The Town Trustees of the Town of Veedersburg has heretofore authorized a contract with a private contractor for the collection and disposal of garbage and rubbish under the provisions of Chapter 355 of the Acts of the General Assembly of the State of Indiana for the year 1965, amended Chapter 359, Acts of 1969, an act cited as the "Refuse Disposal Act". I.C. 19.2-1-16.

WHEREAS, said Chapter 359 of the Acts of 1969 requires that the rates and charges to be collected for the use of, and the service rendered by such Sanitation Department, be fixed by ordinance, finally adopted after due notice and public hearing, and authorizes the collection of rates and charges when such collection and disposal of garbage and rubbish has been commenced.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN TRUSTEES OF THE TOWN OF VEEDERSBURG, FOUNTAIN COUNTY, INDIANA:

SECTION 1. That for the use of and the service provided for garbage disposal, rates and charges shall be collected from each and every lot, parcel, real estate or building which is connected with a water meter.

(a) Except as herein otherwise provided, rates and charges will be based as follows:

Nine dollars (\$9.00) per month per water meter unit.

(b) In the event two or more housekeeping units are the users of a single water meter, then in each such case, for billing purposes the rates and charges shall be based as follows:

Nine dollars (\$9.00) for each housekeeping unit thereof.

(First amended by [Ord. No. 1-2013](#), adopted 2/26/2013.)

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(Last amended by [Ord. No. 1-2017](#), adopted 2/14/2017.)

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SECTION 2. The rates and charges shall be prepared and billed by the Town monthly, as the Town may deem appropriate and as determined by policy and regulations, and shall be collected in the manner provided by law and ordinance. Said rates and charges will be billed to the tenant or tenants occupying the property served unless otherwise requested in writing by the owners, but such

billing shall in no way relieve the owner from liability in the event payment is not made and property is re-occupied by tenants.

SECTION 3. The Town shall make and enforce such bylaws and regulations as may be deemed necessary for the safe, economic and efficient management of the Town's Sanitation Department and for the orderly collection and disposal of garbage and rubbish, and for the regulation collection, rebating and refunding of rates and charges.

SECTION 4. Except as otherwise provided, the rates and charges as herein set forth shall become effective on the date that the collection and disposal of garbage and rubbish in the Town shall commence.

SECTION 5. Whenever any such rates and charges for service rendered shall remain unpaid for a period of thirty (30) days after the same shall become due and payable, the Town Clerk.. Treasurer shall declare the person owning or occupying such real estate delinquent until the time such rates and charges are fully paid. Delinquency in the payment of such rates and charges or delay in payment thereof may render the delinquent liable to discontinuance from the collection and disposal service until such rates and charges are fully paid.

SECTION 6. Whenever any such rates and charges so established to be paid by any such user or owner shall not be paid within fifteen (15) days after the same is due, the amount thereof, together with a penalty of ten percent (10%) and a reasonable attorney's fee, may be recovered by the Town in a civil action in the name of the Town.

(Amended by [Ord. No. 4-81](#), adopted 5/19/1981.)

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SECTION 7. It shall be unlawful for any person, firm or corporation to dump, hold, pile, store, bury, or burn garbage, refuse or noisome substance within the area of the jurisdiction of the Town of Veedersburg, which are to the damage, prejudice or discomfort of others or the public, so as to injure the property of another, and essentially to interfere with the comfortable enjoyment of life, shall on conviction constitute a public nuisance, (IC 35-1.102-2) and shall be fined not less than ten dollars (\$10.00), nor more than Five Hundred Dollars (\$500.00).

SECTION 8. The provisions of this Ordinance shall not apply to Commercial or Industrial enterprises.

SECTION 9. That this Ordinance shall be in force and effect from and after its due publication as prescribed by law and adopted by the Town Board of the Town of Veedersburg, Indiana.

Donald J. Hoagland

Lee Roy Dismore

Roger A. Lightle

ATTEST:

Dorothy Dice
Clerk-Treasurer

ORDINANCE NO. 4-81

AN ORDINANCE AMENDING THE EXISTING SCHEDULE OF RATES AND CHARGES TO BE COLLECTED BY THE TOWN OF VEEDERSBURG, INDIANA, FROM THE CITIZENS OF VEEDERSBURG, INDIANA, SERVED BY THE SANITATION DEPARTMENT OF SAID TOWN, AND OTHER MATTERS CONNECTED THEREWITH

WHEREAS, the Town Trustees of the Town of Veedersburg have heretofore authorized a Contract with a private contractor for the collection and disposal of garbage and rubbish under the provisions of Chapter 355 of the Acts of the General Assembly of the State of Indiana for the year 1965, amended Chapter 359, acts of 1969, an act cited as the "Refuse Disposal Act", I.C. 19-2-1-16.

WHEREAS, the Town of Veedersburg under Ordinance No. 2-76 as amended by Ordinance No. -81 has established rates and regulations to be charged for use and services rendered by the Sanitation Department through a private contractor, and

WHEREAS, it has been brought to the attention of the Town Board of Trustees that the delinquent penalty as set forth in Ordinance No. 2-76 does not conform with the practice now in effect,

NOW THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF VEEDERSBURG, FOUNTAIN COUNTY, INDIANA:

SECTION 1. The Town hereby amends its existing rate [Ordinance 2-76](#) as amended by Ordinance 4-81, by amending Section 6 as follows:

"Whenever any such rates and charges so established to be paid by any such user or owner shall not be paid within fifteen (15) days after the same is due, the amount thereof, together with a penalty of ten percent (10%) and a reasonable attorney's fee, may be recovered by the Town in a civil action in the name of the Town.

All other sections shall remain in full force and effect.

Passed and adopted by the Board of Trustees of the Town of Veedersburg on the 19 day of May, 1981.

Herschel Clark

BOARD OF TRUSTEES OF THE
TOWN OF VEEDERSBURG:

Warren S. Randolph

Herman Holder

ATTEST:

Dorothy Dice
Clerk-Treasurer

ORDINANCE #1-2013

AN ORDINANCE AMENDING THE EXISTING SCHEDULE OF RATES AND CHARGES TO BE COLLECTED BY THE TOWN OF VEEDERSBURG, IN FROM THE CITIZENS OF VEEDERSBURG, IN AND OTHER MATTERS THEREWITH

WHEREAS, the Town of Veedersburg under [Ordinance no. 11-08](#) has established a rate to be charged for the use and services provided by the Town through a disposal contractor and,

WHEREAS, the Town Council has determined that there is sufficient balance in the fund to decrease the rates for its citizens and amend the existing ordinance

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, FOUNTAIN COUNTY, INDIANA:

SECTION 1: The Town hereby amends its existing rate ordinance by amending [Section 1](#) as follows:

That for the use of and the service provided for garbage disposal, rates and charges shall be collected from each and every lot, parcel, real estate or building which is connected with a water meter.

(a) Except as herein otherwise provided, rates and charges will be based as follows:

Nine dollars (\$9.00) per month per water meter unit.

(b) In the event two or more housekeeping units are the users of a single water meter, then in each such case, for billing purposes the rates and charges shall be based as follows:

Nine dollars (\$9.00) for each housekeeping unit thereof.

(Amended by [Ord. No. 01-2017](#), adopted 2/14/2017.)

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All other sections shall remain in full force and effect.

Passed and adopted by the Council of the Town of Veedersburg on the 26th day of February, 2013.

Troy Finley

Keith K. Smith

Teresa K. Cooper

Attest: Kathy J. Pugh

ORDINANCE #1-2017

AN ORDINANCE AMENDING THE EXISTING SCHEDULE OF RATES AND CHARGES TO BE COLLECTED BY THE TOWN OF VEEDERSBURG, IN FROM THE CITIZENS OF VEEDERSBURG, IN AND OTHER MATTERS THEREWITH

WHEREAS, the Town of Veedersburg under [Ordinance no. 1-2013](#) has established a rate to be charged for the use and services provided by the Town through a disposal contractor and,

WHEREAS, the Town Council has determined that there is sufficient balance in the fund to decrease the rates for its citizens and amend the existing ordinance

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, FOUNTAIN COUNTY, INDIANA:

SECTION 1: The Town hereby amends its existing rate ordinance by amending [Section 1](#) as follows:

That for the use of and the service provided for garbage disposal, rates and charges shall be collected from each and every lot, parcel, real estate or building which is connected with a water meter.

(a) Except as herein otherwise provided, rates and charges will be based as follows:

Nine dollars (\$9.00) per month per water meter unit.

(b) In the event two or more housekeeping units are the users of a single water meter, then in each such case, for billing purposes the rates and charges shall be based as follows:

Nine dollars (\$9.00) for each housekeeping unit thereof.

All other sections shall remain in full force and effect.

Passed and adopted by the Council of the Town of Veedersburg on the 14th day of February, 2017.

Keith K. Smith

Teresa K. Cooper

Troy Finley

Mark Rusk

Attest: Kathy J. Pugh
Clerk-Treasurer

VEEDERSBURG HYBRID INDUSTRIAL PRETREATMENT PROGRAM AND SEWER USE ORDINANCE

TABLE OF CONTENTS

[SECTION 1](#) — GENERAL PROVISIONS

- [1.1](#) Purpose and Policy
- [1.2](#) Administration
- [1.3](#) Abbreviations
- [1.4](#) Definitions

[SECTION 2](#) — GENERAL SEWER USE REQUIREMENTS

- [2.1](#) Prohibited Discharge Standards
- [2.2](#) National Categorical Pretreatment Standards
- [2.3](#) State Pretreatment Standards
- [2.4](#) Local Limits
- [2.5](#) Veedersburg Right of Revision
- [2.6](#) Dilution

[SECTION 3](#) — PRETREATMENT OF WASTEWATER

- [3.1](#) Pretreatment Facilities
- [3.2](#) Additional Pretreatment Measures
- [3.3](#) Accidental Discharge/Slug Control Plans
- [3.4](#) Hauled Wastewater

[SECTION 4](#) — WASTEWATER DISCHARGE PERMIT APPLICATION

- [4.1](#) Wastewater Analysis

[SECTION 5](#) — REPORTING REQUIREMENTS

- [5.1](#) Report of Potential Problems
- [5.2](#) Report from Unpermitted Users
- [5.3](#) Notice of Violation/Repeat Sampling and Reporting
- [5.4](#) Notification of the Discharge of Hazardous Waste
- [5.5](#) Analytical Requirements
- [5.6](#) Sample Collection
- [5.7](#) Timing
- [5.8](#) Record Keeping

[SECTION 6](#) — COMPLIANCE MONITORING

- [6.1](#) Right of Entry: Inspection and Sampling
- [6.2](#) Search Warrants

[SECTION 7](#) — CONFIDENTIAL INFORMATION

[SECTION 8](#) — ADMINISTRATIVE ENFORCEMENT REMEDIES

- [8.1](#) Notification of Violation
- [8.2](#) Cease and Desist Orders
- [8.3](#) Administrative Fines

[SECTION 9](#) — JUDICIAL ENFORCEMENT REMEDIES

- [9.1](#) Injunctive Relief
- [9.2](#) Civil Penalties
- [9.3](#) Remedies Nonexclusive

[SECTION 10](#) — WASTEWATER TREATMENT RATES

[SECTION 11](#) — MISCELLANEOUSE PROVISIONS

- [11.1](#) Pretreatment Charges and Fees
- [11.2](#) Severability

[SECTION 12](#) — EFFECTIVE DATE

ORDINANCE NO. 5-07

SECTION 1 - GENERAL PROVISIONS

1.1 Purpose and Policy

This ordinance sets forth uniform requirements for users of the Publicly Owned Treatment Works for the Town of Veedersburg and enables Town of Veedersburg to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code § 1251 et seq.) and the General Pretreatment Regulations (40 Code of Federal Regulations Part 403).

The objectives of the ordinance are:

- A. To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with its operations;
- B. To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works inadequately treated, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;
- C. To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of the employment and the general public;
- D. To promote reuse and recycling of industrial wastewater and sludge from the Publicly Owned Treatment Works;
- E. To provide the fees for the equitable distribution of the cost of operations, maintenance, and improvement of the Publicly Owned Treatment Works; and
- F. To enable the Town of Veedersburg to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the Publicly Owned Treatment Works is subject.

This ordinance shall apply to all users of the Publicly Owned Treatment Works. The ordinance authorizes the issuance of wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

1.2 Administration

Except as otherwise provided herein, the Superintendent shall administer, implement, and enforce the provisions of this ordinance. Any powers granted to or duties imposed upon the Superintendent may be delegated by the Superintendent to other Veedersburg personnel.

1.3 Abbreviations

BOD	- Biochemical Oxygen Demand CBOD – BOD with addition of a nitrification inhibitor
CFR	- Code of Federal Regulations
EPA	- U.S. Environmental Protection Agency
FOG	- fats, oils, and greases

gpd	- gallons per day
IAC	- Indiana Administrative Code
IC	- Indiana Code
I/I	- Inflow/Infiltration
IDEM	- Indiana Department of Environmental Management
IWP	- Indiana Wastewater Pretreatment Permit
MGD	- Million gallons per day
mg/l	- milligrams per liter
NPDES	- National Pollutant Discharge Elimination System
POTW	- Publicly Owned Treatment Works
RCRA	- Resource Conservation and Recover Act
SIC	- Standard Industrial Classification
STU	- Significant Industrial User
SNC	- Significant Noncompliance
TSS	- Total Suspended Solids
U.S.C.	- United State Code

1.4 Definitions

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this ordinance, shall have the meanings hereinafter designated.

- A. Act or “the Act.” The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 et seq.

- B. Approval Authority. Indiana Department of Environmental Management (IDEM)
- C. Authorized Representative of the User.
- (1) If the user is a corporation:
- (a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
- (b) The manager of one or more manufacturing, production, or operation facilities employing more than two hundred fifty (250) persons or having gross annual sales or expenditures exceeding twenty-five (25) million dollars (in second-quarter 1980 dollars), if authority to sign document has been assigned or delegated to the manager in accordance with corporate procedures.
- (2) If the user is a partnership or sole proprietorship: a general partner or respectively.
- (3) If the user is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (4) The individuals described in paragraphs 1 through 3, above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall responsibility for environmental matters for the company, and the written authorization is submitted to Veedersburg.
- D. Biochemical Oxygen Demand or BOD. The quantity of oxygen utilized in biochemical oxidation demand of organic matter under standard laboratory procedures for five (5) days at 20° centigrade, usually expressed as a concentration (e.g., mg/l).
- E. Categorical Pretreatment Standard or Categorical Standard. Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Section 307 (b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
- F. Veedersburg. The town of Veedersburg or the Town Council of Veedersburg.
- G. Environmental Protection Agency or EPA. The U.S.. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, or other duly authorized official of said agency.

Existing Source. Any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

Grab Sample. A sample which is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.

Indirect Discharge or Discharge. The introduction of pollutant into the POTW from any non-domestic source regulated under Section 307 (b), (c), or (d) of the Act.

Instantaneous Maximum Allowable Discharge Limit. The maximum concentration of a pollutant allowed to be discharge at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

Interference. A discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its sludge processes, use or disposal; and therefore, is a cause of a violation of Veedersburg's NPDES permit including an increase in the magnitude or duration of a violation, or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: Section 405 of the Act; the Solid Waste Disposal Act (RCRA); any State Regulations contained in any State sludge management plan prepared Pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

Medical Waste. Isolation waste, infectious agents, human blood and blood products, pathological waste, sharps, body parts, contaminated bedding, surgical waste, potentially contaminated laboratory wastes, and dialysis wastes.

New Source.

(1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307 (c) of the Act which will be applicable to such sources if such standards are thereafter promulgated in accordance with that section, provided that:

The building, structure, facility, or installation is constructed at a site at which
(a) no other source is located; or

- (b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

- (c) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

- (2) Construction on a site as which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1) (b) or (c) above but otherwise alters, replace, or adds to existing process or production equipment.

- (3) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

- (a) Begun, or caused to begin, as part of a continuous onsite construction program
- (i) any placement, assembly, or installation of facilities or equipment; or
- significant site preparation work including cleaning, excavation, or removal of existing buildings, structures, or facilities which is necessary
- (ii) for the placement, assembly; or installation of new source facilities or equipment; or

- (b) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contract which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

O. Noncontact Cooling Water. Water used for cooling, which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

P. Oil, Fats, & Greases. Of animal or vegetable origin in a physical state, such that they will separate by gravity from wastewater in a pretreatment facility approved by the town are prohibited where these materials could interfere with the operation of the treatment plant.

- Q. Pass Through. A discharge which exists the POTW into water of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the Town of Veedersburg NPDES permit, including an increase in the magnitude and duration of a violation.
- R. Person. Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.
- S. pH. A measure of the acidity or alkalinity of a solution, expressed in standard units.
- T. Pollutant. Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).
- U. Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by the means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.
- V. Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.
- W. Pretreatment Standards or Standards. Pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards, and local limits.
- X. Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 2.1 of this ordinance.
- Y. Publicly Owned Treatment Works or POTW. A “treatment works,” as defined by Section 212 of the Act (33 U.S.C. § 1292) which is owned by the Town of Veedersburg. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant.
- Z. Septic Tank Waste. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

Sewage. Human excrement and gray water (household showers, dishwashing operations, etc).

Significant Industrial User.

(1) A user subject to categorical pretreatment standards; or

(2) A user that:

(a) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blow down wastewater);

(b) Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW's treatment plant; or

(c) Is designated as such by the Town of Veedersburg and IDEM on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

(3) Upon finding that a user meeting the criteria in Subsection (2) has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the Town of Veedersburg and IDEM may at any time, on its own initiative or in response to a petition received from a user, and in accordance with procedures in 40 CFR 403.8(0(6), determine that such user should not be considered a significant industrial user.

Slug Load or Slug. Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 2.1 of the ordinance.

Standard Industrial Classification (SIC) Code. A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.

Storm Water. Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

The Superintendent. The person designated by the Town of Veedersburg to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this ordinance, or a duly authorized representative.

- FF. Suspended Solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.
- GG. User or Industrial User. A source of indirect discharge.
- HH. Wastewater. Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial building, industrial manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.
- II. Wastewater Treatment Plant or Treatment Plant. That portion of the POTW, which is designed to provide treatment of municipal sewage and industrial waste.

SECTION 2 - GENERAL SEWER USE REQUIREMENTS

2.1 Prohibited Discharge Standards

- A. General Prohibitions. No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other National, State, or local pretreatment standards or requirements.
- B. Specific Prohibitions. No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
- (1) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed –cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21;
 - (2) Wastewater having a pH less than 5.0 or more than 9.5, or otherwise causing corrosive structural damage to the POTW or equipment;
 - (3) Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference but in no case solids greater than ¼ inch(es) (.25")
 - (4) Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW;
- Wastewater having a temperature greater than 130° F (54.5°C), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case

- (5) wastewater which causes the temperature at the introduction into the treatment plant to exceed 104°F (40°C);
- (6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference of pass through;
- (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
- (8) Trucked or hauled pollutants, except at discharge points designated by the Superintendent in accordance with Section 3.4 of this ordinance;
- (9) Noxious or malodorous liquids, gases solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
- (10) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the Town of Veedersburg NPDES permit;
- (11) Wastewater containing any radioactive wastes or isotopes except in compliance with State or Federal regulations;
- (12) Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, and unpolluted wastewater, unless specifically authorized by the Superintendent;
- (13) Sludge, screenings, or other residues from the pretreatment of industrial wastes;
- (14) Medical wastes, except as specifically authorized the Superintendent in a wastewater discharge permit;
- (15) Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW';
- (16) Wastewater causing two reading on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than five percent (5%) or any single reading over ten percent (10%) of the Lower Explosive Limit of the meter.

Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW.

2.2 National Categorical Pretreatment Standards

The categorical pretreatment standards found at 40 CFR Chapter I, Subchapter N, Parts 405-471 are hereby incorporated.

- A. Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Superintendent may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c).
- B. When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the Superintendent shall impose an alternate limit using the combined wastestream formula in 40 CFR 403.6(c).
- C. A user may obtain a variance from categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical pretreatment standard.
- D. A user may obtain a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15.

2.3 State Pretreatment Standards

State pretreatment standards located in 327 IAC 5-16 through 21 are hereby incorporated.

2.4 Local

The following pollutant limits are established to protect against pass through and interference. No person shall discharge wastewater containing in excess of the following instantaneous maximum allowable discharge limits unless discharging under a significant user permit:

mg/l Benzene - prohibited

mg/l BOD5 - 200 mg/l

	Daily Max mg/l	Monthly Ave. Mg/l
mg/l Cadmium	0.100	0.043
		1.3361

Total mg/l Chromium	3.1036	
mg/l Copper	0.0964	0.0410
mg/l Cyanide	0.010	0.004
mg/l Lead	0.0757	0.0325
mg/l Nickel	0.6160	0.2648
mg/l oil and grease -	25.0	25.0
mg/l selenium -	0.180	0.180
mg/l total suspended solids -	200.0	200.0
mg/l zinc -	0.5752	0.2472

The above limits apply at the point where the wastewater is discharge to the collection systems. All concentrations for metallic substances are for “total” metal unless indicated otherwise. The Town may impose mass limitations in addition to, or in place of, the concentration-based limitations above.

2.5 Town of Veedersburg Right of Revision

The town of Veedersburg reserves the right to establish, by ordinance or in wastewater discharge permits, more stringent standards or requirements on discharges to the POTW.

2.6 Dilution

No user shall ever increase the use of process water, or in any way attempt to dilute as discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The Superintendent may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.

SECTION 3 - PRETREATMENT OF WASTEWATER

3.1 Pretreatment Facilities

Users shall provide wastewater treatment as necessary to comply with this ordinance shall achieve

compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in Section 2.1 of this ordinance within the time limitations specified by EPA, the State, or the Superintendent, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Superintendent for review, and shall be acceptable to the Superintendent before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the Town of Veedersburg under the provisions of the ordinance.

3.2 Additional Pretreatment Measures

A. Whenever deemed necessary, the Superintendent may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of this ordinance.

B. The Superintendent may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. A wastewater discharge permit may be issued solely for flow equalization.

C. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of type and capacity approved by the Superintendent and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the user at their expense.

D. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detector meter.

3.3 Accidental Discharge/Slug Control Plans

At least once every two (2) years, the Superintendent shall evaluate whether each significant industrial users needs an accidental discharge/slug control plan. The Superintendent may require any user to develop, submit for approval, and implement such a plan. Alternatively, the Town council may develop such a plan for any user. An accidental discharge/slug control plan shall address, at a minimum, the following:

Description of discharge practices, including no routine batch discharges;

- A.
- B. Description of stored chemicals;
- C. Procedures for immediately notifying the Superintendent of any accidental or slug discharge, as required by Section 6.6 of this ordinance; and
- D. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

3.4 Hauled Wastewater - Hauled Wastewater is not accepted.

SECTION 4 - WASTEWATER DISCHARGE PERMIT APPLICATION

4.1 Wastewater Analysis

When requested by the Town Council, a user must submit information on the nature and characteristics of its wastewater within fourteen (14) days of request. The Superintendent is authorized to prepare a form for this purpose and may periodically require users to update this information.

SECTION 5 - REPORTING REQUIREMENTS

5.1 Reports of Potential Problems

A. In the case of any discharge, including, but not limited to, accidental discharge, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, or a slug load, that may cause potential problems for the POTW, the user shall immediately telephone and notify the Superintendent of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.

B. Within five (5) days following such discharge, the user shall, unless waived by the Council, submit a detailed Written report describing the causes(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences addressed to the Clerk-Treasurer. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this ordinance.

- C. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a discharge described in paragraph A, above. Employers shall ensure that all employees, who may cause such a discharge to occur, are advised of the emergency notification procedure.

5.2 Reports from Unpermitted Users

All users not required to obtain a wastewater discharge permit shall provide appropriate reports to the Clerk-Treasurer to be reviewed by the Council may require.

5.3 Notice of Violation/Repeat Sampling and Reporting

If sampling performed by a user indicates a violation, the user must notify the Superintendent and Town Council by letter with return receipt within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Superintendent and Town Council by letter with return requested receipt within thirty (30) days after becoming aware of the violation.

5.4 Notification of the Discharge of Hazardous Waste

Discharge of hazardous waste is prohibited.

- A. Any user who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the user discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged.

Discharges are exempt from the requirements of paragraph A, above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of nonacute hazardous wastes in a

B. calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the user discharges more than such quantities of any hazardous waste do not require additional notification.

C. In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must notify the Council, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.

D. In the case of any notification made under this section, the user shall certify that it has a program in place of reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

E. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued there under, or any applicable Federal or State law.

5.5 Analytical Requirements

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by EPA.

5.6 Sample Collection

A. Except as indicated in Section B, below, the user must collect wastewater samples using flow proportional composite collection techniques. In the event flow proportional sampling is infeasible, the Council may authorize the use of time proportional sampling or a minimum of four (4) grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged. In addition, grab samples may be required to show compliance with instantaneous discharge limits.

B. Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

5.7 Timing

Written reports will be deemed to have been submitted on the date postmarked. For reports which are

not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern however, any report received of a notice of violation shall be submitted as per Section 5.3 and the date as received by the Veedersburg Clerk-Treasurer shall be the date signed for by the Clerk-Treasurer.

5.8 Record Keeping

Users subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance and any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed, who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the user of the Town of Veedersburg, or where the user has been specifically notified of a longer retention period by the Council.

SECTION 6 - COMPLIANCE MONITORING

6.1 Right of Entry: Inspection and Sampling

The Town Council or any authorized representative shall have the right to enter the premises of any user to determine whether the user is complying with all requirements of this ordinance and any wastewater discharge permit or order issued hereunder. Users shall allow the Town Council or any authorized representative ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

A. Where a user has security measures in force which require proper identification and clearance before entry into its premises, the user shall make necessary arrangements with its security guards to that, upon presentation of suitable identification, the Town Council or any authorized representative will be permitted to enter without delay for the purposes of performing specific responsibilities.

B. The Town Council or any authorized representative shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations.

C. The Council may require the user to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated at least annually to ensure their accuracy.

- D. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the Council and shall not be replaced. The costs of clearing such access shall be born by the user.
- E. The Council or any authorized representative shall have access to the user’s premises at all times for the purpose of this ordinance.

6.2 Search Warrants

If the Council or any authorized representative has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and./or sample as part of a routine inspection and sampling program of the Town of Veedersburg designed to verify compliance with this ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the Council may seek issuance of a search warrant from the Town of Veedersburg.

SECTION 7 - CONFIDENTIAL INFORMATION

Information and data on a user obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from the Council or authorized representative inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the Council, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data and submitted in writing to the Clerk-Treasurer by certified mail. When requested and demonstrated by the user furnishing a report that such information should be held confidential, the portions of a reports which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristic and other “effluent data” as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction.

SECTION 8 - ADMINISTRATIVE ENFORCEMENT REMEDIES

8.1 Notification of Violation

When the Council finds that a use has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirements, the Council or any authorized representative may serve upon that user a written Notice of Violation. Within twenty (20) days of the receipt of this notice, an explanation of the

violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the Clerk-Treasurer by certified mail with return receipt. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the Council to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

8.2 Cease and Desist Orders

When the Council finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirements, or that the user's past violations are likely to recur, the Council may issue an order to the user directing it to cease and desist all such violations and directing the user to:

- A. Immediately comply with all requirements; and
- B. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge. The user may continue production so long as wastes are hauled from treatment by a licensed hazardous waste management facility and provide documentation proof of approved disposal to the Council.

Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the user.

8.3 Administrative Fines

- A. When the Council finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the council may fine such user in an amount not to exceed \$2,500.00. Such fines shall be assessed on a per violation, per day basis. In the case of monthly or other long term average discharge limits, fines shall be assessed for each day during the period of violation.

- B. Unpaid charges, fines, and penalties shall, after thirty (30) calendar days, be assessed an additional penalty of ten percent (10%) of the unpaid balance, and interest shall accrue thereafter at a rate of five percent (5%) per month or \$5,000 which ever is greater. A lien against the user's property will be sought for unpaid charges, fines, and penalties.

- C. Users desiring to dispute fines must file a written request for the Clerk-Treasurer to reconsider the fine along with a full payment of the fine about within thirty (30) days of being notified of the fine. Where a request has merit, the Council may convene a hearing on the matter. In the event the user's appeal is successful, the payment, together with any interest

accruing thereto, shall be returned to the user. The Clerk-Treasurer may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.

Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the user.

D.

SECTION 9 - JUDICIAL ENFORCEMENT REMEDIES

9.1 Injunctive Relief

When the Council finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the Council may petition the Superior Court through the Town of Veedersburg's Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific-performance of the wastewater discharge permit, order, or other requirement imposed by this ordinance on activities of the user. The Council may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or prerequisite for, taking any other action against a user.

9.2 Civil Penalties

A. A user who has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to the Town of Veedersburg for a maximum civil penalty of \$2,500.00 per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.

B. The Town of Veedersburg may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred the Town of Veedersburg.

C. In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.

D. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a user.

9.3 Remedies Nonexclusive

The remedies provided for in this ordinance are not exclusive. The Council may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the Town of Veedersburg's enforcement response plan. However, the Council may take other action against any user when the circumstances warrant. Further, the Council is empowered to take more than one enforcement action against any noncompliant user.

SECTION 10 - WASTEWATER TREATMENT RATES

[Ordinance No. 9-05](#)

SECTION 11 - MISCELLANEOUSE PROVISIONS

11.1 Pretreatment Charges and Fees

The Town of Veedersburg may adopt reasonable fees for reimbursement of costs of setting up and operating the Town of Veedersburg's Pretreatment Program which may include:

- A. Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a user's discharge, reviewing monitoring reports, and needed equipment submitted by users;
- B. Fees for reviewing and responding to accidental discharge procedures and construction;
- C. Fees for filing appeals; and
- D. Others fees as the Town of Veedersburg may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this ordinance and are separate from all other fees, fines, and penalties chargeable by the Town of Veedersburg.

11.2 Severability

If any provision of this ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be effected and shall continue in full force and effect.

SECTION 12 - EFFECTIVE DATE

This ordinance shall be in full force and effect immediately following its passage, approval, and publication, as provided by law.

Approved by the Town Council of Veedersburg, Indiana

6-05-07
Date

Carl Hoagland
Carl Hoagland, President

Joseph M. Cox

By: Keith K. Smith

Attested to by: Laura Bennett
Laura Bennett, clerk-Treasurer

RESOLUTION NO. 1-08

A Resolution of the Veedersburg Town Council Adopting an Enforcement Response Guide for Non-Delegated Pretreatment Programs

WHEREAS the Veedersburg Town Council has determined that it is in the best interest of the Town to develop a uniform response to violations of the ordinances governing discharge into the Veedersburg sewer system and wastewater pretreatment facility;

NOW, THEREFORE, be it RESOLVED by the Veedersburg Town Council that the Enforcement Response Guide for Non-Delegated Pretreatment Programs dated April 22 , 2008 is hereby adopted as the procedure of response to violations of the pretreatment and discharge in the sewer system and pretreatment facility of the Town of Veedersburg.

This resolution shall become effective on the date of passage.

PASSED by the Veedersburg Town Council on the 22nd day of Apr , 2008.

Keith K. Smith
Veedersburg Town Council Member

Will C. Rahm
Veedersburg Town Council Member

Bob Barker
Veedersburg Town Council Member

Stephen R. Cates
Veedersburg Town Council Member

Seth A. Hoagland
Veedersburg Town Council Member

Witness: Laura Bennett
Clerk-Treasurer

Attachments:

**NOTICE OF ADOPTION OF A RESOLUTION
OF THE TOWN OF VEEDERSBURG
ADOPTING ENFORCEMENT RESPONSE PROCEDURE FOR NON-DELEGATED
PRETREATMENT PROGRAMS**

1. Notice is hereby given that the Town Council of Veedersburg, governing body of the Town of Veedersburg, Indiana, on April 22, 2008, approved and adopted a resolution (the "Declaratory Resolution") declaring that it will utilize an Enforcement Response Procedure for Non-Delegated Pretreatment Programs. A copy of the same is available at the Town Hall 100 Main St., Veedersburg,

Dated: April 22, 2008.

[To be published one time on, in *The FOUNTAIN COUNTY Neighbor* and posted on or before Friday, April 22, 2008, at the Veedersburg Town Hall.]

ORDINANCE NO. 9-05

AN ORDINANCE AMENDING ORDINANCE NO. 96-9 OF THE SEWAGE WORKS OF THE TOWN OF VEEDERSBURG, INDIANA, AS FROM TIME TO TIME AMENDED

WHEREAS, the Town of Veedersburg, Indiana has heretofore constructed and has in operation a sewage works for the purpose of collecting sewage and waste and conveying the same away from the premises where produced and disposing of the same in a sanitary manner, and the Town proposes to construct certain improvements thereto to be financed by the issuance of sewage works revenue bonds; and

WHEREAS, the Town Council believes that it is necessary to amend the schedule of rates and charges so as to produce sufficient revenue to pay expenses of maintenance and operation, to provide funds for necessary replacements and improvements to the sewage works, to provide adequate money for working capital, and to pay the principal and interest on the proposed revenue bonds in accordance with the applicable bond ordinances; and

WHEREAS, IC 36-9-23-1 et seq., requires that the rates and charges to be collected for the use of and the service rendered by such sewage works be fixed by Ordinance, finally adopted after due notice and public hearing; and

WHEREAS, on September 13, 2005, the Town Council held a public hearing after due notice, at which users of the sewage works, owners of property served or to be served by the works, and other interested persons were heard concerning the proposed fees set forth below;

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

Section 1. [Ordinance No. 96-9](#), as heretofore amended, shall be further amended as follows:

The water usage schedule on which the amount of said sewage rates and charges shall be determined shall be as follows:

INSIDE CORPORATE LIMITS

<u>Metered Consumption:</u> (Per 1,000 gals.)			Interim Rates Effective upon passage	Final Rates Effective July 1, 2007
First	2,000	Gallons	9.86	12.25
Next	5,000	Gallons	6.27	7.79
Next	8,000	Gallons	5.33	6.63
Next	20,000	Gallons	\$ 4.41	\$ 5.48
Next	65,000	Gallons	3.48	4.33
Next	100,000	Gallons	2.55	3.17
Next	200,000	Gallons	1.62	2.02

OUTSIDE CORPORATE LIMITS

<u>Metered Consumption:</u> (Per 1,000 gals.)			Interim Rates Effective upon passage	Final Rates Effective July 1, 2007
First	2,000	Gallons	13.45	16.71
Next	5,000	Gallons	9.39	11.66
Next	8,000	Gallons	8.01	9.95
Next	20,000	Gallons	\$ 6.60	\$ 8.20
Next	65,000	Gallons	5.21	6.48
Next	100,000	Gallons	3.84	4.77
Next	200,000	Gallons	2.43	3.02

The minimum charge for any user, where the user is a metered water customer, shall be as follows:

INSIDE CORPORATE LIMITS	Interim Rates Effective upon passage	Final Rates Effective July 1, 2007
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Monthly Minimum Charge:	\$ 19.72	\$ 24.50
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OUTSIDE CORPORATE LIMITS	Interim Rates Effective upon passage	Final Rates Effective July 1, 2007
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Monthly Minimum Charge:	\$ 26.90	\$ 33.42
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OUTSIDE CORPORATE LIMITS SPECIAL MONTHLY FIXED CHARGES:	Interim Rates Effective upon passage
--	--

Master Guard	\$ 3,750.00
Krupp Gerlac	625.00

TAP FEES:

3/4 inch meter or larger

Cost, but not less than \$ 750.00

BAD CHECK CHARGE

\$ 20.00

Section 2. This ordinance shall be in full force and effect from and after its passage, signing by the Town Council and legal publication as provided by law.

Passed and adopted by vote of the Town Council of the Town of Veedersburg on the 13th day of September, 2005.

Carl Hoagland
Carl Hoagland, President

Richard Burton
Richard Burton

Joseph Cox

Albert Goodson
Albert Goodson

Bryan Lanham
Bryan Lanham

Attest:

Laura Bennett
Laura Bennett, Clerk-Treasurer
Town of Veedersburg, Indiana

ORDINANCE NO. 9-92

AN ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION BY THE TOWN OF VEEDERSBURG, INDIANA, OF CERTAIN IMPROVEMENTS AND EXTENSIONS TO THE TOWN'S SEWAGE WORKS, THE ISSUANCE AND SALE OF ADDITIONAL REVENUE BONDS TO PROVIDE FUNDS FOR THE PAYMENT OF THE COSTS THEREOF, THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE AND SALE OF SUCH BONDS, AND THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES OF SUCH SEWAGE WORKS AND OTHER RELATED MATTERS.

WHEREAS, the Town of Veedersburg, Indiana (the "Town"), has heretofore established and constructed and currently owns and operates a sewage works by and through its Town Council (the "Town Council") for the collection and treatment of sewage and other wastes (the "Sewage Works"), pursuant to the provisions of Indiana Code 36-9-23, as amended (the "Act"); and

WHEREAS, this Town Council hereby finds that certain improvements and extensions to the Sewage Works are necessary; and Gove Associates Inc., of Indianapolis, Indiana, the consulting engineers employed by the Town, have prepared and filed plans, specifications, and detailed descriptions and estimates of the costs of the necessary improvements and extensions to the Sewage Works, which plans, specifications, descriptions and estimates, to the extent required by law, have been duly submitted to and approved or will be approved by all governmental authorities having jurisdiction thereover (the improvements and extensions to the Sewage Works as described in such engineers' plans and specifications and below are referred to herein as the "Project"); and

(• • •)

Editor's Note: Pages of this Bond Ordinance are available as digital images:

 #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 1

 #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 2

 #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 3

 #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 4

 #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 5

- +/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 6
- +/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 7
- +/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 8
- +/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 9
- +/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 10
- +/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 11
- +/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 12

Editor's Note: Sections 4 and 5, as found on pages 11 and 12 of this Bond Ordinance, were revised by [Ord. No. 13-92](#), as adopted on 8/3/1992.

- +/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 13
- +/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 14
- +/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 15
- +/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 16
- +/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 17
- +/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 18
- +/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 19
- +/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 20
- +/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 21

+/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 22

+/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 23

+/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 24

+/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 25

+/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 26

+/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 27

+/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 28

+/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 29

+/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 30

+/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 31

+/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 32

+/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 33

+/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 34

+/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 35

+/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 36

+/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 37

+/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 38

+/- #9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 39

+/-

#9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 40

+/-

#9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 41

+/-

#9-92: Sewage Works Revenue Bonds (--/--/1992) - Page 42

ORDINANCE NO. 13-92

**AN ORDINANCE AMENDING ORDINANCE NO. 9-92 OF THE TOWN OF
VEEDERSHURG, INDIANA**

WHEREAS, the Town of Veedersburg, Indiana (the "Town") has heretofore adopted [Ordinance No. 9-92](#) on June 16, 1992 (the "Ordinance") ordering, authorizing and directing the Town Council to acquire any and all necessary property and to proceed with the construction of improvements and extensions to the Sewage Works (as defined in the Ordinance), pursuant to the provisions of Indiana Code 36-9-23, as amended; and

WHEREAS, the Ordinance authorized the issuance of the Town's Sewage Works Revenue Bonds in the aggregate principal amount not to exceed Nine Hundred Forty Thousand Dollars (\$940,000) (the "1992 Bonds") and the issuance of Bond Anticipation Notes (the "BANs") to be issued in anticipation of the 1992 Bonds; and

WHEREAS, Section 4 and Section 5 of the Ordinance provided for specific maturities and method of payment of interest for the BANs (the "Terms"), which Terms need to be modified in order to proceed with the negotiated sale of the BANs.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. Section 4 and Section 5 of the Ordinance is hereby deleted in its entirety and replaced with the following Section 4 and Section 5:

Section 4. The BANS In anticipation of the issuance and sale of the 1992 Bonds authorized herein, and to provide interim financing to apply to the cost of the Project, the Town is hereby authorized to have prepared and to issue and sell negotiable BANs of the Town, in an amount not to exceed Nine Hundred Forty Thousand Dollars (\$940,000), to be designated "Town of Veedersburg, Indiana, Sewage Works Revenue Bond Anticipation Notes of 1992." The BANs shall be issued in fully registered form, shall be numbered consecutively from 92R-1 upwards, shall be issued in denominations of Five, Thousand Dollars (\$5,000) or integral multiples thereof, shall be dated as of the date of issuance of the BANs, and shall bear interest at a rate not exceeding eight and five-tenths percent (8.50%) per annum (the exact rate of interest to be determined by negotiations with a financial institution pursuant to Indiana Code 5-1-14-5), with such interest payable at maturity. The BANs may be sold at a discount not exceeding five-tenths percent (0.5%) of the par amount thereof. The initial BANs delivered will mature one year from the date of issuance. Each subsequent BAN delivered will bear the same maturity date as the initial BANs. The BANS shall be subject to renewal or extension, subject to the limitations set forth below, at an interest rate not to exceed eight and five-tenths percent (8.5%), with the exact rate to be negotiated with a financial institution. The term of the BANs and all renewal BANs may not exceed five years from the date of delivery of the initial BANs.

The BANs shall be issued pursuant to the provisions of Indiana Code 5-1-14-5, and the principal

thereof shall be refunded and retired out of the proceeds from the issuance and sale hereunder of the 1992 Bonds. The principal of and interest on the BANs, including the principal of and interest on the BANs prepaid in accordance with Section 5 herein, shall be paid by the issuance of the 1992 Bonds pursuant to, and in the manner prescribed by the Act.

Section 5. Optional Prepayment of BANs; Optional Redemption of the 1992 Bonds. The BANs are prepayable by the Town, in whole or in part, at any time upon seven days' notice to the owner of the BANs without any premium. At maturity, or in the case of prepayment, the principal of and accrued interest due on the BANs shall be paid only from proceeds of the 1992 Bonds and other funds available to the Town, but not from net revenues of the Sewage Works.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg, Indiana on the 3rd day of August, 1992.

Donald L. Bailey
Donald L. Bailey, Presiding Officer

ATTEST:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

Presented by me to the President of the Town Council of the Town of Veedersburg, Indiana on the 3rd day of August, 1992 at 3:30 o'clock p.m.

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

This Ordinance approved and signed by me on the 3rd day of August, 1992 at 3:30 o'clock p.m.

Donald L. Bailey
Donald L. Bailey, President of
the Town Council

ORDINANCE NO. 10-2000

AN ORDINANCE SUPPLEMENTING AND AMENDING ORDINANCES NO. 9-92, 13-92 AND 15-92 AND AUTHORIZING THE ISSUANCE BY THE TOWN OF VEEDERSBURG, INDIANA, OF ITS SEWAGE WORKS REFUNDING REVENUE BONDS OF 2001 TO PROVIDE FOR THE REFUNDING OF ITS SEWAGE WORKS REVENUE BONDS OF 1992, THROUGH THE EXCHANGE THEREFOR, AND OTHER RELATED MATTERS

WHEREAS, the Town of Veedersburg, Indiana (the “Town” has heretofore established and constructed and currently owns and operates a municipal sewage works for the collection and treatment of sewage and other wastes (the “Sewage Works” pursuant to the provisions of Indiana Code 36-9-23; and

WHEREAS, on December 2, 1992, the Town issued Nine Hundred Forty Thousand Dollars (\$940,000) aggregate principal amount of its Junior Sewage Works Revenue Bonds of 1992 (the “1992 Bonds” to finance certain projects of the Sewage Works pursuant to Ordinance No. 9-92, adopted by the Town Council of the Town on June 16, 1992 ([“Ordinance No. 9-92”](#) as amended by Ordinance No. 13-92, adopted by the Town Council of the Town on August 3, 1992 ([“Ordinance No. 13-92”](#) and as further amended by Ordinance No. 15-92, adopted by the Town Council of the Town on October 20, 1992 (“Ordinance No. 15-92” (Ordinance No. 9-92, Ordinance No. 13-92 and Ordinance No. 15-92, collectively, the “Original Ordinance” and

WHEREAS, the Indiana Bond Bank (the “Bond Bank” issued its Indiana Bond Bank Special Program Bonds, Series 1992 B (the “1992 B Bond Bank Bonds” the proceeds of which were used to purchase the 1992 Bonds; and










WHEREAS, Nine Hundred Forty Thousand Dollars (\$940,000) aggregate principal amount of the 1992 Bonds remain outstanding on the date hereof (the “Sewage Works Refunded Bonds” and

WHEREAS, the Bond Bank desires to issue its Indiana Bond Bank Special Program Refunding Bonds, Series 2001 A (the “2001 Bond Bank Bonds” for the purpose of refunding all or a portion of the 1992 B Bond Bank Bonds and if the Bond Bank issues its 2001 Bond Bank Bonds and if the 1992 B Bond Bank Bonds are refunded, the Bond Bank requests that the Town issue sewage works refunding bonds which will be exchanged for the Sewage Works Refunded Bonds.

WHEREAS, Indiana Code Section 5-1-5 provides that the town council of a town may by ordinance provide for the issuance of bonds to refund outstanding bonds issued at any time by such town, and to pay redemption premiums and costs of refunding, to effect a savings to such town; and

(• • •)

Editor's Note: Pages of this Bond Ordinance are available as digital images:

-  #10-2000: Sewage Works Revenue Bonds (12/12/2000) - Page 1
-  #10-2000: Sewage Works Revenue Bonds (12/12/2000) - Page 2
-  #10-2000: Sewage Works Revenue Bonds (12/12/2000) - Page 3
-  #10-2000: Sewage Works Revenue Bonds (12/12/2000) - Page 4
-  #10-2000: Sewage Works Revenue Bonds (12/12/2000) - Page 5
-  #10-2000: Sewage Works Revenue Bonds (12/12/2000) - Page 6
-  #10-2000: Sewage Works Revenue Bonds (12/12/2000) - Page 7
-  #10-2000: Sewage Works Revenue Bonds (12/12/2000) - Page 8
-  #10-2000: Sewage Works Revenue Bonds (12/12/2000) - Page 9

ORDINANCE NO. 01-06

AN ORDINANCE AUTHORIZING THE ACQUISITION, CONSTRUCTION AND INSTALLATION BY THE TOWN OF VEEDERSBURG, INDIANA, OF CERTAIN IMPROVEMENTS AND EXTENSIONS TO THE SEWAGE WORKS OF THE TOWN, THE ISSUANCE AND SALE OF REVENUE BONDS TO PROVIDE FUNDS FOR THE PAYMENT OF THE COSTS THEREOF, THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE AND SALE OF SUCH BONDS, AND THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES OF SUCH SEWAGE WORKS AND OTHER RELATED MATTERS

WHEREAS, the Town of Veedersburg, Indiana (the "Town"), has heretofore established and constructed and currently owns and operates a sewage works for the collection and treatment of sewage and other wastes (the "Sewage Works"), pursuant to the provisions of Indiana Code 36-9-23, as amended (the "Act"); and

WHEREAS, the Town Council of the Town (the "Town Council") hereby finds that certain improvements and extensions to the Sewage Works are necessary; and that Triad Associates, Inc., of Indianapolis, Indiana, the consulting engineers employed by the Town (the "Consulting Engineers"), have prepared and filed plans, specifications, detailed descriptions and estimates of the costs of such improvements and extensions to the Sewage Works, which plans, specifications, descriptions and estimates, to the extent required by law, have been duly submitted to and approved or will be approved by all governmental authorities having jurisdiction thereover (the improvements and extensions to the Sewage Works as described in such engineers' plans and specifications and in Section 2 of this Ordinance are referred to herein as the "Project"); and

WHEREAS, the Town Council further finds that the estimates prepared and delivered by the Consulting Engineers with respect to the costs (as defined in Indiana Code 36-923-1 1) of acquisition and construction of such improvements and extensions to the Sewage

(• • •)

Editor's Note: Pages of this Bond Ordinance are available as digital images:

 #01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 1

 #01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 2

+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 3
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 4
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 5
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 6
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 7
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 8
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 9
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 10
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 11
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 12
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 13
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 14
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 15
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 16
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 17
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 18
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 19
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 20

+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 21
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 22
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 23
+/-	#01-06: Sewage Works Revenue Bonds [Signatures] (6/13/2006) - Page 24
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 25
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 26
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 27
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 28
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 29
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 30
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 31
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 32
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 33
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 34
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 35
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 36
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 37
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 38

+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 39
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 40
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 41
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 42
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 43
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 44
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 45
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 46
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 47
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 48
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 49
+/-	#01-06: Sewage Works Revenue Bonds (6/13/2006) - Page 50
+/-	#01-06: Sewage Works Revenue Bonds [Signatures] (6/13/2006) - Page 51

ORDINANCE NO. 10-05

Editor's Note: This ordinance is (essentially) Void. It was amended by [Ord. No. 05-2016](#), adopted 5/31/2016. The amending ordinance essentially replaced this ordinance, but the addition provided by amending [Ord. No. 4-08](#) was preserved as [Section 1\(H\)](#).

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #10-05: Waterworks Rates and Charges (9/13/2005) - Page 1

 (VOID) #10-05: Waterworks Rates and Charges (9/13/2005) - Page 2

 (VOID) #10-05: Waterworks Rates and Charges (9/13/2005) - Page 3

 (VOID) #10-05: Waterworks Rates and Charges (9/13/2005) - Page 4

 (VOID) #10-05: Waterworks Rates and Charges (9/13/2005) - Page 5

 (VOID) #10-05: Waterworks Rates and Charges (9/13/2005) - Page 6

ORDINANCE NO. 06-06

AN ORDINANCE SUPPLEMENTING AND AMENDING [ORDINANCE NO. 96-10](#) AND AUTHORIZING THE ISSUANCE BY THE TOWN OF VEEDERSBURG, INDIANA, OF ITS WATERWORKS REFUNDING REVENUE BONDS OF 2006, AND OTHER RELATED MATTERS

WHEREAS, the Town of Veedersburg, Indiana (the “Town” has heretofore established and constructed and currently owns and operates a municipal waterworks (the “Waterworks” or the “System” pursuant to the provisions of Indiana Code § 8-1.5; and

WHEREAS, on April 17, 1997, the Town issued Nine Hundred Sixty Thousand Dollars (\$960,000) aggregate principal amount of its Waterworks Revenue Bonds of 1997 (the “1997 Bonds” to provide funds to pay the costs of certain improvements and additions to the Waterworks, pursuant to Ordinance No. 96-10 adopted by the Town Council of the Town (the “Town Council” on July 8, 1996, as amended by Ordinance No. 97-10 adopted by the Town Council of the Town on March 11, 1997 (collectively, the “Original Ordinance” and

WHEREAS, the Indiana Bond Bank (the “Bond Bank” issued certain Indiana Bond Bank Special Program Bonds (the “Bond Bank Bonds” the proceeds of which were used to purchase the 1997 Bonds; and

WHEREAS, as of the date hereof, the 1997 Bonds are outstanding in an amount equal to \$755,000; and

WHEREAS, the Bond Bank intends to authorize and issue its Indiana Bond Bank Special Program Bonds, Series 2006 D (the “Refunding Bond Bank Bonds” for the purpose of refunding all or a portion of the Bond Bank Bonds and, as a condition to sharing a portion of the savings associated with the Refunding Bond Bank Bonds with the Town, the Bond Bank has requested that the Town issue the 2006 Refunding Bonds (as hereinafter defined) and, following the issuance of the Refunding Bond Bank Bonds, exchange the 2006 Refunding Bonds for the 1997 Bonds; and

WHEREAS, Section 17(f) of the Original Ordinance provides that additional bonds pledging the revenues of the Municipal Utility may be issued without restriction provided that all of the 1997 Bonds are redeemed or defeased concurrently with the delivery of such additional bonds; and

WHEREAS, Section 17(h) of the Original Ordinance provides for the amendment of the Original Ordinance, without the consent of bondholders, if the Town Council determines, in its sole discretion, that such amendment would not adversely affect the owners of the 1997 Bonds; and

WHEREAS, the Town Council desires to adopt this Ordinance (the “Supplemental Ordinance” to supplement and amend the Original Ordinance (the Original Ordinance, as supplemented and amended by the Supplemental Ordinance, the “Ordinance” and to authorize the issuance of the 2006 Refunding Bonds and the exchange thereof for the 1997 Bonds, all in



Editor's Note: Pages of this Bond Ordinance are available as digital images:

 #06-06: Authorizing Issue of Waterworks Refunding Revenue Bonds (11/14/2006) - Page 1

 #06-06: Authorizing Issue of Waterworks Refunding Revenue Bonds (11/14/2006) - Page 2

 #06-06: Authorizing Issue of Waterworks Refunding Revenue Bonds [Signatures]
(11/14/2006) - Page 3

 #06-06: Authorizing Issue of Waterworks Refunding Revenue Bonds (11/14/2006) - Page 4

 #06-06: Authorizing Issue of Waterworks Refunding Revenue Bonds (11/14/2006) - Page 5

 #06-06: Authorizing Issue of Waterworks Refunding Revenue Bonds [Signatures]
(11/14/2006) - Page 6

 #06-06: Authorizing Issue of Waterworks Refunding Revenue Bonds (11/14/2006) - Page 7

 #06-06: Authorizing Issue of Waterworks Refunding Revenue Bonds (11/14/2006) - Page 8

 #06-06: Authorizing Issue of Waterworks Refunding Revenue Bonds (11/14/2006) - Page 9

ORDINANCE NO. 96-10

AN ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION BY THE TOWN OF VEEDERSBURG, INDIANA, OF CERTAIN IMPROVEMENTS AND EXTENSIONS TO THE TOWN'S WATERWORKS, THE ISSUANCE AND SALE OF REVENUE BONDS TO PROVIDE FUNDS FOR THE PAYMENT OF THE COSTS THEREOF, THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE AND SALE OF SUCH BONDS, AND THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES OF SUCH WATERWORKS AND OTHER RELATED MATTERS.

WHEREAS, the Town of Veedersburg, Indiana (the "Town"), has heretofore established and constructed and currently owns and operates a waterworks by and through its Town Council (the "Town Council") furnishing the public water supply to the Town and its inhabitants (the "Waterworks"), pursuant to the provisions of Indiana Code 8-1.5, as amended (the "Act"); and

WHEREAS, this Town Council hereby finds that certain improvements and extensions to the Waterworks are necessary; and Gove Associates Inc., of Indianapolis, Indiana, the consulting engineers employed by the Town, have prepared and filed plans, specifications, and detailed descriptions and estimates of the costs of the necessary improvements and extensions which plans, specifications, descriptions and estimates, to by law, have been duly submitted to and approved or will to the Waterworks, the extent required be approved by all governmental authorities having jurisdiction thereover (the improvements and extensions to the Waterworks as described in such engineers' plans and specifications and below are referred to herein as the "Project"); and

WHEREAS, this Town Council further finds that the estimates prepared consulting engineers with respect to the costs of delivered by the acquisition and construction of such improvements and extensions to the Waterworks, and including all authorized expenses relating thereto, including the costs of issuance of bonds and, if necessary, bond anticipation notes (the

(• • •)

Editor's Note: This ordinance was amended at various places by [Ord. No. 06-06](#), adopted 11/14/2006.

Editor's Note: Pages of this Bond Ordinance are available as digital images:

 #96-10: Waterworks Revenue Bond (7/8/1996) - Page 1

 #96-10: Waterworks Revenue Bond (7/8/1996) - Page 2

+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 3
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 4
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 5
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 6
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 7
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 8
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 9
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 10
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 11
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 12
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 13
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 14
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 15
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 16
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 17
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 18
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 19
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 20

+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 21
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 22
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 23
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 24
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 25
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 26
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 27
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 28
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 29
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 30
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 31
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 32
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 33
+/-	#96-10: Waterworks Revenue Bond [Signatures] (7/8/1996) - Page 34
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 35
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 36
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 37
+/-	#96-10: Waterworks Revenue Bond (7/8/1996) - Page 38

+/-

#96-10: Waterworks Revenue Bond (7/8/1996) - Page 39

+/-

#96-10: Waterworks Revenue Bond (7/8/1996) - Page 40

+/-

#96-10: Waterworks Revenue Bond (7/8/1996) - Page 41

RESOLUTION NO. 99-4

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AUTHORIZING CERTAIN REPAIRS, REPLACEMENTS AND IMPROVEMENTS TO THE WATERWORKS OF THE TOWN PAYABLE FROM THE REVENUES OF SAID WATERWORKS

WHEREAS, the Town of Veedersburg, Indiana (the "Town"), has heretofore established and constructed and currently owns and operates a waterworks by and through its Town Council (the "Town Council"), furnishing the public water supply to the Town and its inhabitants (the "Waterworks"), pursuant to the provisions of Indiana Code 8-1.5, as amended; and

WHEREAS, this Town Council hereby finds that certain repairs, replacements and improvements to the Waterworks, specifically certain repairs, replacements and improvements with respect to Wells No. 1 and No. 4 and the equipment used therein to provide public water (the "Well Improvements"), are necessary; and

WHEREAS, the Town has previously issued its \$960,000 original principal amount Town of Veedersburg, Indiana, Waterworks Revenue Bonds, Series 1997, pursuant to [Ordinance No. 96-10](#), adopted by the Town Council on July 8, 1996 (the "Ordinance"), the principal and interest upon which is payable from the net revenues of the Waterworks; and

WHEREAS, the Section 11(c) of the Ordinance authorizes net revenues deposited in the Improvement Account established thereunder to be used to the pay the costs of additions, improvements, replacements and extensions to the Waterworks so long as all required amounts have been deposited in the Operation and Maintenance Account and the Bond and Interest Redemption Account established under Section 11(a) and Section 11(b), respectively, of the Ordinance; and

WHEREAS, this Town Council desires to authorize the repairs, replacements and improvements constituting the Well Improvements;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, AS FOLLOWS:

Section 1. This Town Council hereby finds that all required payments to the Operation and Maintenance Account and the Bond and Interest Redemption Account required under Section 11(a) and Section 11(b), respectively, of the Ordinance have been made and that the Well Improvements are necessary and hereby authorizes the Well Improvements, the costs of which are to be paid from net revenues deposited in the Improvement Account established under Section 11(c) of the Ordinance.

Section 2. This Resolution shall be in full force and effect from and after its passage and adoption.

Passed and adopted by the Town Council of the Town of Veedersburg, Indiana, on the 14 day of September, 1999.

TOWN OF VEEDERSBURG COMMON COUNCIL

By Richard L. Rusk
Presiding Officer

ATTEST:

Kathryn M. York
Clerk-Treasurer

Presented by me to the President of the Town Council of the Town of Veedersburg, Indiana, on the
14 day of September, 1999, at 7:00 o'clock p.m.

Kathryn M. York
Clerk-Treasurer

This Resolution approved and signed by me on the 14 day of September, 1999, at 8:45 o'clock
p.m.

Richard L. Rusk
President of Town Council

TOWN OF VEEDERSBURG
ORDINANCE NO. 3-96

**AN ORDINANCE PROHIBITING CUSTOMERS FROM TAMPERING WITH WATER
METERS OR TURNING ON WATER WITHOUT PERMISSION**

WHEREAS, some customers of the Town of Veedersburg's water utility have been tampering with the Town's water meters and turning on the water themselves without permission from the Town; and

WHEREAS, such actions can result in damage to the Town's property and can result in customers obtaining water from the Town without the Town's knowledge or consent;

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Veedersburg, Indiana:

1. No person shall tamper with the Town's water meters. No person other than an authorized employee of the Town of Veedersburg shall turn on the water to supply a business or residential customer with water.
2. The employees of the Town of Veedersburg are authorized and directed to install tags on the Town's water meters notifying persons of the provisions of this Ordinance.
3. Any person who violates Section 1 of this Ordinance shall be fined not less than \$50 and not more than \$ 1,000.00 . In addition, if any person violates Section I of this Ordinance, the employees of the Town of Veedersburg are authorized and directed to turn off the water supply to such person's residence or business until otherwise directed by the officers of the Town.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT IMMEDIATELY AFTER ITS PUBLICATION IN ACCORDANCE WITH LAW

Passed and adopted by the Town Council of the Town of Veedersburg, Indiana, on the 19 day of March , 1996.

Donald L. Bailey
Donald L. Bailey, President

Richard L. Rusk
Richard Rusk

Richard C. Burton
Richard Burton

Greg F. Seibold
Greg Seibold

Attest:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

ORDINANCE # 03-2015

AN ORDINANCE FOR THE CONTROL OF BACKFLOW AND CROSS-CONNECTIONS AND RELATED OPERATIONS OF THE PUBLIC WATER SYSTEMS OWNED AND OPERATED BY THE TOWN OF VEEDERSBURG, INDIANA

WHEREAS, it is the purpose of this ordinance to protect the public potable water supply of the Veedersburg, Indiana, service area from the possibility of contamination or pollution from commercial and industrial users, and certain circumstances including single family dwellings, duplexes, and fourplexes with individual water meters by isolating within the customer's internal distribution system(s) or the consumer's private water system(s) such contaminants or pollutants which could back flow into the public water systems;

WHEREAS, it is also the purpose of this ordinance to promote the elimination or control of existing cross-connections, actual or potential, between the customer's in-plant potable water system(s) and non-portable water system(s), plumbing fixtures and industrial piping systems;

WHEREAS, it is also the purpose of this ordinance to provide for the maintenance and continuing Program of Cross-Connection Control which will systematically and effectively prevent the contamination or pollution of all potable water systems: and

WHEREAS, 675 IAC, Article 16, Rule 1.2, of the Indiana Plumbing Code as adopted by the Indiana Fire Prevention and Building Safety Commission, requires protection of the public water supply from contaminants due to backflow through connections to fire protection and stand pipe systems: and

WHEREAS, it is the intent of this ordinance to comply with the rules pertaining to operation of a public water supply as outlined in 327 IAC 8-10, et seq.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Veedersburg of the State of Indiana:

SECTION 1. Responsibility. Veedersburg Utilities shall be responsible for the protection of the public potable water distribution system from contaminants or pollutants through the water service connection. If, in the judgment of said Veedersburg Utilities an approved backflow prevention assembly is required as defined by the IAC., 327 IAC 8-10, Rule 10 (as the customer's water service connection; or, within the customer's private water system) for the safety of the water system, Veedersburg Utilities, shall give notice in writing by mail to said customer to install such an approved backflow prevention assembly(s) at the specific location(s) on their premises. The customer shall install such approved assembly(s) at the customer's own expense; and, failure, refusal, or inability on the part of the customer to install, have tested and maintain said assembly(s) shall constitute a grounds for discontinuing water service to the premises until such requirements have been satisfactorily met.

SECTION 2. Definitions. For the purpose of this ordinance the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(A) “Air Gap” means the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device or flood level rim of said vessel. An approved air-gap shall be at least double the diameter of the supply pipe, measured vertically, above the overflow rim of the vessel; and in no case less than one inch.

(B) “Approved” means accepted by Veedersburg Utilities as meeting applicable specification stated or cited in this ordinance, or as suitable for the purposed use.

(C) “Auxiliary Water Supply” means any water supply on or available to the premises other than the utility’s approved public potable water supply. These Auxiliary waters may include water from another utility’s public potable water supply or any natural source(s) such as a well, spring, river, stream, etc., or “used waters” or “Industrial fluids.” These waters may be contaminated or polluted or they may be objectionable and constitute an unacceptable water source over which the water utility does not have sanitary control.

(D) “Backflow” means the reversal of the normal flow of water caused by either backpressure or backsiphonage.

(E) “Backpressure” means the flow of water or other liquids, mixtures or substances under pressure into the distribution pipes of a potable water supply system from any source or source other than the intended source.

(F) “Backsiphonage” means the flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply caused by the reduction of pressure in the potable water supply system.

(G) “Backflow Preventer” means an approved assembly or means designed to prevent backflow.

(H) “Contamination” means an impairment of the quality of the potable water by sewage, industrial fluids or waste liquids, compounds or other materials to a degree which creates an actual or potential hazard to the public health through poisoning or through the spread of disease.

(I) “Cross-Connection” means any physical connection or arrangement of piping or fixtures between two otherwise separate piping systems, one of which contains potable water and the other non-potable water or industrial fluids of questionable safety, through which, or because of which, backflow may occur into the potable water system.

(J) “Cross Connection Control by Containment” means the installation of an approved backflow assembly at the water service connection to any customer’s premises where it is physically and economically unfeasible to find and permanently eliminate or control all actual or potential cross-connections within the customer’s water system; or it shall mean the installation of an approved backflow prevention assembly on the service line leading to and supplying a portion of a customer’s water system where there are actual or potential cross-connections which cannot be effectively eliminated or controlled at the point of cross-connection.

(K) “Cross Connection Controlled” means a connection between a potable water system and a non-potable water system with an air gap or approved backflow prevention assembly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.

(L) “Degree of Hazard” means an evaluation of the potential risk and the adverse effect of the hazard upon the potable water system.

(M) “Double Check Valve Assembly” means an assembly of two independently operating,

approved check valves with resilient seated shut-off valves on each end of the check valves, plus properly located resilient seated test cocks for testing of each check valve. The entire assembly shall meet the design and performance specifications as determined by a laboratory and field evaluation program resulting in an approval by a recognized and Veedersburg Utilities approved testing agency for backflow prevention assemblies. To be approved these assemblies must be readily accessible for in line testing and maintenance. Confined space installations will not be accepted.

(N) “Health Hazard” means any condition, devise, or practice in the water supply system and its operation, which could create, or in the judgment of Veedersburg Utilities, may create a danger to the health and wellbeing of the water customer.

(O) “Industrial Fluids System”, means any system containing a fluid or solution, which may be chemically, biologically, or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollutional, or plumbing hazard if introduced into an approved water supply. This may include, but not be limited to: polluted or contaminated waters: all types of process waters and “used water” originating from the public potable water system which may have deteriorated in sanitary quality; chemicals in fluid form; plating acids and alkalizes, circulating cooling waters connected to an open cooling tower and/or cooling towers that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters such as wells, springs, streams, rivers, irrigation canal or systems, etc.; oils, gases, glycerin, paraffin, caustic and acid solutions and other liquid and gaseous fluids used in industrial or other purposes or for fire-fighting purposes.

(P) “Non-Potable Water” means water which is not safe for human consumption or which is of questionable potability.

(Q) “Plumbing Hazard” means a plumbing type cross-connection in a customer’s potable water system that has not been properly protected by an approved air-gap or approved backflow prevention assembly.

(R) “Pollution” means the presence of any foreign substance (organic, inorganic, or biological) in water which tends to degrade it’s quality so as to constitute a hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic use.

(S) “Pollutional Hazard” means an actual or potential threat to the physical water system but which could constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances, but would not be dangerous to health.

(T) “Potable Water” means any water which, according to recognized standards, is safe for human consumption.

(U) “Reduced Pressure Principle Assemblies” means an assembly of two independently acting approved check valves together with a hydraulically operating, mechanically independent differential pressure relief valve located between the check valves and at the same time, below the first check valve, the unit shall include properly located resilient seated test cocks and resilient seated shutoff valves at each end of the assembly. The entire assembly shall meet the design and performance specifications as determined by a laboratory and a field evaluation program resulting in approval by a recognized and Veedersburg Utilities approved testing agency for backflow prevention assemblies. The assembly shall operate to maintain the pressure in the zone between the check valves at an acceptable level less than the pressure on the public water supply side of the assembly. At cessation of normal flow the pressure between the two check valves shall be less than the pressure on the public water supply side of the assembly. In case of leakage of either of the check valves the

differential relief valve shall operate to maintain the reduced pressure in the zone between the check valves by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall open to the atmosphere. To be approved these assemblies must be readily accessible for inline testing and maintenance and be installed in a location where no part of the assembly will be submerged. Confined space installations will not be approved.

(V) "Superintendent" means the Superintendent of the Veedersburg Water Utilities, or his/her designee, who is vested with the authority and responsibility for the implection of an effective cross-connection control program and for the enforcement of provisions of this ordinance.

(W) "System Hazard" means an actual or potential threat of severe damage to the physical properties of the public potable water system or the consumer's potable water system or of a pollution or contamination which would have a protracted affect on the quality of the potable water in the system

(X) "Used Water" means any water supplied by a Water Utility from a public potable water system after it has passed through the point of delivery and is no longer under the sanitary control of the Water Utility.

(Y) "Water Service Connection" means the terminal end of a service connection from the public potable water system; i.e., where the water utility loses jurisdiction and sanitary control over the water at its point of delivery to the customer's water system. If a meter is installed at the end of the service connection, then the service connection shall mean the downstream end of the meter, provided the meter is installed outside of the building; i.e., in a pit or vault. If the meter is installed inside a building, then the Water Utility's jurisdiction terminates at the downstream end of the outside shut off valve to the water service. There should be no unprotected takeoffs from the water service line ahead of any meter or ahead of any backflow prevention assembly. Service connection shall also include water service connection from a fire hydrant and all other temporary or emergency water service connections from the public potable water system.

SECTION 3. Water System Requirements. The water system shall be considered as made up of two parts: The Utility System and the Customer System.

(A) The utility system shall consist of the source facilities and the distribution system; and shall include all air-gaps or approved backflow prevention assemblies properly installed and maintained, up to the point where the customer's system begins. The source shall include all components of the facilities utilized in the production, treatment, storage, and delivery of water to the distribution system. The distribution system shall include the network of mains used for the delivery of water from the source to the customer's system.

(B) The customer's system shall include those parts of the facilities beyond the termination of the utility distribution system which are utilized in conveying utility-delivered domestic water to points of use. As defined in The Town of Veedersburg service area, at or about the customer fitting connection outside of the meter pit or eighteen inches (18") for residential services or at the corporate shut off at the distribution main for commercial properties, unless otherwise designated.

SECTION 4. Compliance. No water service connection to any premises shall be installed or maintained by Veedersburg Utilities unless the water supply is protected as required by State rules and regulations of this Ordinance. Service of water to any premises may be discontinued by

Veedersburg Utilities if a backflow prevention assembly required by this Ordinance is not installed, tested and maintained or if it is found that a backflow prevention assembly has been removed or bypassed; or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.

SECTION 5. Inspection. The customer's system should be open for inspection at all reasonable times to authorized representatives of Veedersburg Utilities to determine whether there exist cross-connections or other structural or sanitary hazards, including violations of this ordinance or regulations which are adopted through this ordinance.

SECTION 6. Discontinuance of Service. When a violation condition becomes known, the Superintendent may deny or immediately discontinue service to the premises by providing for a physical break in the service line until the customer has corrected the condition(s) in conformance with State statutes and Town ordinances relating to plumbing and water supplies and the regulations adopted pursuant thereto.

SECTION 7. Installation of Backflow Prevention Assembly. An approved backflow prevention assembly shall also be installed on each service line to a customer's water system at or near the property line or immediately inside the building being served; but, in all cases, before the first branch line leading off the service line.

SECTION 8. Type of Protective Assembly. The type of protective assembly required shall depend upon the degree of hazard which exists as follows:

(A) In the case of any premises where there is an auxiliary water supply, the public water systems shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention assembly;

(B) In the case of any premises where there is water or a substance that would be objectionable but not hazardous to health, if introduced into the public water system, the public water system shall be protected by an approved reduced pressure principle backflow assembly;

(C) In the case of any premises where there is any material dangerous to health such as to create an actual or potential hazard to the public water system, the public water system shall be protected by an approved air-gap separation or an approved reduced principle backflow prevention assembly. Examples of premises where these conditions will exist include, but are not limited to sewage treatment plants, sewage pumping stations, chemical manufacturing plants, hospitals, mortuaries, and planting plants;

(D) In the case of any premises where there are uncontrolled cross-connections, either actual or potential, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention assembly at the service connection;

(E) In the case of any premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete in-plant cross-connection survey, the public water system shall be protected against backflow from the premises by either an approved air-gap separation or an approved reduced pressure principle backflow prevention assembly on each service to the premises;

(F) In the case of any premises having a lawn irrigation system, the public water system

shall be protected by an approved pressure vacuum breaker backflow prevention assembly or an approved reduced pressure principle backflow prevention assembly; and

(G) In the case of any premises having a fire service line, the public water system shall be protected by an approved double detector check valve assembly.

(H) All other premises not covered in Section 8, Paragraphs A through G, shall be required to install a non-testable dual check valve assembly for the protection of the public water system.

(I) Existing installations are not exempt from current rules and regulations in this ordinance.

SECTION 9. Approval of Backflow Prevention Assembly. Any backflow prevention assembly required herein shall be a model and size approved by Veedersburg Utilities. The term "Approved Backflow Prevention Assembly" shall mean an assembly that has been manufactured in full conformance with the standards established by the American Water Works Association (AWWA) entitled "AWWA C506-84 Standards for Reduced Pressure Principle and Double Check Valve backflow Prevention Devices". Said assembly shall meet the laboratory and field performance specifications of the Foundation for Cross-Connection Control and Hydraulic Research (FCCC&HR) of the University of Southern California established by Specifications of Backflow Prevention Assemblies Section 10 of the most current issue of the MANUAL OF CROSS-CONNECTION CONTROL. Final approval shall be evidenced by a Certificate of Approval issued by an approved testing laboratory certifying full compliance with the said AWWA standards and FCCC&HR specifications.

SECTION 10. Adoption of standards by reference. The AWWA and FCCC&HR standards are specifications specifically referenced in Section 9 of this ordinance are hereby adopted and incorporated herein by reference.

SECTION 11. Duty to test and repair. It shall be the duty of any customer-user at any premises where backflow prevention assemblies are installed as stipulated in Section 8, Paragraphs A through G, to have certified inspections and operational tests made upon installation and at least once per year. In those instances where Veedersburg Utilities Superintendent deems the hazard to be great enough, the superintendent may require inspection at more frequent intervals. The inspections and tests shall be at the expense of the water user and shall be performed by a certified tester registered and approved by the State of Indiana and Veedersburg Utilities. It shall be the duty of the customer to see that these tests are made in a timely manner. If a customer-user does not have its backflow prevention assembly tested within thirty (30) days of the testing due date, Veedersburg Utilities may discontinue water service to the premises to maintain the safety of the public water system. These assemblies shall be repaired overhauled or replaced at the expense of the customer-user whenever said assemblies are found to be defective. Records of such tests, repairs and overhaul shall be kept by the customer-user and a copy furnished to Veedersburg Utilities.

SECTION 12. Certification of testers. Certified testers shall be registered with Veedersburg Utilities and shall provide proof of State registration. In addition, certified testers will provide proof that test gauges used in testing backflow prevention assemblies have been calibrated and certified annually. All inspection reports shall be made using approve forms, either from Veedersburg Utilities

or approved by same.

SECTION 13. Penalties. Whoever violates any provision of this ordinance for which no other penalty is otherwise specifically provided shall be fined not more than \$400.00. A separate offense shall be deemed committed on each day that a violation occurs or continues.

SECTION 14. Rules incorporated by reference. The Indiana Plumbing Code, Indiana State Department of Health and IDEM Rule 327IAC 8-10 are incorporated herein by reference.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG,
INDIANA, on this 10th day of March , 2015.

Stephen R. Cates

Troy Finley

Mark Rusk

Attest:

Kathy J. Pugh
Kathy Pugh, Clerk Treasurer

ORDINANCE NO. 05-2016

AN ORDINANCE AMENDING ORDINANCE NO. 10-05 ESTABLISHING RATES AND CHARGES FOR THE USE OF AND SERVICE RENDERED BY THE WATERWORKS SYSTEM OF THE TOWN OF VEEDERSBURG, AND PROVIDING REGULATIONS GOVERNING SUCH SERVICE AND USE, PROVIDING PENALTIES FOR VIOLATIONS, ESTABLISHING AN EFFECTIVE DATE OF THE ORDINANCE AND REPEALING ALL ORDINANCES IN CONFLICT HERewith.

WHEREAS, the Town of Veedersburg, Indiana (the "Town"), has heretofore constructed and has in operation a water works utility; and

WHEREAS, the Town Council of the Town (the "Council") has previously established the existing schedule of user rates and charges for water service, pursuant to [Ordinance No. 10-05](#), adopted by the Council on September 13, 2005; and

WHEREAS, the Town has employed O.W. Krohn & Associates, LLP (the "Financial Advisor") to prepare a rate report reviewing the sufficiency of such existing rates and charges; and

WHEREAS, the Financial Advisor has prepared and submitted a rate report (the "Rate Report") which concludes that existing rates and charges are insufficient to pay all the legal and other necessary expenses incident to the operation of the utility, including maintenance costs, operating charges, upkeep, repairs, depreciation, including increases in such costs, and the payment of principal and interest on bonds, future bonds or other obligations; and

WHEREAS; pursuant to IC 8-1.5, as amended (the "Act"), this Council may change or adjust its existing schedule of fees by ordinance after providing notice and conducting a public hearing; and

WHEREAS, the Clerk-Treasurer of the Town has given notice of the public hearing on proposed rates as provided for in the Act; and

WHEREAS, the public hearing was held before this Council on May 31, 2016, at which time testimony from interested persons was received, after introduction of this ordinance and as provided for in the Act.

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

SECTION ONE: SCHEDULE OF WATER RATES:

That the following rates and charges based on the water supplied by said waterworks system is hereby established.

- (A) All water users residing within the corporate limits of said town shall pay the follow rates:

INSIDE CORPORATE LIMITS

<u>Metered Consumption:</u> (Per 1,000 gallons)		<u>Effective upon Passage</u>
First	15,000 Gallons	\$ 4.71
Next	20,000 Gallons	3.81
Next	65,000 Gallons	2.57
Over	100,000 Gallons	1.51

INSIDE CORPORATE LIMITS

Monthly Service Charge:	\$ 9.14
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Application of Rates and Charges

The monthly service charge shall be applied to all customer accounts regardless of usage. The metered rates shall be applied to all usage of customers. The sum of the monthly service charge and the metered usage charge shall represent the monthly charge to customers for water service prior to the application of taxes and penalties.

(B) All water users outside the corporate limits of said town shall pay the following rates:

OUTSIDE CORPORATE LIMITS

<u>Metered Consumption:</u> (Per 1,000 gallons)		<u>Effective upon Passage</u>	<u>Add'1 % of Outside Corporate Limit Rates compared to Inside Corporate Limit Rates</u>
First	15,000 Gallons	\$ 6.46	37.16%
Next	20,000 Gallons	5.32	39.63%
Next	65,000 Gallons	3.57	38.91%
Over	100,000 Gallons	2.12	40.40%
Monthly Service Charge:		\$ 13.74	50.33%

Application of Rates and Charges

The monthly service charge shall be applied to all customer accounts regardless of usage. The metered

rates shall be applied to all usage of customers. The sum of the monthly service charge and the meter usage charge shall represent the monthly charge to customers for water service prior to the application taxes and penalties.

(C) Large Industrial Monthly Fixed Charge:

Class I (8" meter)	\$ 2,752.00	Per month
Class II (6" meter)	\$ 459.00	Per month
Class III (4" meter or smaller)	\$ 0.00	N/A

(D) Water service furnished to temporary users shall be charged on the basis of the above gallonage rate.

(1) If temporary use will be for one week or less, said user shall make a deposit sufficient amount to pay any charges for the amount of water that is estimated to be required by such temporary user.

(2) Where such temporary use will be for more than one week, a deposit equal to the amount of water estimated to be used the first week of such temporary use will be made. Thereafter a deposit will be made in advance for the amount of water estimated to be used for each week.

(E) Water supplied for railroad or other special users may be charged on such terms as shall be fixed by special contracts approved by the Town Council of the Town of Veeder. In cases where water is furnished under a special contract, the Clerk-Treasurer shall collect the charges in accordance with the provisions of such contract.

(F) For water users not already connected to said waterworks system, a tapping fee shall be charged for connecting the user to the waterworks system. Such charge shall include payment of the labor and materials necessary to install a meter-yoke, a meter-box, stopcock, waste-cock, tap to water main, all pipes necessary to connect the tap to the meter and furnishing and installing the water meter. The following tapping fee, based on the size of the meter tapped into said waterworks system, shall be charged:

5/8 or 3/4 inch tap or larger	Actual cost, but not less than \$ 750.00
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Said charges shall be paid by the water user before the water service shall be turned on. Application must be made in writing for water taps. The user will be required to furnish his own materials, install his own service pipe and make his connection at the meter.

- On property where there is already a connection made to the waterworks system, all water users shall make a One Hundred Dollar (\$100.00) meter deposit upon application for water service; however, if the user can establish its credit worthiness, the deposit may be waived. Upon discontinuation of water service, said sum will be refunded provided that no amounts are owing to the Town. If there are any bills or damages owed, said deposit will be applied to said bills for damages and any excess will be refunded to the user. If for any reason water service cannot be furnished to said user, the deposit will be refunded.
- (G)

A twenty-five (\$25.00) service charge will be paid by all water users for turning on the water of the users who are already connected to said waterworks system, said amount to be paid prior to the commencement of water service.

The amount to be paid by the Town of Veedersburg as fire hydrant rental shall be One Hundred Dollars (\$100.00) per hydrant per year.

- (H) Amended by [Ord. No. 4-08](#), adopted 5/13/2008. This ordinance amended [Ord. No. 05](#) and was not explicitly repealed by the current amendment.

- System Development Charges for newly constructed non-residential customers shall be based upon the size of the water meter installed. The baseline system development charge for a 5/8 or 3/4 inch water meter shall be equivalent to the cost of replacing 3 gallons per day of capacity at the Town's water wellfield and treatment plant.
- (H)

System Development Charges:		One-Time Charge
Residential Customers	Not Applicable	\$ -
Non-Residential Customers:	<u>Area Ratio</u>	
5/8 or 3/4 inch water meter	1.0	\$ 500.00
1 inch water meter	2.5	1,250.00
1 1/2 inch water meter	5.8	2,900.00
2 inch water meter	10.0	5,000.00
3 inch water meter	23.0	11,500.00
4 inch water meter (or greater)	40.0	20,000.00

These one-time charges do not apply to new single family residential homes or duplexes. Said System Development Charges will only be assessed for newly constructed commercial, institutional and

industrial users.

SECTION TWO: METERING OF SERVICE AND BILLS THEREFOR

(A) All users, both inside and outside the corporate limits of said Town shall be governed by the following subsections:

(1) All service shall be metered, except as may be provided for by contract with the Town Council. The size of the meter to be used shall be determined by an employee of the waterworks system.

(2) In the event any meter shall become inoperative and fail to register the quantity of water passing through said meter, the water user shall be charged at the rate of his average consumption registered by the meter before said meter became inoperative.

(3) All charges made against water users shall be billed monthly and said bills shall be due and payable on the first day of the month, following the month when said charges were incurred by the water user. Said bill will be delinquent on the 16th day of said month. There shall be added to all delinquent bills a charge of ten percent (10%) of the face amount of said bill.

(4) In the event the full amount of the bill, plus the additional charges are not paid on or before 30 days following the date of said bill, service to water users so in default shall be discontinued after 5 day written notice. All charges owing plus a twenty-five dollar (\$25.00) service charge must be paid in advance before services will be continued to said user.

(B) All water users or other persons are strictly prohibited from furnishing water to other premises or dwelling units, or allowing the same to be drawn from their fixtures or pipes. Each separate premise or dwelling unit must be provided with a separate stop-cock and a separate water meter, and each shall be a separate service. In no case will a service pipe be allowed to run across tracts or lots, or from one lot or tract to another, but each house, premise or unit serviced shall be served by a separate tap taken directly from the main water line serving the same, regardless of whether or not said units are located in the same building, or whether or not said dwelling units are located on one lot or one tract, or whether or not said dwelling units are owned by the same owner or by different owners, except as provided in the following subsection.

(C) Exception – The above provision of this section shall not apply to water users under the following circumstances only:

Owners, leasers, operators or landlords or hotels, motels, apartment houses, duplexes or licensed mobile home parks, in which the owner, leaser, operator or landlord furnishes water to his tenant or occupant and includes water service in his rent or

- (1) other charge to such tenant or occupant, may do so without separate service tap or meter. The owner, leasor, landlord or operator of such hotel, motel, apartment house, duplex or mobile home park shall be the sole customer of the waterworks system, and shall pay the entire charge. Otherwise, they will be subject to the same rules and regulations as any other user.

- (2) Upon application of the water user, an employee of the waterworks system shall immediately determine what users are entitled to the benefits of the above exception. Said water users may appeal the decision of said employee directly to the Town Council of the Town of Veedersburg.

SECTION THREE: RESTRICTIONS AND REQUIREMENTS

- (A) All service pipes must have stop-cock and waste-cock placed between the curb and the premises in order that the water may be shut off and the pipes drained.
- (B) No water user or any other person except employees of the waterworks system or a person authorized in writing by the Town of Veedersburg will have the authority to turn the water on or off at the curb-cock or to tap or attempt to tap any water main.
- (C) Any changes made in the location of the curb-box or appliances used in connection therewith, when said changes are made at the request of the water user for his convenience, will be made at the expense of the property owner or water user. Charges for said work will be paid on or before the due date on the monthly water bill for the month following that in which the work is completed.
- (D) No person shall take water from any fire hydrant except for fire purposes or as otherwise authorized in writing by the Town Council.
- (E) No person shall improperly use or permit the improper use of water or cause the waste of the water resources of said Town, intentionally or unintentionally through the use of defective or imperfect fixtures or in any other manner.
- (F) In cases where service is connected directly to boilers or other hot water fixtures that are likely to cause back water pressure, a check valve must be installed on the service pipe to prevent injury to the meters, and all damages caused to meters by back pressure shall be paid for by the user when such damages occur.
- (G) Where meters are set in basements, cellars or lawns, the water user shall be required to keep the surroundings of the meter clean with an easy access to the meter and will protect the same from freezing or injury.
- All meters, meter-boxes, valves, valve-boxes, and all pipes, taps, connections, fixtures and equipment that may be necessary to set the meter properly to avoid freezing, to make all

(H) water used to pass through the meter, and to avoid danger to anyone, shall be placed at a location and in a manner which shall be approved in advance by an employee of the waterworks system, and none of such things shall be changed, covered up, tampered with or in any manner interfered with by anyone other than an employee of the waterworks or a person authorized by an employee of said Town.

(I) If at anytime it is found that any of such equipment, appliances or fixtures above mentioned in this section shall be changed or shall become or be in such condition that it is dangerous to anyone, or cannot be used, repaired, replaced or serviced by the system efficiently, the waterworks system shall make such changes as will correct the same and the actual expense thereof shall be paid by the water user, with such expense added to the regular bill.

SECTION FOUR: PENALTIES

(A) If any water user or owner of property shall fail to pay the charges as herein provided, or shall fail to comply with any of the requirements of this ordinance as to the use of stop-cocks, waste-cocks, or separate service taps at the water mains, or shall do any act of omission or commission which will interfere with proper registering of the water meters or interfere or tamper with the water meter, meter- box, meter-seals, yokes, valves or curb-stops, or any service or appliance of the waterworks system used for controlling, regulating or measuring the water, or shall improperly use or waste said water or shall fail to apply for and obtain a permit for service in case there is a change of user, or shall defraud or attempt to defraud the waterworks system in any manner or violate any other provisions of this Ordinance, water service shall be discontinued after giving the water user notice as provided in this ordinance.

SECTION FIVE: NOTICE

In case of violation of any of the provisions of this ordinance, the water service shall not be discontinued except on written notice of at least five (5) days, mailed to such water user at their address as shown on the records of the waterworks system, or personally delivered to the user or a member of his household, advising him as to his violation of the ordinance and the procedure he may take to correct said violations and avoid discontinuance of water service; provided that where fraudulent use of water is detected, or where the system's regulating or measuring equipment has been tampered with, or where a dangerous condition is found to exist on the premises of the water user, service may be shut off without said notice.

SECTION SIX: EFFECTIVE DATE OF ORDINANCE

It is herein provided that this ordinance shall become effective on the 1st day of July, 2016 or as soon as practical thereafter.

SECTION SEVEN: REPEAL OF PRIOR ORDINANCES

All ordinances or part of ordinances in conflict with this ordinance are hereby repealed as of the effective date of this ordinance.

Adopted this 31st day of May, 2016.

Teresa K. Cooper
Council President

Keith K. Smith
Council Member

Stephen R. Cates
Council Member

Council Member

Council Member

Attest:

Kathy J. Pugh
Kathy Pugh, Clerk-Treasurer
Town of Veedersburg, Indiana

WHEREAS, certain areas of Veedersburg, Indiana are subject to periodic flooding from streams, causing serious damages to properties within these areas; and

WHEREAS, relief is available in the form of Federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of this BOARD, to require the recognition and evaluation of flood hazards in all official actions relating to land use in the flood plain areas having special flood hazards; and

WHEREAS, this body has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to Indiana Code 18-7-5-1, et SOQ;

NOW, THEREFORE, BE IT RESOLVED, that this BOARD, hereby;

1. Assures the Federal Insurance Administration that it will enact as necessary, and maintain in force for those areas having flood or mudslide hazards, adequate land use and control measures with effective enforcement provisions consistent with the Criteria set forth in Section 1910 of the National Flood Insurance Program Regulations; and

2. Vests VEEDERSBURG TOWN PLANNING COMMISSION with the responsibility, authority, and means to:

(a) Delineate or assist the Administrator, at his request, in delineating the limits of the areas having special flood hazards on available local maps of sufficient scale to identify the location of building sites.

(b) Provide such information as the Administrator may request concerning present used and occupancy of the flood plain.

(c) Cooperate with Federal, State, and local agencies and private firms which undertake to study, survey, map, and identify flood plain or mudslide areas, and cooperate with neighboring communities with respect to management of adjoining flood plain areas in order to prevent aggravation of existing hazards.

(d) Submit on the anniversary date of the community's initial eligibility an annual report to the Administrator on the progress made during the past year within the community in the development and implementation of flood plain management measures.

3. Appoints VEEDERSBURG CLERK TREASURER, to maintain for public inspection and to furnish upon request a record of elevations (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures located in the special flood hazard areas. If the lowest floor is below grade on one or more sides, the elevation of the floor immediately above must also be recorded.

4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the program.

James O. Songer
James O. Songer, President of
Town Board

ATTEST:

Dorothy Dice
Dorothy Dice, Clerk-Treasurer

Date Passed 6-3-75

STATE OF INDIANA)
)SS:
COUNTY OF FOUNTAIN)

I, Dorothy Dice, city clerk of the Town of Veedersburg, state of Indiana, do hereby certify that the foregoing resolution, being Resolution No. 1-75, was duly passed and adopted by the Town Board of said Town, approved unanimously and signed by the President of the Town Board, and attested by the clerk-treasurer of said Town, all at a regular meeting of the said Town Board, held on the 3rd day of June, 1975.

Dorothy Dice

Subscribed and sworn to before me, a Notary Public in and for said County and State, this 5th day of June , 1975.

My Commission Expires:
6-26-77

Philip E. Tracy
Notary Public

WHEREAS, it is the intent of the Veedersburg Town Board to require the recognition and evaluation of flood hazards and all official actions relating to land use in the flood plain and

WHEREAS, it is the intent of this board to hereafter prohibit any person, firm, or corporation from erecting, constructing, enlarging, altering, or repairing, improving, moving or demolishing any building or structure without first obtaining a separate building permit for each building or structure from the Veedersburg Town Planning Commission, and

WHEREAS, it is the intent of the board that the Town Planning Commission examine all plans and specifications for proposed construction when application is made to them for building permit.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of Veedersburg, Indiana as follows:

1. That from the date of this resolution any person, firm, or corporation is prohibited from erecting, constructing, enlarging, altering, repairing, improving, moving or demolishing any building within the area designated as the flood plain in the Town of Veedersburg, without first obtaining a separate building permit for each building or structure from the Veedersburg Town Planning Commission: and
2. That the Veedersburg Town Planning Commission shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has a flood hazard, any proposed new construction or substantial improvement (including prefabricated and mobile homes) must (i) be designed and anchored to prevent flotation, collapse, or lateral movement of the structure, (ii) use construction materials and utility equipment that are resistant to flood damage, and (iii) use construction methods and practices that will minimize flood damage; and
3. That the Veedersburg Town Planning Commission shall review subdivision proposals and other proposed new developments to assure that (i) all such proposals are consistent with the need to minimize flood damage, (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated, and constructed to minimize or eliminate flood damage, and (iii) adequate drainage is provided so as to reduce exposure to flood hazards; and
4. That the Veedersburg Town Planning Commission shall require new or replacement water supply systems and/or sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

James O. Songer
James O. Songer, President
Town Board

ATTEST:

Dorothy Dice
Dorothy Dice, Clerk-Treasurer

Date Passed 6-3-75

STATE OF INDIANA)
)SS:
COUNTY OF FOUNTAIN)

I, Dorothy Dice, city clerk of the Town of Veedersburg, state of Indiana, do hereby certify that the foregoing resolution, being Resolution No. 2-75, was duly passed and adopted by the Town Board of said Town, approved unanimously and signed by the President of the Town Board, and attested by the clerk-treasurer of said Town, all at a regular meeting of the said Town Board, held on the 3rd day of June, 1975.

Dorothy Dice

Subscribed and sworn to before me, a Notary Public in and for said County and State, this 5th day of June , 1975.

My Commission Expires:
6-26-77

Philip E. Tracy
Notary Public

ORDINANCE NO. 95-14

AN ORDINANCE LIMITING THE PLACEMENT OF MANUFACTURED HOUSING IN THE TOWN OF VEEDERSBURG, INDIANA

WHEREAS, older trailers, mobile homes and other manufactured housing can have a detrimental effect on the property values of neighboring properties., and

WHEREAS, some older manufactured housing was constructed with materials that may make such housing a health and safety risk., and

WHEREAS, the Indiana legislature has expressed a public policy that allows manufactured homes that were built prior to January 1, 1981 to be banned by public authorities,

NOW, THEREFORE, be it ordained and established by the Town of Veedersburg as follows:

Section 1. Manufactured Homes Constructed Prior to 1981 Not Permitted. Trailers, mobile homes and other manufactured homes constructed prior to January 1, 1981 shall not be permitted to be located or installed in the corporate limits of the Town of Veedersburg, and such homes shall not be connected to the Town's electric, water or sewer systems.

Section 2. Manufactured Homes Constructed After 1980 Permitted in Some Instances. A dwelling unit designed and built in a factory, which bears a seal certifying that it was built in compliance with the federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 USC § 5401 et seq.), which has at least 950 square feet of occupied space and which was constructed after January 1, 1981 may be installed as a permanent residence in the Town of Veedersburg. Manufactured homes constructed after January 1, 1981 that do not have at least 950 square feet of occupied space or which are not constructed in accordance with the Manufactured Housing Construction and Safety Standards Law of 1974 shall not be permitted to be located or installed in the corporate limits of the Town of Veedersburg, and such homes shall not be connected to the Town's electrical, water or sewer systems.

Section 3. Existing Manufactured Homes. Existing manufactured homes that are located in the Town of Veedersburg on the effective date of this ordinance may remain in their current locations, but may not be moved to another location within the Town of Veedersburg and may be replaced by other manufactured homes only if such replacement homes satisfy the requirements set forth in Section 2 of this Ordinance.

Section 4. Enforcement. The Town of Veedersburg may seek injunctive relief against anyone found to have violated this Ordinance. Any person found to have violated this Ordinance may be subject to a penalty of up to \$ 50.00 per day and shall be liable for court costs and all reasonable fees and expenses incurred by the town, including reasonable attorney's fees, in enforcing this Ordinance

Section 5. No Repeal. Nothing contained herein shall be deemed to be a repeal of any other ordinance of the Town of Veedersburg currently in effect.

Section 6. Effective Date. This ordinance shall be in full force and effect from and after publication of this ordinance in accordance with law.

PASSED AND ADOPTED by the Town Council of the Town of Veedersburg, Indiana on the 21 day of Nov , 1995.

VEEDERSBURG TOWN COUNCIL

Donald L. Bailey
Don Bailey, President

Ralph Cushman

Richard L. Rusk
Richard Rusk

Richard C. Burton
Charlie Burton

Greg F. Seibold
Greg Seibold

Attest:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

ORDINANCE NO. 99-10

AN ORDINANCE PROVIDING FOR THE INSPECTION, REPAIR AND REMOVAL OF UNSAFE BUILDINGS WITHIN THE TOWN OF VEEDERSBURG

Be it ordained by the Town Council of the Town of Veedersburg, Indiana that:

1. Under the provisions of Indiana Code 36-7-9, there is hereby established the Veedersburg Unsafe Building Law.
2. Indiana Code §§ 36-7-9-1 through 36-7-9-28 (the "State Unsafe Building Law") are hereby incorporated by reference in the Veedersburg Unsafe Building Law. All proceedings within the Town of Veedersburg for the inspection, repair and removal of unsafe buildings shall be governed by the State Unsafe Building Law and the provisions of this ordinance. In the event of a conflict between the provisions of this ordinance and the provisions of the State Unsafe Building Law, the provisions of the state statute shall control.
3. All buildings or portions thereof within the Town of Veedersburg which are determined after inspection to be unsafe as defined in this ordinance are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal.
4. The position of Veedersburg Building Commissioner is hereby created. The Veedersburg Building Commissioner shall be entitled to such compensation as shall from time to time be established by the Town Council. The Building Commissioner shall be and is authorized to administer and to proceed under the provisions of the State Unsafe Building Law in ordering the repair or removal of any buildings found to be unsafe as specified therein or as specified hereafter, as reviewed and authorized or ordered by the Town Council.
5. Whenever in the Veedersburg Unsafe Building Law it is provided that anything must be done to the approval of or subject to the direction of the Building Commissioner or any other officer of the Town, this shall be construed to give such officer only the discretion to determine whether the rules and standards established by law or ordinance have been complied with; and no such provisions shall be construed as giving any officer discretionary powers as to what such regulations or standards shall be, power to require conditions not prescribed by law or ordinance, or to enforce ordinance provisions in an arbitrary or capricious manner.
6. The description of an unsafe building contained in Indiana Code § 36-7-9-4 is hereby supplemented to provide minimum standards for building conditions or maintenance in the Town of Veedersburg, Indiana, by adding the following definition:

"UNSAFE BUILDING" means any building or structure which has any or all of the conditions or defects hereinafter described, provided that such conditions or defects exist to the extent that life, health, property or safety of the public or the building's occupants are endangered:

(a) Whenever any door, aisle, passageway or other means of exit is not of sufficient width or

size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.

(b) Whenever the walking surface of any aisle, passageway, airway or other means of exit is so warped, worn, loose or otherwise unsafe so as to not provide safe and adequate means of exit in case of fire or panic.

(c) Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one-half times the working stress or stresses allowed for new buildings of similar structure, purpose or location.

(d) Whenever any portion of the building or structure has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before the catastrophe and is less than the minimum requirements for new buildings of similar structure, purpose or location.

(e) Whenever any portion, member or appurtenance thereof is likely to fall, to become detached or dislodged, or to collapse and thereby injure persons or damage property.

(f) Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability or is not so anchored, attached or fastened in place so as to be capable of resisting wind pressure of one and one-half times that specified for new buildings of similar structure, purpose or location without exceeding the working stresses permitted for such buildings.

(g) Whenever any electrical wiring, fixtures, or entrance box or outside entrance wires have become damaged or deteriorated to a point of becoming a hazard. The overcurrent device must correspond with the capacity of current wiring.

(h) Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.

(i) Whenever the building or structure, or any portion thereof, because of (1) dilapidation, deterioration or decay; (2) faulty construction; (3) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (4) the deterioration, decay or inadequacy of its foundation; or (5) any other cause; is likely to partially or completely collapse.

(j) Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

(k) Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.

(l) Whenever the building or structure, exclusive of the foundation, shows thirty-three percent or more damage or deterioration of its supporting member or members, or fifty percent damage or

deterioration of its non-supporting members, enclosing or outside walls and coverings.

(m) Whenever the building or structure has been so damaged by fire, wind, earthquake or flood or has become so dilapidated or deteriorated so as to become (1) an attractive nuisance to children, or (2) freely accessible to persons for the purpose of committing unlawful acts.

(n) Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations or laws of the State of Indiana or the ordinances of the Town of Veedersburg relating to the condition, location or structure of buildings.

(o) Whenever any building or structure which, whether or not erected in accordance with all applicable laws, regulations and ordinances, has in any non-supporting part, member or portion less than fifty percent, or in any supporting part, member or portion less than sixty-six percent of the (1) strength, (2) fire-resisting qualities or characteristics, or (3) weather-resisting qualities or characteristics required by law in the case of newly constructed buildings of like area, height, and occupancy in the same location.

(p) Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities or otherwise, is determined by the county health officer to be unsanitary, unfit for human habitation, or in such a condition that it is likely to cause sickness or disease.

(q) Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, or lack of sufficient fire-resistive construction is determined by the Veedersburg Fire Chief or the state fire marshal to be a fire hazard.

(r) Whenever a portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or a hazard to the public.

7. The definition of "substantial property interest" set forth in Ind. Code § 36-7-9-2 is hereby incorporated by reference herein as if copied in full.

8. All work for the reconstruction, repair, or demolition of buildings and other structures shall be performed in a good workmanlike manner according to the accepted standards and practices in the trade. The provisions of building laws, as defined in Ind. Code § 22-12-1-3, adopted as rules of the Fire Prevention and Building Safety Commission, shall be considered standard and acceptable practices for all matters covered by this Ordinance or orders issued pursuant to this Ordinance by the Building Commissioner of the Town of Veedersburg, Indiana.

9. An Unsafe Building Fund is hereby established in the operating budget of the Town of Veedersburg, in accordance with the provisions of Ind. Code § 36-7-9-14.

10. The town attorney of the Town of Veedersburg is hereby designated as the hearing authority to conduct administrative hearings as provided in the State Unsafe Building Law.

11. No person, firm, or corporation, whether as owner, lessee, sublessee, licensee or occupant, shall erect, construct, enlarge, alter, repair, move, improve, remove, demolish, equip, use, occupy, or maintain any building or premises, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this Ordinance or any order issued by the Building Commissioner.

12. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected thereby and shall remain in effect.

13. This ordinance shall be in full force and effect immediately upon passage. All other ordinances which conflict with this ordinance are hereby repealed to the extent of the conflict.

Passed by the Town Council of the Town of Veedersburg, Indiana this 27 day of July , 1999.

VEEDERSBURG TOWN COUNCIL

Richard L. Rusk
Richard Rusk, President

Richard C. Burton
Richard C. Burton

Greg Seibold
Greg Seibold

Tim Shumaker

Kevin George
Kevin George

Attest:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

ORDINANCE NO. 2015 - 08

AN ORDINANCE REGULATING DWELLINGS UNFIT FOR HUMAN HABITATION

WHEREAS, Indiana Code Section 16-41-20 sets out regulations for dwellings that are unfit for human habitation; and

WHEREAS, the Town of Veedersburg on occasion has to deal with dwellings within the Town jurisdiction which are unfit for human habitation; and

WHEREAS, it is in the public interest to establish reasonable regulations for dwellings that are unfit for human habitation within the Town;

BE IT, THEREFORE, ORDAINED by the Town Council of the Town of Veedersburg of the State of Indiana, that:

Section 1: This ordinance shall be known as the “Dwellings Unfit For Human Habitation”

Section 2: Dwellings unfit for human habitation

A dwelling is unfit for human habitation when the dwelling is dangerous or detrimental to life or health because of any of the following:

- (1) Want of repair.
- (2) Defects in the drainage, plumbing, lighting, ventilation, or construction.
- (3) Infection with contagious disease.
- (4) The existence on the premises of an unsanitary condition that is likely to cause sickness among occupants of the dwelling.
- (5) Water and/or sewer utilities have been shut off to the dwelling for a period of 30 days.

Section 3: Orders to vacate dwellings

Whenever the Town determines that a dwelling is unfit for human habitation, the Town Board, acting through its authorized agents or the Town Marshal, may issue an order requiring all persons living in the dwelling to vacate the dwelling within not less than five (5) days and not more than fifteen (15) days. The order must mention at least one (1) reason for the order.

Section 4: Costs and expenses

A person who:

- (1) violates this chapter; or
- (2) fails to comply with an order of:
 - (A) the state department or the state department’s authorized agents;

- (B) a local board of health;
- (C) a county health officer; or
- (D) Town Board or the Town Board's authorized agents.

is liable for all costs and expenses paid or incurred by the state department, a local board of health or the local board of health's authorized agents, a local health officer, or the Town in executing the order. This amount may be recovered in a civil action brought by the state department, a local board or health of the local board of health's authorized agents, a local health officer, or the Town, who is entitled to recover reasonable attorney's fees.

Section 5: Violations

- (a) Except as otherwise provided, a person who recklessly violates or fails to comply with this chapter shall be subject to fines of \$250 for each offense.
- (b) Each day a violation continues constitutes a separate offense.

So adopted this 11 day of August , 2015.

Town Council of the Town of Veedersburg, Indiana

Teresa K. Cooper

Stephen R. Cates

Mark Rusk

Attest:

Kathy J. Pugh
Kathy Pugh, Clerk Treasurer

ORDINANCE NO. 97-19
ZONING ORDINANCE
FOR THE
TOWN OF VEEDERSBURG
AND
SURROUNDING TWO-MILE AREA
(AS AMENDED)

TABLE OF CONTENTS

<u>ARTICLE I</u>	PURPOSE, TITLE, AND DEFINITIONS
<u>ARTICLE II</u>	DISTRICT MAPS AND GENERAL PROVISIONS
<u>ARTICLE III</u>	PROVISIONS GOVERNING AGRICULTURAL DISTRICTS
<u>ARTICLE IV</u>	PROVISIONS GOVERNING CO-1 CONSERVATION DISTRICT
<u>ARTICLE V</u>	PROVISIONS GOVERNING R-1 AND R-1 R SINGLE-FAMILY RESIDENTIAL DISTRICTS
<u>ARTICLE VI</u>	PROVISIONS GOVERNING R-2 AND R-3 DISTRICTS
<u>ARTICLE VII</u>	PROVISIONS GOVERNING COMMERCIAL DISTRICTS
<u>ARTICLE VIII</u>	PROVISIONS GOVERNING INDUSTRIAL DISTRICTS
<u>ARTICLE IX</u>	PLANNED UNIT DEVELOPMENT PLAN
<u>ARTICLE X</u>	SPECIAL EXCEPTIONS
<u>ARTICLE XI</u>	MOBILE HOME GUIDELINES
<u>ARTICLE XII</u>	SETBACK REGULATIONS
<u>ARTICLE XIII</u>	BOARD OF ZONING APPEALS
<u>ARTICLE XIV</u>	VEEDERSBURG PLAN COMMISSION
<u>ARTICLE XV</u>	PUBLIC HEARING BY THE BOARD OF ZONING APPEALS
<u>ARTICLE XVI</u>	PERMITS, FEES, AND PENALTIES
<u>ARTICLE XVII</u>	ADMINISTRATION
<u>ARTICLE XVIII</u>	BUILDINGS UNDER CONSTRUCTION
<u>ARTICLE XIX</u>	AMENDMENTS
ARTICLE XX	LEGAL STATUS PROVISIONS <i>{not found}</i>

ARTICLE I

PURPOSE, TITLE, AND DEFINITIONS

AN ORDINANCE ESTABLISHING THE COMPREHENSIVE ZONING REGULATIONS FOR THE TOWN OF VEEDERSBURG AND SURROUNDING JURISDICTIONAL AREA, FOUNTAIN COUNTY, STATE OF INDIANA. AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH PROVISIONS OF IC 36-7-4-1 ET. SEQ. FOR AN ADVISORY PLAN COMMISSION BY THE INDIANA GENERAL ASSEMBLY, AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith.

Section 10. **PURPOSE**

The zoning regulations and districts as herein outlined have been made with these objectives: the securing of adequate light and air, convenience of access, and safety from fire, flood, and other dangers: that congestion in the public streets may be lessened or avoided; that property values may be preserved; that the public health, safety, comfort, morals, convenience, and general public welfare may be promoted.

IT IS HEREBY ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG:

Section 11. **SHORT TITLE**

This ordinance shall be known and may be cited and referred to as the “Zoning Ordinance of Veedersburg.”

Section 12. **DEFINITIONS**

For the purpose of this ordinance, certain terms or words used herein shall be interpreted as follows:

12.1. All words used in the present tense include the future tense. All words in the singular include the plural and all words in the plural include the singular. The word, “shall” is mandatory and not directory. The word, “used.” shall be deemed to include “designed, intended, or arranged to be used.”

12.2. **Accessory Use or Building:** a use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

12.3. **Agricultural Uses, Bona Fide:** the growing and harvesting of crops including grass, legumes,

hay, grain, fruit, and truck or vegetable crops, floriculture, horticulture, growing of mushrooms, nursery and forest planting stock, orcharding, forestry, and the operation of greenhouses; the growth and sale on premises of Christmas trees; the keeping, raising, and feeding of livestock and poultry, swine, goats, sheep, beef and dairy cattle, pony and horse production; fur, game, fish and wildlife farm operation; farm buildings used for the growing, harvesting, and preparing crop products for market; roadside stands and signs pertaining to the sale or use of the premises or products produced thereon; farm buildings for storing and protecting farm machinery and equipment from the elements, for housing livestock and poultry.

12.4. **Alley:** Any public or private way dedicated to public travel and less than thirty-one (31) feet in width.

12.5. **Antique Vehicle:** any vehicle displaying current and official State of Indiana Antique Vehicle license plates.

12.6. **Auto Wrecking Yard:** any place where one or more motor vehicles not in running condition, or the parts thereof, are stored in the open and are not being restored to operation; or where vehicles are not currently licensed or antique licensed; or any land, building, or structure used for the wrecking of such automobiles or the parts thereof. For the purpose of this Ordinance in the open shall be defined as anything other than in an enclosed building.

12.7. **Boarding or Lodging House:** a building other than a hotel where meals or sleeping accommodations or both are provided for compensation for three, but not more than twenty, persons.

12.8. **Building:** any structure constructed or used for residence, business, industry, or other public or private purposes, or accessory thereto.

12.9. **Building Line:** a line on a plot between which line and a street, alley, or private place, no building or structure may be erected.

12.10. **Camps or Campgrounds:** tracts of land of a design or character suitable for and used for seasonal, recreational, and other similar living purposes. The tracts may have located on them a structure of a seasonable, temporary, or movable nature, such as a cabin, hunting shelter, or tent. Any permanent structures, such as cabins, must comply with the requirements for R-2 Districts.

12.11. **Commercial Resort:** a resort furnishing lodging, meals, and such recreational facilities as swimming, boating, shuffleboard, horseback riding, and golf. The recreational facilities shall be incidental to the furnishing of lodging and meals.

12.12. **Confinement Feeding, Commercial Feed Lot:** any place where 300 or more cattle, 600 or more swine or sheep, or 30,000 or more fowl are housed (or penned) and fed in a confined area.

12.13. **Dump:** a lot or tract of land or part thereof used for the disposal by abandonment, dumping, burial, burning, or other means of trash, refuse, junk, discarded machinery, vehicles or parts thereof, or waste material of any kind.

12.14. **Dwelling:** a permanent building used primarily for human habitation but riot including mobile homes or facilities for the housing of transient residents.

12.14.1. **Dwelling, Single-Family:** a permanent building, separate and free standing. in itself providing living accommodations for one family.

12.14.2. **Dwelling, Two-Family:** a permanent building designed exclusively for occupancy by two families.

12.14.3. **Dwelling, Multiple-Family:** a permanent building or portion thereof providing separate living accommodations for three or more families.

12.15. **Family:** a group of one or more persons occupying a premises and living as a single housekeeping unit, whether or not related to each other by birth, adoption, or marriage, but no unrelated group shall consist of more than five persons, as distinguished from a group occupying a boarding or lodging house or hotel.

12.16. **Farm:** an area used for agricultural operations including truck gardening. forestry, the operation of a tree or plant nursery, or the production of livestock and poultry.

12.17. **Farm Vacation Enterprises (Profit or Non-Profit):** farms adapted for use as vacation farms, picnicking, and sports areas, fishing waters, camping, scenery, and nature recreation areas; hunting areas; hunting preserves, and watershed projects.

12.18. **Fence:** a structure, including entrance and exit gates, designedand constructed for enclosure or screening.

12.19. **Flood (Or Floodwater):** the temporary inundation of land adjacent to and inundated by overflow from a river, stream, lake, or other body of water.

12.20. **Flood Control:** the prevention of floods, the control, regulation, diversion, or confinement of floodwater or flood flow, and the protection therefrom, according to sound and accepted engineering practice, to minimize the extent of floods, and the death, damage, and destruction caused thereby, and, all things incidental thereto or connected therewith.

12.21. **Flood Hazard Area:** a flood plain, or portion thereof, which has not been adequately protected from floodwater by means of dikes, levees, reservoirs, or other works approved by the Indiana Department of Natural Resources.

12.22. **Flood Plain:** the relatively flat area or low land adjoining the channel of a river or stream which has been or may be covered by flood water. The flood plain includes the channel, floodway, and floodway fringe.

12.23. **Flood, Regulatory (Or Regional):** a flood having a peak discharge which can be expected to be equaled or exceeded on the average of once in a hundred year period, as calculated by a method and procedure which is acceptable to and approved by the Indiana Department of Natural Resources.

The 100-year frequency flood is equivalent to a flood having a probability of occurrence of one percent (1%) in any given year (a flood magnitude which has a one percent chance of being equaled or exceeded in any given year).

12.24. **Floodway:** the channel of a river or stream and those portions of the flood plain adjoining the channel, which are reasonably required to carry and discharge the flood water or flood flow of any river or stream.

12.25. **Frontage:** all the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead ended then all the property abutting on one side between an intersecting street and the dead end of the street.

12.26. **Garage, Private:** an accessory building housing not more than four motor driven vehicles which are the property of and for the use of the occupants of the lot on which the private garage is located.

12.27. **Garage, Public:** any building or premises, except those used as a private or storage garage, used for equipping, repairing, hiring, selling, or storing motor driven vehicles.

12.28. **Garbage:** any odorous, putrescible, or combustible waste materials.

12.29. **Garbage Disposal:** collected or community garbage disposal by covered burial or incineration within a fully enclosed building.

12.30. **Garbage Farming:** the feeding or storage of community or collected garbage and similar food wastes,

12.31. **Group or Row House:** a group or row of not more than eight semi-detached single-family dwellings not more than two rooms deep with access to a street as herein defined.

12.32. **Height of Building:** the vertical distance from the established average sidewalk grade, street grade, or finished grade at the building line, whichever is the highest, to the highest point of the building.

12.33. **Home Occupation:** any use conducted entirely within a dwelling by the occupant of the dwelling and as a secondary use which is clearly incidental to the use of the dwelling for residential purposes. Such a use shall employ not more than one person outside the family resident dwelling. No offensive noise, vibration, smoke, dust, odors, heat, or glare shall be produced.

12.34. **Institution:** a building occupied by a non-profit corporation or a non-profit establishment for public or private use.

12.35. **Junk Yard:** a lot, land, building, or structure, or part thereof, used primarily for the collecting, storage, and/or sale of waste paper, rags, scrap metal, or discarded material or for the collecting, dismantling, storage, and salvaging of machinery or vehicles not in running condition and for the sale of parts therefrom.

- 12.36. **Jurisdictional Arca:** the area with the corporate limits of the Town of Veedersburg and the area outside the corporate limits of the Town of Veedersburg but within two-miles of the corporate limits of the Town of Veedersburg which has been included within the area over which Veedersburg Plan Commission has exercised planning and zoning authority pursuant to Resolution 97-1 of the Veedersburg Plan Commission adopted January 29, 1997.
- 12.37. **Kennel:** any place where house pets or hunting animals are kept for purposes other than those customary and incidental to a household.
- 12.38. **Lot:** a piece, parcel, or plot of land occupied or to be occupied by one principal building and its accessory buildings and including the open spaces required under this Ordinance.
- 12.39. **Lot Area:** the area of any lot shall be determined exclusive of street, highway, alley, road, or other rights-of-way.
- 12.40. **Lot of Record:** a lot which is a part of a subdivision, the plat of which has been officially recorded, or a parcel of land described by metes and bounds, the deed or description of which was officially recorded prior to the adoption of this Ordinance.
- 12.41. **Maintenance and Storage Facilities:** land, buildings, and structures devoted primarily to the maintenance and storage of construction equipment and material.
- 12.42. **Manufacturing, Extractive:** any mining, quarrying, excavating, processing, storing, separating, cleaning, or marketing of any mineral natural resource.
- 12.43. **Manufacturing, Heavy:** manufacturing, processing, assembling, storing, testing, and similar industrial uses which are generally major operations and extensive in character; require large sites, open storage and service areas, extensive services and facilities, ready access to regional transportation; and normally generate sonic nuisances such as smoke, noise, vibrations, dust, glare, air pollution, and water pollution, but not beyond the district boundary.
- 12.44. **Manufacturing, Light:** manufacturing or other industrial uses which are usually controlled operations; relatively clean, quiet, and free of objectionable or hazardous elements such as smoke, noise, odor, or dust; operating and storing within enclosed structures; and generating little industrial traffic and not nuisances.
- 12.45. **Mobile Home:** a structure designed to be used for human habitation, carrying or storage of persons or property, not having permanent foundation, being constructed so as to be easily equipped with wheels or other devices to be transported from place to place. Neither the removal of the wheels nor the placing of the mobile home on a permanent foundation shall cause it to be classed as a dwelling for the purpose of this Ordinance.
- 12.46. **Mobile Home, Multi Section:** a mobile home consisting of either an addition or expansion to the basic structure for human habitation purposes. This includes such models currently referred to as "double wides."

12.47. **Modular Home:** a factory-fabricated housing unit constructed on the basis of a standard pattern. Ntodulars are Nvheel less, have no chassis, and are usually built with perimeter framing. They are always permanently sited on their own foundations and can be hooked together in any horizontal or vertical combination to make multiple family units, or they can become single family detached units. For purposes of this Ordinance, they shall be classified as site built homes and subject to the same standards.

12.48. **Nursing Home or Rest Home:** a home for the aged, chronically ill or incurable persons in which three or more persons not of the immediate family are received, kept, or provided with food and shelter and care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis. treatment, or care of the sick or injured.

12.49. **Non-conforming Use:** a use of building or land lawful at the time of enactment of this ordinance that does not conform with the “permitted use” provisions of this ordinance.

12.50. **Parking Space:** an all-weather surfaced area (paved with bituminous, concrete, crushed stone, gravel, or slag) enclosed in the main building, in an accessory building, or enclosed, sufficient in size to store one standard automobile, and if the space is enclosed, comprising an area of not less than 140 square feet, if not enclosed, 20 feet by 10 feet; with an all-weather surface permitting satisfactory ingress and egress of a motor vehicle.

12.51. **Planned Unit Development (PUD):** an area of land in which a variety of residential, commercial, and industrial uses are planned and developed as a whole according to comprehensive and detailed plans with more flexible standards, such as lot size and setbacks, than those restrictions that would normally apply under these regulations.

12.52. **Public Right-of-Way:** a general term denoting land, property, or interest therein, usually in a strip, acquired for or devoted to a transportation facility.

12.53. **Public Service Facility:** the erection, construction, alteration, operation, or maintenance of buildings, power plants, or substations, water treatment plants or pumping stations, sewage disposal or pumping plants, and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas. rail transport, communications, water and sewage services.

12.54. **Public Uses:** public parks, schools, administrative, cultural buildings and structures, not including public land or buildings devoted solely to the storage and maintenance of equipment and materials and public service facilities.

12.55. **Public Utility:** any person, firm, or corporation duly authorized to furnish electricity, gas, steam, telephone, telegraph, water, or sewerage systems to the public under public regulation.

12.56. **Quasi-Public Use:** churches, Sunday schools, parochial schools, colleges, hospitals, and other facilities of an educational, religious, charitable, philanthropic, or non-profit nature.

12.57. **Recreational Equipment, Major:** Equipment which must be hauled on a trailer with two or

more wheels or which has two or more wheels attached, or which is self-propelled with wheels, including boats, trailers, and recreational vehicles.

12.58. Recreational Facilities: public or private facilities that may be classified as either 'extensive' or 'intensive' depending upon the scope of services offered and the extent of the use. Extensive facilities generally require and utilize considerable areas of land and include, but need not be limited to, hunting, fishing, and riding clubs and parks. Intensive facilities generally -require less land (used more intensively) and include, but need not be limited to, miniature golf courses, amusement parks, stadiums, and bowling alleys.

12.59. Recreational Vehicle (RV): a vehicle primarily designed as a temporary living quarters for recreation, camping, or travel, either with its own motor power or mounted on or towed by another powered vehicle.

12.60. Recreation Campground: an area of land on which two or more recreational vehicles, including campers, tents, or other similar temporary recreational structures are regularly accommodated with or without charge, including any building, structure, or fixture of equipment that is used or intended to be used in connection with providing such accommodations.

12.61. Sanitary Land Fill: a method of disposing of refuse by spreading the refuse and covering it with earth.

12.62. Service Station, Filling Station, Gas Station: any building or premises used for the dispensing, sale, or offering for sale at retail, of any motor vehicle fuel or oils or electric charging current. When the dispensing, sale, or offering for sale is incidental to the conduct of a public garage, the premises are classified as a public garage.

12.63. Street: a general term denoting a public way for purposes of vehicular travel, including the entire area within the right-of-way. The term “street” also includes the terms highway, parkway, road, thoroughfare, avenue, boulevard, lane, court, place, and other such terms.

The recommended usage is:

- highway or street in urban areas
- highway or road in rural areas

12.63.1. Alley: a street intended to provide access to the rear or side of lots or to buildings in urban areas and not intended for the purpose of through vehicular traffic.

12.63.2. Arterial: a system of streets and roads which form an integrated network of continuous routes primarily for through traffic. The “arterial” system is stratified into “principal” (or major) and “minor” categories.

1. Principal - serves corridor traffic movements having trip length and travel density characteristics indicative of substantial state wide or interstate travel, or connects major population

centers in rural areas; or serves major centers of activity and highest traffic volume corridors with the longest trip desired in urban areas.

2. **Minor** - links other cities, large towns, and traffic generators, and provides a substantial amount of interstate and intercounty service in rural areas; or interconnects and augments with the principal arterials to provide service to trips of moderate length for intracommunity continuity in urban areas.

12.63.3. **Collector:** a system of streets and roads which generally serve travel of primarily intra-area and intracounty importance with approximately equal emphasis to traffic circulation and land access service. The “collector” system is generally further stratified into “major” and “minor” categories. The system collects and distributes traffic between the arterial and local systems.

12.63.4. **Cul-de-Sac:** a local street open at one end only and with a special provision for vehicles to turn around.

12.63.5. **Dead-end:** a local street open at one end only and without a special provision for vehicles to turn around.

12.63.6. **Frontage:** a local street or road auxiliary to and located on the side of an arterial for service to abutting property and adjacent areas, and for control of access. (Sometimes called a “marginal access street.”)

12.63.7. **Highway:** a term applied to streets and roads that are under the jurisdiction of the Indiana State Highway Commission.

12.63.8. **Private:** a local street that is not accepted for public use or maintenance which provides vehicular and pedestrian access.

12.63.9. **Public:** a street under the control of and kept by the public, established by regular governmental proceedings for the purpose, or dedicated by the owner of the land and accepted by the proper authorities and for the maintenance of which they are responsible.

12.64. **Tourist Court or Motel:** an area containing one or more structures designed to provide sleeping, or sleeping and dining, accommodations for transients, in which not more than one unit may be permanently occupied, and that is restricted to the family of the owner or operator of the establishment: the remainder of the units being limited to transient occupancy not to exceed 30 days in any calendar year for any one person or family group.

12.65. **Trailer Court, Mobile Home or Trailer Park:** a plot of ground upon which four or more occupied mobile homes is located. Such trailer courts hereafter constructed must meet the requirements for the particular district as specified herein.

12.66. **Use:** the purpose or activity for which a building, or structure, or land is occupied or maintained.

12.67. **Variance:** a modification of the strict terms of the relevant regulations of this Ordinance where such modification will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of this ordinance would result in unnecessary and undue hardship.

12.68. **Yard:** an open space on the same lot with a principal building, open, unoccupied, and unobstructed by buildings except as otherwise provided in this Ordinance.

12.68.1. **Front Yard:** the yard extending across the entire width of the lot between the principal building and the right-of-way line or street line which the building faces.

12.68.2. **Rear Yard:** the yard extending across the entire width of the lot between the rear lot line and the nearest part of the principal building.

12.68.3. **Side Yard:** the yard extending along the side lot line from the front yard to the rear yard and lying between the side lot line and the nearest part of the principal building.

12.69 **Zoning:** the division of an area into districts and the public regulation of the character and intensity of the use of land, and of the buildings and structures which may be located thereon, in accordance with a comprehensive plan.

12.69.1. **District:** any area of the Jurisdictional Area wherein the zoning regulations are uniform.

12.69.2. **District Maps:** the maps setting forth the boundaries of the zoning districts of Jurisdictional Area, which maps are part of these regulations.

12.69.3. **Ordinance:** a legal tool for accomplishing the objectives of a land use plan. It is a regulatory measure designed to encourage high standards of development and to foster the most efficient use of land.

12.69.4. **Permit:** a document issued by the zoning inspector authorizing the use of lots. structures. uses of land and buildings, and the characteristics of the uses.

ARTICLE II

DISTRICT MAPS

and

GENERAL PROVISIONS

Section 21. ESTABLISHMENT OF DISTRICTS

For the purpose of this ordinance, all land situated in the Jurisdictional Area is hereby designated on the Zoning Maps as being in one of the following Districts:

AG-1 District -	Rural Agricultural
AG-2 District -	Urban Agricultural
CO-1 District -	Conservation
R-1 District -	Single-Family Residential
R-1R District -	Single-Family Residential Rural
R-2 District -	One and Two-Family Residential
R-3 District -	Multiple-Family Residential
C-1 District -	General Retail
C-2 District -	Service Retail
I-1 District -	Light Industrial
I-2 District -	Heavy Industrial

Section 22. BOUNDARIES OF DISTRICTS

The boundaries of the districts are hereby established as shown upon the Zoning Maps of Veedersburg, Indiana, which maps accompany and are hereby made a part of this ordinance. The Zoning Maps of Veedersburg, Indiana, and all notations, references, and other matters shown thereon shall be as much a part of this ordinance as if they were fully described herein. Unless otherwise indicated on the Zoning Maps, the boundary lines of the districts follow lot lines, center lines of streets, alleys, or railroad rights-of-way, or such center lines extended, center lines of creeks or the corporate limit line as existing at the time of adoption of this ordinance. Such Zoning Maps shall be on file and available for public reference in the office of the Zoning Administrator, complete with amendments which are adopted as provided here.

22.1. Any land lying outside the corporate boundaries of the Town of Veedersburg, the classification of which is not shown thereon, shall be classified as being in the AG-1 Agricultural Rural District until otherwise classified by zoning amendment as provided in Article XIX. Any land lying inside the corporate boundaries of the Town of Veedersburg, the classification of which is not shown thereon, shall be classified as being in the R-1 Single-Family Residential District until otherwise classified by zoning amendment as provided in Article XIX.

22.2. No building shall be erected or altered, nor shall any building or premises be used for any purpose other than a use permitted in the district in which such building or premises is located.

22.3. No lot which is now or may hereafter be built upon as herein required may be so reduced in area that the yards and open spaces will be smaller than prescribed by this Ordinance; and no yard, court, or open space provided about any building for the purpose of complying with the provisions

hereof shall be used as a yard, court, or other open space for any other building.

22.4. If uncertainty arises with respect to the boundaries of the various Districts as shown on the Zoning Maps, the Zoning Administrator shall determine the boundaries in accordance with the following rules:

22.4.1. District boundaries, unless otherwise indicated, are the centerlines of streets, highways, roads, alleys, railroads, or easements; or the boundary lines of sections, quarter sections, or an even division thereof; tracts or lots, or such lines extended.

22.4.2. Where a district boundary line divides a lot in a single ownership, the regulations of either district may apply to the entire lot, providing such lot does not go more than 25 feet beyond the boundary line as indicated on the district maps.

22.4.3. In areas not subdivided into lots and blocks, the district boundary lines on the Zoning Maps shall be determined by scale to the nearest 50 feet.

Section 23. **GENERAL PROVISIONS**

23.1. **General Prohibitions.** Except as provided by this ordinance and except after obtaining written permission from the Zoning Administrator, it shall be unlawful in the Jurisdictional Area:

23.1.1. To establish any use of a building, structure, or land, either by itself or in addition to another use.

23.1.2. To expand, change or re-establish any non-conforming use. 23.1.3 To erect a new building or structure or part thereof.

23.1.4. To rebuild, structurally alter, add to, or relocate any building or structure or part thereof.

23.1.5. To reduce the open space or plot area required for a building or structure, or to include any part of such open space or plot area as that required for any adjoining building or structure.

23.1.6. To provide or connect onto water supply or sewage disposal facilities.

23.2. **Accessory Uses.** Unless otherwise prohibited or restricted, a permitted use also allows uses and buildings incidental thereto if located on the same site or building plot. However, such accessory uses and buildings shall not be established or erected prior to the establishment or construction of the principal use or building and shall be compatible with the character of the principal use.

23.3. **Exemptions.** The powers effectuated by this ordinance shall not be exercised so as to:

23.3.1. Deprive the owner of any existing property of its use or maintenance for the purpose to which it is lawfully devoted at the time of enactment of this ordinance.

23.3.2. Specify or regulate the type or location of any poles, wires, cables, conduits, vaults, laterals.

or any other similar distributing equipment of a public utility.

23.4. General Exceptions. The exceptions, variations, and regulations of Section 28 shall be applicable in all districts, and special reference in the various articles of this ordinance to these particular articles is not required.

23.5. Emergency Exceptions. At the discretion of the Zoning Administrator, emergency permits may be granted to meet special circumstances for periods of up to six months and renewable for an additional six months by the Board of Zoning Appeals.

Section 24. CONTINUANCE OF NON-CONFORMING USES

Any lawful use of land, building, or structure existing at the time of adoption of this ordinance, or subsequent amendment of this ordinance, may be continued with the following limitations.

24.1. Non-conforming Use Not To Expand. Any building or structure containing a non-conforming use may not be expanded nor substantially remodeled. The Board of Zoning Appeals may approve any remodeling and incidental repairs which do not tend to prolong the life of the non-conforming use. Nonconforming uses not contained within a building or structure may not be expanded beyond the lot lines of the tract or parcel upon which such uses existed on the date of adoption of this Ordinance.

24.2. Non-conforming Use Not To Rebuild. Any building or structure containing a non-conforming use, which has been damaged to the extent of 50% of its current fair value, as estimated immediately prior to damage, shall not be repaired or reconstructed except in conformity with this ordinance.

24.3. Discontinued Non-conforming Use Not To Re-establish After Six Months. No non-conforming use shall be re-established after having been discontinued for six (6) consecutive months. Such a discontinuance shall be deemed an abandonment of such non-conforming use. Vacating of premises or building or non-operative status shall be evidence of abandonment.

24.4. Non-conforming Uses Not To Be Substituted. A non-conforming use may not be substituted for any other non-conforming use or any conforming use.

24.5. Change. Whenever a non-conforming use has been changed to a conforming use, it shall not thereafter revert to a non-conforming use.

24.6. Temporary Permits. Temporary buildings and structures incidental to construction work are permitted but must be removed within 10 days of completion of the construction.

Section 25. OFF-STREET PARKING

25.1. Parking Requirements. All-weather off-street automobile parking, paved with bituminous, concrete, crushed stone, gravel, or slag, shall be provided on any lot on which any of the following uses are hereafter established; such space shall be provided with Vehicular access to a street or alley.

Following are minimum requirements for specific uses:

- 25.1.1. Airports and landing fields, golf courses and golf driving ranges, greenhouses, gun clubs, fish and game preserves, boat liveries, kennels, public parks, picnic grounds, television and radio stations, riding academy or commercial stable, veterinary establishment, truck gardening, home occupations, and all other places of similar use - at least one off-street parking space for each two patrons, clients, or members using the facility. The number of parking spaces shall be determined by the greatest number of patrons, clients, or members to use the facility at the time of its peak use.
- 25.1.2. Dwellings - two spaces for each dwelling unit.
- 25.1.3. Hospitals, including sanitariums, asylums, orphanages, convalescent homes, home for the aged and infirm, institutions of a charitable or philanthropic nature, and all other similar institutions, at least one off street parking space for each two patient beds, plus at least one additional off-street parking space for each doctor employed by the hospital or who is on the active medical staff authorized to practice at the hospital, plus at least one additional off-street parking space for each three employees (including nurses).
- 25.1.4. Hotels, including clubs, lodging houses, summer resorts and cabins, boarding and rooming houses, dormitories, sororities, fraternities, and all other similar places offering overnight accommodations - at least one off-street parking space for each guest room.
- 25.1.5. Office uses - one space for each employee in the office.
- 25.1.6. Places of Public Assembly, including private clubs, lodges and fraternal buildings not providing overnight accommodations, assembly halls, theaters, exhibition halls, town halls, convention halls, auditoriums, skating rinks, dance halls, bowling alleys, athletic fields, sports arenas, stadiums, gymnasiums, amusement parks, race tracks, fair grounds, circus grounds, churches, morgues, mortuaries, mausoleums, crematories, community buildings, libraries, museums, and all other similar places of relatively infrequent public assembly - at least one off-street parking space for each five seats provided for patrons' use, or at least one off-street parking space for each 200 square feet of gross floor area used or intended to be used for service to the public as customers, patrons, students, members, communicants or clients, whichever requires the greater number of parking spaces.
- 25.1.7. Retail establishments - one space for each 400 square feet of gross floor area which is accessible to the public.
- 25.1.8. Schools, in addition to the requirement of Section 25.015, including academics, colleges, universities, elementary schools, junior high schools, high schools, and all other similar institutions of learning, nunneries, religious retreats, fire and police stations, cemeteries, demonstration and experimental proving grounds, grain storage, public utility substations, booster stations, radio and television relay towers, repeater stations, sawmills, seed processing plants, sewage treatment plants, waterworks - at least one off-street parking space for each three employees including administrators, teachers, and building maintenance personnel.

25.1.9. Tourist accommodations - one space for each room offered for tourist accommodations.

25.2. **Off-Premises Parking.** If off-street parking space for non-residential uses as required above cannot be provided on the same lot on which the principal use is conducted, the Zoning Administrator may permit such space to be provided on other off-street property provided such space is within 400 feet of an entrance to such principal use. Such off-street parking space shall thereafter be deemed to be required open space associated with this permitted use and shall not be reduced nor encroached upon in any manner.

25.3. **Changes in Parking Requirements.** Whenever there is a change in use, or an increase in floor area, or in the number of employees, and such change or increase causes the number of parking spaces required under this Ordinance to increase by three or, then additional off-street parking spaces shall be provided in conformance with this Ordinance.

Section 26. **OFF-STREET LOADING**

Every building or structure, used for other than residential uses, which is adapted or constructed after the adoption of this ordinance shall provide adequate space for loading and unloading of vehicles off the street or alley.

Section 27. **OBSTRUCTIONS TO VISION AT INTERSECTIONS PROHIBITED**

At street intersections, no structures of any kind to visibility shall be erected within a triangle formed by extending lines 75 feet from the center line intersection in each direction.

Section 28. **EXCEPTIONS AND VARIATIONS OF HEIGHT AND AREA**

The district regulations hereinafter set forth in this Section qualify or supplement, as the case may be, the district regulations appearing elsewhere in this ordinance.

28.1. **Public Buildings.** Public, semi-public or public service buildings, hospitals, institutions. or schools, when permitted in a district. may be erected to a height not to exceed 60 feet; and churches and temples may be erected to a height not exceeding 75 feet, if the building is set back from each yard line at least one foot for each foot of additional building height above the height limit otherwise provided in the district in which the building is located.

28.2. **Residence in Accessory Buildings Prohibited; Exception.** No accessory building shall be used for dwelling purposes other than by domestic servants employed on the premises, when such use is permitted in the district.

28.3. **Construction of Requirement for Residences.** For the purpose of the yard regulations, a two-family house, a group house, or a multiple dwelling shall be considered as one building occupying one lot.

28.4. **Non-conforming Lots.** When a lot which is an official lot of record at the time of adoption of this ordinance does not comply with the area, yard, or other requirements of this ordinance, an

application may be submitted to the Board of Zoning Appeals for a variance from the terms of this ordinance in accordance with the procedure outlined in Article XII “Board of Zoning Appeals.” Such lot may be used as a building site, provided that, in the opinion of the Board of Zoning Appeals, the yard and other requirements of the district are complied with as closely as possible.

28.5. Exceptions to Yard Requirements.

28.5.1. Architectural features of residential buildings such as window sills, cornices, or roof overhangs may project into the required yard provided such projection is not more than four feet and does not reach closer than four feet to any lot line.

28.5.2. Signs, awnings, canopies, marquees, are permitted to overhang the sidewalk in the C-1 General Retail District only, providing that overhanging signs are a minimum of eight feet above the sidewalk at any point and that all other structures are a minimum of six feet eight inches above the sidewalk at any point.

28.5.3. One-story accessory buildings may project into rear yards abutting on an alley providing such projection extends not closer than five feet to the rear lot line.

ARTICLE III

PROVISIONS GOVERNING AGRICULTURAL DISTRICTS

Purpose: The purpose of the AG Districts is to encourage the preservation of a proper setting for the pleasant approaches to the populated areas of the Jurisdictional Area; to provide an area for agricultural pursuits protected from infringement of unguided urban development; to create and preserve a setting for rural small estate residential development; to conserve areas physically unsuitable for intensive development, and to provide in the area immediately surrounding the corporate limits of the Town of Veedersburg, an environment capable of accommodating future expansion of the incorporated areas in an orderly and efficient manner.

Section 31. AGRICULTURAL USES

“Agricultural Use” shall have the meaning set forth in Section 12.3 of this Ordinance. It is the policy of the Veedersburg Plan Commission and Board of Zoning Appeals to conserve, protect and encourage the development and improvement of the agricultural resources in the Jurisdictional Area. Bona fide agricultural land uses and applications in Agricultural Districts shall have a preference over nonagricultural land uses and applications.

Section 32. **USES PERMITTED IN THE AGRICULTURAL DISTRICTS**

32.1. Permitted Uses in AG-1 Districts. The AG-1 Rural Agricultural District consists of all land outside the corporate boundaries of the Town of Veedersburg and within the Jurisdictional Area that is not otherwise zoned. All agricultural, commercial, industrial, residential and other legal uses of property and structures to accommodate such uses are permitted in the AG-1 Rural Agricultural District, except that the uses and structures for any of the uses or purposes set forth in Section 33.1 of this Ordinance shall be permitted only if a special exception for such use or structure has been obtained from the Board of Zoning Appeals.

32.2. Permitted Uses in AG-2 Districts. Land and structures devoted to an Agricultural Use, bona fide, may be constructed, operated and maintained in an AG-2 Urban Agricultural District, except as otherwise expressly provided in this Article III, and except that no livestock or poultry may be raised, produced or located in such districts. Except for an Agricultural Use, no building or premises shall be used or arranged or designed to be used in an AG-2 Urban Agricultural District except for one or more of the following uses:

32.2.1. Churches.

32.2.2. Community Buildings (Grange Halls, etc.).

32.2.3. Contractor's equipment storage.

32.2.4. Dwellings, single-family or two-family.

32.2.5. Golf Courses and Golf Driving Ranges.

32.2.6. Grain Storage, commercial, if not nearer than 300 feet to any residence other than that of the owner or lessor of the site.

32.2.7. Greenhouses.

32.2.8. Home Occupations, provided that not more than one sign with a maximum of ten square feet may be displayed setting forth such occupation and that a gravel, crushed rock, or other improved access road shall be provided off the public right-of-way.

32.2.9. Hospitals and institutions of a charitable or philanthropic nature, provided that such buildings shall not be located upon sites containing an area of less than five acres, may not occupy over 30% of the total area of the lot, and that the building shall be set back from all yard lines a distance of not less than two feet for each foot of building height.

32.2.10. Lakes (artificial).

32.2.11. Libraries, museums.

32.2.12. Local Governmental Meeting Places.

- 32.2.13. Monasteries, nunneries, religious retreats, homes for the aged, orphanages.
- 32.2.14. Picnic Grounds, provided that the minimum area of such tract shall be 10.000 square feet. and that one sign with an area of not more than 20 square feet may be displayed thereon, and that a gravel. crushed stone. or other improved access road shall be provided.
- 32.2.15. Radio and television stations.
- 32.2.16. Railroad trackage, team tracks, but not roundhouses or repair shops.
- 32.2.17. Schools.
- 32.2.18 Service occupations, housed in a structure separate from a dwelling in which sales and services customarily provided in rural areas are provided such as yard equipment sales and service and agricultural seed sales, provided that the business is owned and operated by the occupant of a dwelling located on the same lot or parcel on which the service occupation is located, that not more than one sign with a maximum of ten square feet may be displayed setting forth such occupation, that a gravel, crushed rock, or other improved access road shall be provided off the public right-of-way to service such occupation, and that the yard requirements for the structure housing such an occupation shall be twice that which is normally required. Such a use shall employ not more than one person outside the family resident dwelling. No offensive noise, vibration, smoke, dust, odors. heat. or glare shall be produced.
- 32.2.19. Signs (unilluminated or unlighted) as follows:
- (a) Bulletin boards for churches, and identification signs for schools or other permitted uses, not exceeding 36 square feet in area when located on the premises of such use.
 - (b) Illumination of any sign shall be permitted only as a Special Use, after a public hearing and approval by the Veedersburg Board of Zoning Appeals.
 - (c) Nameplates not exceeding 144 square inches in area on either side for each dwelling unit.
 - (d) Signs offering real estate, livestock, or agricultural products for sale, not exceeding 50 square feet in area.
 - (e) Signs permitted by law within highway right-of-way.
 - (f) Signs shall conform to the yard requirements of the District in which placed.
- 32.2.20. Water Works.

Section 33. SPECIAL EXCEPTIONS IN AGRICULTURAL DISTRICTS

33.1. Special Exceptions in AG-1 District. To provide for the location of special classes of uses which are deemed desirable for the public welfare within this district, but which are potentially

incompatible with uses herein permitted in it. a classification of special exceptions is hereby established. Such special exceptions shall be subject to the guidelines and conditions identified in Article X of this Ordinance.

33.1.1. Feeding or other disposal of community collected garbage.

33.1.2. Junk yards, scrap metal yards or auto wrecking yards. Automobile wrecking and salvage operations or scrap metal yards if located not less than 400 feet from any residence other than that of the owner or operator of the yard, provided such operation is conducted within an enclosed area enclosed on all sides with a tight painted fence not less than eight feet high and provided further that such operation shall not be visible from the nearest street or road.

33.1.3. Confined feeding operations where 300 or more cattle, 600 or more swine or sheep, or 30,000 or more fowl are housed (or penned) and fed in one or more confined areas. and lagoons for the collection of animal waste. The Board of Zoning Appeals shall require the applicant for a special exception under this provision to drill and maintain one or more monitoring wells to determine if there has been ground water contamination, unless this requirement is waived by the Board of Zoning Appeals.

33.1.4 Landfills (sanitary or otherwise), monofills, dumps or any other type of depository for waste or by products of any nature or description and transfer stations for temporary storage. sorting and transfer of waste materials.

33.1.5. Sewage treatment plants.

33.1.6. Asphalt manufacturing plants, temporary or permanent.

33.1.7. Plants or facilities for the manufacture of chemicals, including ammonia or chlorine.

33.1.8. Plants or facilities for the manufacture of paper or cellophane.

33.1.9. The manufacture, storage, distribution or destruction of explosives, including fireworks.

33.1.10. Killing, dressing, storing and/or packaging of poultry, rabbits, swine, sheep or cattle.

33.1.11. Prisons and penitentiaries.

33.1.12. The storage of one or more disabled vehicles or trailers or any of the parts thereof where the same may be seen from any public roadway or adjoining property.

33.1.13. Any land use or application which is similar in nature to any of the uses listed in this Section 33.1 and which has the potential for creating smoke, noise or offensive odors which may be expected to emanate beyond the confines of the property on which the use is to occur.

33.2. **Special Exceptions in AG-2 Districts.** To provide for the location of special classes of uses which are deemed desirable for the public welfare within this district, but which are potentially incompatible with uses herein permitted in it, a classification of special exceptions is hereby

established. Such special exceptions shall be subject to the guidelines and conditions identified in Article X of this Ordinance. The special exceptions which may be permitted in an AG-2 Urban Agricultural District are as follows:

- 33.2.1. Airports, public and private, subject to the requirements of the State of Indiana.
- 33.2.2. Cemeteries, mausoleums, crematories, or columbariums, in cemeteries of not less than 50 acres.
- 33.2.3. Child day care centers, facilities and residential structures which do not otherwise qualify as home occupational uses under this Ordinance.
- 33.2.4. Children's fairgrounds, including pony riding and miniature railroads.
- 33.2.5. Circuses, provided that they shall not operate more than 15 consecutive days. nor sell beer or alcoholic beverages, and that they shall be located not closer than 1000 feet to any dwelling except that of the owner or lessor of the site.
- 33.2.6. Commercial resort and campgrounds.
- 33.2.7. Commercial storage buildings for private storage of personal property by the general public, provided the storage units are totally enclosed and contents of the storage units are completely obscured from the public view.
- 33.2.8. Extraction of clay, coal, dirt, gravel, peat, sand, stone top soil, oil, and other natural resources.
- 33.2.9. Fairgrounds, race tracks, and county farms.
- 33.2.10. Fertilizer Plants for storage, blending, and distribution of gaseous, liquid, and solid chemicals for agricultural production.
- 33.2.11. Fishing (commercial), in artificial or existing lakes or ponds. including sale of food and fishing fees, soft drinks, non-illuminated for night use.
- 33.2.12. Fishing and game preserves, boat liveries, and similar uses and applications which are for commercial purposes or made available to the public.
- 33.2.13. Mobile homes, provided each unit contains a gross floor area of 720 square feet or more, and further provided that all other area regulations for dwellings in this district be observed, in addition to sewage disposal and water supply regulations for residential use.
- 33.2.14. Motels and tourist courts, provided that gravel or other improved surface access roads shall be constructed to parking areas and that parking areas off the public right-of-way shall be furnished at the rate of one parking space for each dwelling unit.
- 33.2.15. Open air illumination for outdoor games such as baseball, football, or other uses where

glare and noise might unreasonably affect surrounding property or highway traffic.

33.2.16. Private clubs and lodges.

33.2.17. Public parks and forest reserves.

32.2.18. Public Utility Substations, booster stations, radio and television relay towers, repeater stations, etc., but not including power generation or gas manufacturing plants.

32.2.19. Removal of ledge rock with required approval for blasting, quarrying, and crushing stone.

33.2.20. Rooming and boarding or tourist houses providing lodging and/or meals for more than six persons.

33.2.21. Sanitariums.

33.2.22. Sawmills.

33.2.23. Seed processing plants.

33.2.24. Sewage treatment plants.

33.2.25. Temporary asphalt plants, and crushed rock storage.

33.2.26. Veterinarian offices, animal hospitals, animal boarding and kennels.

Section 34. **REQUIRED LOT AREA AND LOT WIDTHS IN AGRICULTURAL DISTRICTS**

There are no lot area requirements or lot width requirements in AG-1 Rural Agricultural Districts. The following provisions shall apply with respect to AG-2 Urban Residential Districts.

34.1. **Dwellings.** Each dwelling structure, modular home or mobile home shall be located on a lot or tract in such manner as to comply with the yard regulations of this district and such lot or tract shall have a minimum area of one acre and a minimum width at the setback or front yard line, whichever is applicable, of 125 feet with the following exceptions which shall be deemed to conform with the regulations of this district:

34.1.1. Any dwelling existing at the time of passage of this ordinance.

34.1.2. Any dwellings existing or constructed as farm dwellings which have been or may be transferred as dwellings (non-farm); or

34.1.3 Lots or tracts of record at the time of passage of this ordinance, which are less than one acre in area or less than 150 feet in width, may be used for the erection of a single-family dwelling or two-family dwelling, provided that two or more contiguous lots in common ownership of record at the time of passage of this ordinance shall be combined in one parcel to approach the required area

insofar as possible, that the intent of the yard regulations of this district be reasonably observed, and that the area of parcel so obtained is not reduced in transfer.

Section 35. HEIGHT REGULATIONS IN AGRICULTURAL DISTRICTS.

There are no height regulations in AG-1 Rural Agricultural Districts. The following provisions shall apply with respect to AG-2 Urban Residential Districts. No dwelling shall exceed 30 feet in height unless each side yard is increased over the required minimum by five feet for every five feet or fraction thereof of additional height over 30 feet. Dwellings shall not have a height of less than 8 feet over a majority of the area of the ground floor except that the 8-foot requirement shall not apply until two years after the start of construction.

Section 36. YARDS REQUIRED IN AGRICULTURAL DISTRICTS

There are no yard requirements in AG-1 Rural Agricultural Districts. The following provisions shall apply with respect to AG-2 Urban Residential Districts. Except as required in the Setback Regulations. Article XII. no building shall be erected within 50 feet of the right-of-way line of any public road or highway, nor within 15 feet or one foot for each foot of building height, whichever is the greater, of any lot line.

Section 37. PARKING REGULATIONS FOR AGRICULTURAL DISTRICTS

There are no parking requirements in AG-1 Rural Agricultural Districts. The following provisions shall apply with respect to AG-2 Urban Residential Districts. Not less than two parking spaces shall be provided per dwelling unit on the lot or in a building.

Section 38. GROUND FLOOR AREA REQUIRED IN AGRICULTURAL DISTRICTS

There are no ground floor area requirements in AG-1 Rural Agricultural Districts. The following provisions shall apply with respect to AG-2 Urban Residential Districts. One-story dwellings shall have a total ground floor area of not less than 1,000 square feet measured from the exterior faces of exterior walls, including utility rooms. but excluding open porches. garages, and terraces. Dwellings having more than one story shall have not less than 850 square feet of ground floor area measured as prescribed for one-story dwellings.

Section 39. ADVERTISING DEVICES AS A SPECIAL USE

Posters, painted bulletins and advertising signs, hereafter called advertising devices. may be established in the AG-1 or AG-2 Agricultural District after obtaining written permission. when applicable, from the State Highway Commission and after a public hearing and approval by the County Board of Zoning Appeals subject to the following general requirements. and such other requirements as the Board of Zoning Appeals believes proper in the individual circumstances.

39. 1. Setback from Highways. Advertising signs fronting on roads or streets shall be placed not closer than 100 feet from the right-of-way line of the nearest highway.

- 39.2. **Setback from Public Institutions.** No advertising devices shall be placed within 500 feet of the property line of any church, school, hospital, or similar public or semi-public property existing at time advertising device is placed.
- 39.3. **Setback from Dwellings.** No advertising devices shall be placed within 500 feet of the nearest dwelling existing at time device is placed.
- 39.4. **Copy on One Device.** The advertising copy shall be placed on one device only, and not continued to two or more devices.
- 39.5. **Public Interest.** The advertising device shall be placed in a manner to respect the public interest in respect to natural scenery and with discretion and good taste with respect to frequency and concentration.
- 39.6. **Ownership.** All devices must be placed on property properly leased or owned by the company placing its devices.
- 39.7. **Time Limits.** Permits for any device placed as a Special Use shall be for a period not to exceed three years for wooden structures and five years for steel structures. All devices shall be properly maintained by painting and structural repair.
- 39.8. **Submission and Filing of Contract.** Before a special permit is issued, the applicant shall submit a copy of the contract showing the right to maintain the device on the property for a length of time not to exceed that approved by the Board of Zoning Appeals. This contract shall be filed in the office of the Zoning Administrator together with the permit signed by the applicant setting forth special conditions relative to the Special Use required by the Board of Zoning Appeals.
- 39.9. **Exceptions to Permit Requirement.** Signs designating the time of meeting, location, or notice of meetings pertaining to the Chamber of Commerce, Kiwanis, Rotary, Lions International, 4-H clubs, churches, or other similar organizations and groups may be placed as separate signs each having an area of less than ten square feet in the AG-1 and AG-2 Agricultural Districts without a permit, or these signs may be incorporated into one sign and placed in the AG-1 or AG-2 Agricultural District at a distance of not less than 50 feet from the right-of-way line of the highway with approval of the Board of Zoning Appeals.

(Section III, Provisions Governing Agricultural Districts, was amended by [Ord. No. 98-3](#), adopted 2/24/1998.)

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ARTICLE IV

PROVISIONS GOVERNING CO-1 CONSERVATION DISTRICTS

Purpose: The Conservation District is designed to promote and protect the preservation of natural features and scenic beauty, the public health, safety, comfort, and general welfare by reducing the hardships and financial burdens imposed upon the area by the periodic flooding and overflow of streams and rivers. The designation of areas zoned Conservation are taken from the 'Flood Hazard Boundary Maps' prepared by the Federal Insurance Administration, Department of Housing & Urban Development, effective date November 19, 1978.

Section 41. **USES PERMITTED IN THE CO-1 CONSERVATION DISTRICT.**

Within any CO-1 Conservation District, except for Agricultural Uses as defined in Section 12.3, no building or premises shall be used or arranged, or designed to be used except for one or more of the following uses which shall be subject to all regulations and requirements for permit of this ordinance including written approval from the Indiana Department of Natural Resources.

- 41.1. Camps or campgrounds.
- 41.2. Lakes (artificial).
- 41.3. Public picnic grounds, marinas, and beaches.
- 41.4. Public parks and forest preserves.
- 41.5. Radio and television relay towers and repeater stations, but not including power generation or gas manufacturing plants.

Section 42. **YARDS REQUIRED IN CO-1 CONSERVATION DISTRICT**

42.1. Except as required in the Setback Regulations, Article XI, no building shall be erected within 50 feet of the right-of-way of any public street, road, or highway, nor within 15 feet, or one foot for each foot of building height, whichever is the greater, of any lot line.

42.2. Any building shall be so placed as to offer the minimum obstruction to flow of waters and shall be firmly anchored to prevent the building from being moved or destroyed by the flow of water.

ARTICLE V

PROVISIONS GOVERNING R-1 AND R-1R SINGLE-FAMILY RESIDENTIAL DISTRICTS

Purpose: The purpose of the R-1 and R-1R Residential Districts is to provide an area for single-family residential uses and those public and semi-public uses normally considered an integral part of the residential neighborhood they serve.

Section 51. USES PERMITTED IN THE R-1 DISTRICT

51.1. Accessory buildings and uses.

51.2. Churches, schools (except business or commercial schools), libraries, museums and art galleries, parks, playgrounds, community centers, cemeteries, public services, utility buildings.

51.3. Home agricultural uses, including nurseries and raising of farm products (not to include livestock or sale of products on premises).

51.4. Real estate signs, church signs, or home occupational signs, subject to the following restrictions:

51.4.1. The sign shall not be lighted.

51.4.2. The sign shall not exceed 12 square feet of sign area.

51.4.3. The sign shall not impede vehicular or pedestrian traffic or obstruct the view of the public way.

51.4.4. The sign shall not be offensive to the public safety or welfare.

51.4.5. The sign shall pertain to the property on which it is placed.

51.5. Single-family residential dwellings, leasing of rooms to not more than one family, and home occupations providing they meet the minimum ground floor area requirements as expressed in Section 38.

51.6. Hobby or play structures.

Section 52. USES PERMITTED IN THE R-1R DISTRICT

52.1. Any use permitted in the R-1 District.

52.2. The raising of livestock for educational (i.e., 4-H), recreational, pet or other non-business purposes.

52.3. Home agricultural uses, including nurseries and raising farm products. Seasonal sales of products grown on the premises are permitted, but not sales of products grown off premises.

Section 53. SPECIAL EXCEPTIONS IN THE R-1 AND R-1R SINGLE FAMILY RESIDENTIAL DISTRICTS.

In addition to the uses listed above, the buildings and premises may be used for the following purposes provided that they are secondary to the primary use only and not carried on as business:

- 53.1. Child day care centers, facilities and residential structures which do not otherwise qualify as home occupational uses under the ordinance.
- 53.2. Guest Houses.
- 53.3. Kennels, if not within 100 feet of any dwelling other than that of the owner or lessor of the site.
- 53.4. Mobile homes, consistent with the guidelines set forth in Article XI.
- 53.5. Servant Quarters.

Section 54. REQUIRED LOT AREA AND LOT WIDTHS IN R-1 AND R-1R DISTRICTS.

Every tract of land or lot upon which a single-family dwelling, modular home or mobile home is to be constructed shall have an area of not less than 8,700 square feet and a width at the setback or front yard line of not less than 66 feet, except that a smaller lot officially of record at the time of passage of this ordinance may be occupied by a single-family dwelling, provided that two or more contiguous lots in common ownership of record at the time of passage of this ordinance shall be combined in one parcel to approach the required area insofar as possible, that the intent of the yard regulations of this district be reasonably observed, and that the area of parcel so obtained is not reduced in transfer. The minimum lot area shall be 43,560 square feet if the lot is not served by a community sanitary sewer system. The minimum lot area shall be 20,000 square feet if the lot is served by a community sanitary sewer system but is not served by a public water supply system.

Section 55. BUILDING HEIGHT REGULATIONS IN R-1 AND R-1R DISTRICTS

Dwellings, guest houses or servant quarters shall not exceed 35 feet in height.

Section 56. YARDS REQUIRED IN R-1 AND R-1R DISTRICTS

Except as required in the Setback Regulations, Article XI, all structures to be constructed, altered, or moved in the R-1 and R-1R District shall provide yards of the following minimum depths:

- 56.1. Front Yard - 30 feet.
- 56.2. Rear Yard - 15 feet or one foot for each foot of building height, whichever is the greater.
- 56.3. Side Yard - 6 feet minimum, one side yard; 15 feet minimum, sum of two side yards.

(Amended by [Ord. No. 97-28](#), adopted 10/28/1997.)

Section 57. **GROUND FLOOR AREA REQUIRED IN R-1 AND R-1R DISTRICTS**

Ground floor area per dwelling as required in AG-1 Agricultural District.



ARTICLE VI

PROVISIONS GOVERNING R-2 AND R-3 DISTRICTS

Purpose: The purpose of the R-2 and R-3 Residential District is to provide an area for residential uses and those public and semi-public uses normally considered an integral part of the residential neighborhood they serve.

Section 61. **USES PERMITTED IN THE R-2 DISTRICT**

- 61.1. Accessory buildings and uses.
- 61.2. Churches, schools, libraries, museums and art galleries, parks, playgrounds, community centers. cemeteries, public services, utility buildings.
- 61.3. Home agricultural uses, including nurseries and raising of farm products (not to include livestock or sale of products on premises).
- 61.4. Real estate signs, church signs, or home occupational signs, subject to the following restrictions:

61.4.1. The sign shall not be lighted.

61.4.2. The sign shall not exceed 12 square feet of sign area.

61.4.3. The sign shall not impede vehicular or pedestrian traffic or obstruct the view of the public way.

61.4.4. The sign shall not be offensive to the public safety or welfare.

61.4.5. The sign shall pertain to the property on which it is placed.
- 61.5. Single-family and two-family residential dwellings, leasing of rooms to not more than two

families, and home occupations providing they meet the minimum ground floor area requirements as expressed in Section 38.

Section 62. USES PERMITTED IN THE R-3 DISTRICT.

62.1. Any use permitted in the R-2 District.

62.2. Clubs, lodges, hospitals, sanitariums, medical and dental clinics, rest homes. and nursing homes.

62.3. Multiple-family dwelling, with no more than 32 units.

62.4. Tourist homes and lodging uses with accommodations for not more than 15 persons.

Section 63. SPECIAL EXCEPTIONS IN THE R-2 AND R-3 DISTRICTS

The following uses are permitted as special exceptions in the R-2 and R-3 Districts when authorized by the Board of Zoning Appeals after a public hearing in accordance with procedures specified in Article X, Special Exceptions. Such special exceptions shall be subject to the following requirements and any other requirements the Board of Zoning Appeals feels necessary to further the purpose of the Residence Districts as stated in the preamble.

63.1. Any public building erected and used by a department of a municipal, county, stale, or federal government.

63.2 Child day care centers, facilities and residential structures which do not otherwise qualify as home occupational uses under the Ordinance.

63.3 Funeral Homes.

63.4. Hospitals, clinics and institutions, except institutions for criminals and those for persons that are insane or have contagious diseases; provided, however, that such buildings may occupy not over 50% of the total area of the lot or tract and will not have any serious and depreciating effect upon the value of the surrounding property, and provided further, that the buildings shall be set back from all minimum yard lines heretofore established an additional distance of not less than two feet for each fool of building height. Specific requirements for these buildings in any district regulations shall take precedence over the above regulations.

63.5. Mobile homes.

63.6. Mobile home parks with permanent accommodations for mobile homes providing that (a) such mobile home park will have permanent accommodations for a minimum of five trailers, (b) trailer accommodations will include for each trailer individual underground sewer and water connections, concrete trailer platform, hard-surfaced drives to be shared by not more than two trailers leading directly to an improved street. (c) the plan of development will provide a minimum of 2400 square feet per trailer space, and (d) trailer spaces will not be located any closer to the bounding property lines of the park than the appropriate yard requirements for the district would allow.

63.7. Parking lots on land not more than 300 feet from the boundary of ally commercial I business, industrial district under such conditions as will protect the character of surrounding property.

Section 64. **REQUIRED LOT AREA AND LOT WIDTH IN THE R-2 AND R-3 DISTRICTS
(EXCEPT FOR TRAILER PARKS OF FIVE OR MORE MOBILE HOMES)**

IN THE R-2 DISTRICT ...

	Minimum Lot Area (Square Feet)	Minimum Lot Area Per Family (Square Feet)	Minimum Lot Width Per Structure (Feet)
with both public water and public sewer	7,000	4,350	50
with public water but not public sewer	43,560	21,780	75
with neither public water nor public sewer	43,560	21,780	100

IN THE R-3 DISTRICT ...

All dwellings in this district must be served with both public water and public sewer unless a request for private water and sewage disposal systems is approved by the Board of Zoning Appeals. In any event, the following area and width requirements must be satisfied:

	Minimum Lot Area (Square Feet)	Minimum Lot Area Per Family (Square Feet)	Minimum Lot Width Per Structure (Feet)
with both public water and public sewer	6,000	3,500	50
with public water but not public sewer	43,560	14,520	75
with neither public water nor public sewer	43,560	14,520	100

Section 65. **BUILDING HEIGHT REGULATION IN RESIDENCE DISTRICTS**

No building shall exceed two stories or 30 feet in height unless each side yard is increased over the required minimum by five feet for every five feet, or fraction thereof, of additional height over 30 feet. In no case shall the building height exceed 50 feet.

Section 66. **YARDS REQUIRED IN RESIDENCE DISTRICTS**

Except as required in the Setback Regulations, Article XI, all structures to be constructed, altered, or moved in the R-2 and R-3 Districts shall provide yards of the following minimum depths.

66.1. Front Yard - 30 feet.

66.2. Rear Yard - 15 feet or 20 % of the lot depth whichever is greater.

66.3. Side Yard - 6 feet minimum, one side yard; 15 feet minimum, sum of two side yards.

66.4. Yards of Corner Lots - corner lots shall provide a front yard on each street side, not, however, to reduce the buildable width of the lot below 32 feet.

Section 67. **OFF-STREET PARKING.**

There shall be provided in the R-2 and R-3 Districts adequate off-street parking in accordance with the schedule in Article II.

ARTICLE VII

PROVISIONS GOVERNING COMMERCIAL DISTRICTS

Purpose: The purpose of the C-I General Retail District is to provide for a wide range of retail facilities.

The purpose of the C-2 Service Retail District is to provide for those retail businesses and services which require a location other than in densely developed commercial areas, being either highway oriented, requiring large tracts of land not normally available in the central business district, or to provide local neighborhood retail shopping facilities of a nature compatible with and serving nearby residential properties.

Section 71. **USES PERMITTED IN THE C-1 GENERAL RETAIL DISTRICT.**

71.1. Business and advertising signs pertaining to the business on the property on which the sign is located providing that (a) illumination of all signs shall be diffused or indirect and shall be arranged so as not to reflect direct rays of light into adjacent residential districts or into the public way, and (b) that any sign located in the direct line of vision of any traffic control signal shall not have flashing intermittent red, green, or amber illumination.

71.2. Business and professional offices: medical and dental offices and clinics, law offices, insurance and real estate offices, banks, finance, travel agencies, and utility companies.

- 71.3. Churches, schools, libraries, museums and art galleries. parks. playgrounds. community centers. cemeteries, public services, utility buildings.
- 71.4. Clubs, lodges, hospitals, sanitariums, medical and dental clinics, rest homes, and nursing homes.
- 71.5. Food, drug, and beverage: grocery stores, supermarkets. meat markets. drug stores. liquor stores. bakery in conjunction with retail sales, restaurants, and taverns, including food processing incidental thereto. frozen food lockers, and dairies.
- 71.6. Home agricultural uses, including nurseries and raising of farm products (not to include livestock or sale of products on premises.)
- 71.7. Major Retail Outlets: furniture, department, clothing, shoe and variety stores. hardware, appliance, paint and wallpaper stores.
- 71.8. Service and recreation: Laundromat, dry cleaning and laundry pick-up stations. barber and beauty shops, shoe repair and tailor shops, mortuaries, printing shop with not more than tell full-time regular employees. places of amusement and assembly.
- 71.9. Specialty Shops: gift shops. magazine, book and stationery outlets, florist shops. camera and photography shops, sporting goods.
- 71.10. Any public building erected and used by a department of a municipal, county, state, or federal government.

Section 72. USES PERMITTED IN THE C-2 SERVICE RETAIL DISTRICT.

- 72.1. Building trades or equipment: building concrete, electrical, masonry, sheet metal, plumbing and heating shops, building material establishments (providing no construction, millwork. or concrete block manufacture is done on premises).
- 72.2. Farm implement sales, drive-in restaurants and refreshment stands.
- 72.3. Single-family dwellings, provided that the requirements of Sections 64 through. 67 of this Ordinance with respect to dwellings in an R-3 district are satisfied.
- 72.4. Any use permitted in the C-1 General Retail District.

Section 73. SPECIAL EXCEPTIONS IN THE C-1 AND C-2 DISTRICTS

- 73.1. Automatic Car Wash.
- 73.2. Broadcasting towers, transmitting and relay stations.
- 73.3. Commercial amusement or recreational development for temporary or seasonal periods.

- 73.4. Commercial storage buildings for private storage of personal property by the general public, provided the storage units are totally enclosed and contents of the storage units are completely obscured from the public view.
- 73.5 Funeral Homes.
- 73.6. Heavy service and processing facilities.
- 73.7. Landscape gardener's sales area or business, provided no odor, dust, noise, or glaring light is noticeable outside any lot in this district.
- 73.8. Laundry and dry cleaning plants; linens, towels, diapers, and similar supply services; animal pounds, kennels, and veterinary establishments.
- 73.9. Hospitals, clinics and institutions, except institutions for criminals and those for persons that are insane or have contagious diseases; provided, however, that such buildings may occupy not over 50% of the total area of the lot or tract and will not have any serious and depreciating effect upon the value of the surrounding property, and provided further, that the buildings shall be set back from all minimum yard lines heretofore established an additional distance of not less than two feet for each foot of building height. Specific requirements for these buildings in any district regulations shall take precedence over the above regulations.
- 73.10. New and used car sales, service, and repair, gasoline filling stations, motorcycle and bicycle shops.
- 73.11. Painting and repainting of vehicles.
- 73.12. Parking lots on land not more than 300 feet from the boundary of any commercial, business, or industrial district under such conditions as will protect the character of surrounding property.
- 73.13. Vehicle drive-in and heavy vehicle service, express, cartage and trucking facilities, large item machinery or bulk sales and storage not including outdoor unfenced storage.
- 73.14. One, two or multi-family dwellings, provided that at least two offstreet parking spaces are provided for each dwelling unit.
- 73.15. Any land use or application not otherwise specifically provided for elsewhere in the Zoning Ordinance which is similar in nature to the uses listed in the zoning ordinance for C1 Districts. Such use must be commercial in nature and must involve retail sales or services to the general public. The Board of Zoning Appeals shall determine whether or not a particular land use is commercial in nature if not specifically listed in the Zoning Ordinance.

Section 74. BUILDING HEIGHT REGULATION IN COMMERCIAL DISTRICTS

- 74.1. In the C-1 General Retail District, no building shall exceed three stories or 45 feet.
- 74.2. In the C-2 Service Retail District, no building shall exceed two stories or 30 feet.

Section 75. YARDS REQUIRED IN THE COMMERCIAL DISTRICTS

Except as required in the Setback Regulations, Article XII, all buildings to be constructed, altered, or moved in the Commercial Districts shall meet the following minimum requirements:

75.1. Yards Required in the C-1 General Retail District:

Front Yard - no minimum yard required.

Rear Yard - 20 feet. Where a rear lot line abuts an alley, one half of the width of such alley may be considered toward meeting the rear yard requirements.

Side Yard - no minimum yard required, except lots adjoining a residential district shall provide a side yard on that adjoining side equal to that required in the adjoining Residence District.

75.2. Yards required in the C-2 Service Retail District:

Front Yard - 25 feet.

Side Yard - 10 feet.

Rear Yard - 20 feet. Where a rear lot line abuts an alley, one-half of the width of such alley may be considered toward meeting the rear yard requirement.

Section 76. OFF-STREET PARKING AND LOADING

There shall be provided in the C-1 Commercial Districts offstreet parking in accordance with the schedule in Article fl, and off street loading in accordance with the following:

Off-Street Loading

Every building or structure used for other than residential uses and constructed after the adoption of this ordinance shall provide space on the property to be used exclusively for loading and unloading of automobiles, motor buses. motor trucks, tractors, or other such conveyances. Such space shall be in accordance with the following schedule.

Required Spaces	Building Gross Floor Area
1	0-8,000 sq. ft.
2	8,000-24,000
3	25,000-40,000
4	40,000-100,000
5	100,000-250,000
6	250,000-400,000

For buildings over 400,000 sq. ft., six spaces plus one additional space for each additional 200,000 sq. ft.

For the purpose of determining adequacy of loading area, each space shall be not less than 10 feet in width. 45 feet in length, and 14 feet in height.

ARTICLE VIII

PROVISIONS GOVERNING INDUSTRIAL DISTRICTS

Purpose: The purpose of the I-1 Light Industrial District is to provide for storage. and any manufacturing use not normally creating a nuisance discernible beyond its property.

The purpose of the I-2 Heavy Industrial District is to provide for industrial uses not allowed in any other district providing that, within this district, uses of a hazardous nature or those producing extensive smoke or odor shall not be located so that the general hazard or nuisance affects a large segment of the Jurisdictional Area.

Section 81. USES PERMITTED IN THE I-1 LIGHT INDUSTRIAL DISTRICT

- 81.1. Aircraft factory or hangar, not including wind tunnel and testing field.
- 81.2. Boat building.
- 81.3. Box factory.
- 81.4. Building materials sales establishment and storage area.
- 81.5. Building-mover and wrecker's establishment.
- 81.6. Cleaning and dyeing establishment.
- 81.7. Contractor's equipment storage.
- 81.8. Dispensary, only with emergency facilities incident to an industry.
- 81.9. Distribution plant, including parcel delivery, ice and cold storage plant. bottling plant, and food commissary or catering establishment.
- 81.10. Feed mixing plant.

- 81.11. Foundry, casting of only lightweight non-ferrous metal.
- 81.12. Grain elevator.
- 81.13. Iron, steel, or other metal fabrication (no foundry or drop hammer and no punch press over 50 ton capacity).
- 81.14. Laboratories - experimental, photo or motion picture, film or testing.
- 81.15. Laundry.
- 81.16. Light industrial uses that are not obnoxious or offensive by reason of the emission of odor, dust, smoke, noise, gas, fumes, cinders, vibration, refuse matter or water-carried waste, including retail sale of products when such sale is clearly incidental and essential to the permitted industrial use.
- 81.17. Lumber storage, millwork.
- 81.18. Machine shop.
- 81.19. Machinery repairing and display.
- 81.20. Manufacture, fabrication, and maintenance of electric and neon signs, billboards, commercial advertising structures, light sheet metal products including heating and ventilating ducts and equipment; cornices, eaves and the like, and also including plumbing, heating or electrical contracting business.
- 81.21. Manufacturing, fabricating, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stones, shell, textiles, tobacco, yarns, wood and paint not employing a boiling process.
- 81.22. Manufacture, fabricating, compounding, canning, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, soft drinks, toiletries and food products, not including the following: fish and meat products, sauerkraut, vinegar and yeast, except in conjunction with a general food products manufacturing company; and not including the rendering of fats and oils or slaughter of animals.
- 81.23. Manufacture of: appliances, electrical or mechanical; instruments, electronic, musical, precision or the like; machines, electric or mechanical, for home or office and the like, phonographs, radios, telephones or other instruments or machines for receiving, reproducing or transmitting sound; watches and clocks, toys, novelties and rubber and metal hand stamps.
- 81.24. Planing mill.
- 81.25. Printing, lithographing, type composition, ruling and binding establishment.

- 81.26. Processing, canning, packaging, or treatment of fish and meat products, sauerkraut, vinegar, yeast but not including the following: Fish smoking. curing or canning; rendering of fats and oils: or slaughter of animals.
- 81.27. Public utility facilities and installations for electricity, gas, oil, steam, telegraph, telephone (including telephone exchange building) and water; (not including railroads).
- 81.28. Railroad or other mass transportation company freight and/or passenger and supporting facilities, limited receiving and distribution yards, right-of-way, trackage and sidings, with accessory poles and overhead wires, signal or other operating devices, shelters, and comfort stations incident to the use thereof, including private off-street turn-around and layover areas for mass transit vehicles and parking areas for buses, car houses, yards, and headquarters for operating and maintenance employees.
- 81.29. School, industrial trade, when not objectionable due to noise, odor, vibration, dust. smoke, or other similar causes.
- 81.30. Solid fuel such as coal, coke and wood, storage and sales. 81.31. Stone or monument works.
- 81.32. Structure or equipment for landing, mooring or boat docking.
- 81.33. Veterinary establishment.
- 81.34. Wholesale business.
- 81.35. Accessory use and structure customarily incident to any of the above uses, located within time buildable area of the lot, unless otherwise specified and including:
- 81.35.1. Fence or enclosure wall.
- 81.35.2. Loading space.
- 81.35.3. Lunchrooms for employees.
- 81.35.4. Minor garage or minor parking area.
- 81.35.5. Recreation area, non-profit.
- 81.35.6. Signs, related to or advertising the use being conducted on the premises.

Section 82. **USES PERMITTED IN THE I-2 HEAVY INDUSTRIAL DISTRICT**

Only the following uses shall be permitted:

- 82.1. Aircraft factory, landing field, or hangar.
- 82.2. Alcohol manufacture.

- 82.3. Ammonia, bleaching powder or chlorine manufacture.
- 82.4. Asphalt manufacture or refining.
- 82.5. Blast furnace or coke oven.
- 82.6. Boat building.
- 82.7. Boiler Works.
- 82.8. Box factory.
- 82.9. Brick, tile or terra cotta manufacture.
- 82.10. Building materials sales establishment and storage area.
- 82.11. Building-mover and wrecker's establishment.
- 82.12. Concrete or cement products manufacture.
- 82.13. Contractor's equipment storage.
- 82.14. Distribution plant. including parcel delivery, ice and cold storage plant, bottling plant and food commissary or catering establishment.
- 82.15. Drop forge industry manufacturing forgings with power hammers.
- 82.16. Feed mixing plant,
- 82.17. Grain elevator.
- 82.18. Hospital, only with emergency facilities incident to an industry.
- 82.19. Iron or steel or other metal manufacture or processing, foundry or fabrication plant and heavy weight casting, including galvanizing and other treatment.
- 82.20. Laboratories - experimental, photo or motion picture, film or testing.
- 82.21. Landscape gardener's sales area or business.
- 82.22. Lumber storage, millwork and sales.
- 82.23. Machinery repairing, sales and display.
- 82.24. Machine shop.
- 82.25. Manufacture, fabrication and maintenance of electric and neon signs, billboards, commercial advertising structures, sheet metal products including heating and ventilating ducts and

equipment; cornices, eaves and the like, and also including plumbing, heating, or electrical contracting business.

82.26. Manufacturing, fabricating, compounding, assembling or treatment of bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stones, shell, textiles, tobacco, yarns and wood, or articles of merchandise made therefrom.

82.27. Manufacture, fabricating, compounding, canning, packaging, or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, soft drinks, toiletries and food products, including fish and meat products, sauerkraut, vinegar and yeast, but not including the following: fish smoking, curing or canning; rendering of fats and oils; or slaughter of animals.

82.28. Manufacture of: appliances, electrical or mechanical; instruments, electronic, musical, precision or the like; machines, electric or mechanical, for home or office and the like; phonographs, radios, telephones or other instruments or machines for receiving, reproducing, or transmitting sound; watches and clocks, toys, novelties, and rubber and metal hand stamps.

82.29. Planing mill.

82.30. Printing, lithographing, type composition, ruling and binding establishment.

82.31. Public utility facilities and installations for electricity, gas, oil, steam, telegraph, telephone (including telephone exchange building), and water.

82.32. Quarry, gravel pit, stone mill or slag crusher.

82.33. Railroad or other mass transportation company freight and/or passenger facilities, right-of-way, trackage and sidings, with accessory poles and overhead wires, signal or other operating devices, shelters and comfort stations incident to the use thereof, including private off-street turn-around and layover areas for mass transit vehicles and parking areas for buses, car houses, repair shops, yards and headquarters for operating and maintenance employees.

82.34. Railroad repair shop, receiving, distribution, and classification yards and supporting facilities.

82.35. Rock, sand, slag or gravel distribution.

82.36. Rolling mill.

82.37. School for industrial trades.

82.38. Solid fuel such as coal, coke and wood, storage and sales.

82.39. Stone or monument Works.

- 82.40. Stove or shoe polish manufacture.
- 82.41. Structure or equipment for landing, mooring or other like purposes and the use of the same for land or water transportation interchange.
- 82.42. Tool manufacture.
- 82.43. Truck terminals.
- 82.44. Veterinary establishment.
- 82.45. Wholesale business.
- 82.46. Wool pulling or scouring.
- 82.47. Accessory use and structure customarily incident to any of the above uses including:
 - 82.47.1. Fence or enclosure wall.
 - 82.47.2. Loading space.
 - 82.47.3. Lunchrooms for employees.
 - 82.47.4. Offices.
 - 82.47.5. Parking garage.
 - 82.47.6. Recreation area, non-profit.
 - 82.47.7. Signs related to or advertising the use being conducted on the premises.
- 82.48. Any use permitted in the I-1 Light Industrial District.

Section 83. SPECIAL EXCEPTIONS IN THE I-1 AND I-2 DISTRICTS.

- 83.1. Any public building erected and used by a department of a municipal, county, state, or federal government.
- 83.2. Areas for the dumping or disposal of trash or garbage by the land fill process.
- 83.3. Automobile sales, servicing, painting, upholstering, tire retreading or recapping, battery manufacturing and automobile and gasoline service station.
- 83.4. Automobile wrecking and salvage operations if located not less than 400 feet from any R-District: provided such operation is conducted within an area enclosed on all sides with a tight painted fence not less than eight feet high and provided further that such operation shall not be visible from the nearest street or road.

- 83.5. Broadcasting towers, transmitting and relay stations.
- 83.6. Chemical Manufacture.
- 83.7. Commercial amusement or recreational development for temporary or seasonal periods.
- 83.8. Extraction of gravel, sand, clay, dirt, topsoil, coal, oil, and other natural resources.
- 83.9. Hospitals, clinics and institutions, except institutions for criminals and those for persons that are insane or have contagious diseases; provided, however, that such buildings may occupy not over 50% of the total area of the lot or tract and will not have any serious and depreciating effect upon the value of the surrounding property, and provided further, that the buildings shall be set back from all minimum yard lines heretofore established an additional distance of not less than two feet for each foot of building height Specific requirements for these buildings in any district regulations shall take precedence over the above regulations.
- 83.10. Killing, dressing, storing and/or packaging of poultry, rabbits, swine, sheep and cattle.
- 83.11. Parking lots on land not more than 300 feet from the boundary of any commercial, business, or industrial district under such conditions as will protect the character of surrounding property.
- 83.12. Storage and distribution of any merchandise or material other than: explosives or inflammables, garbage, offal or dead animals, paper, exclusive of rolled newsprint and other similar rrolled paper, petroleum and petroleum by-products in excess of an amount necessary for use on the premises, and rags. metal, or junk.
- 83.13. Storage of explosives or inflammables and/or the distribution of Anhydrous Ammonia not in excess of that determined by the Board of Zoning Appeals to be not hazardous.
- 83.14 Transfer stations and recycling centers for temporary storage, sorting and transfer of trash, garbage, junk and offal, but not to include dead animals or hazardous materials, hazardous chemicals and hazardous waste, and provided the storage, sorting and transfer of such items is conducted in a totally enclosed structure or building where such items are obscured from the public view.
- 83.15 Any land use or application not otherwise specifically provided for elsewhere in the Zoning Ordinance which is similar in nature to the uses listed in the Zoning Ordinance for I-1 and I-2 Districts. Such use shall include any land use or application which has the potential for creating smoke, noise or offensive odors which are expected to emanate beyond confines of the property on which the use is to occur. The Board of Zoning Appeals shall determine whether or not a particular land use is industrial in nature if not specifically listed in the zoning ordinance.

Section 84. REQUIRED LOT AREA AND LOT WIDTH IN INDUSTRIAL DISTRICTS.

Each use to be established in the I-1 or the I-2 District shall provide a minimum lot area of 5,000 square feet and a minimum lot width of 50 feet.

Section 85. BUILDING HEIGHT REGULATION IN INDUSTRIAL DISTRICTS.

No building in the I-1 or I-2 Districts shall exceed 50 feet in height unless the front, side, and rear yards required in Section 85 are increased five feet for every five feet or fraction thereof of additional height over 50 feet.

Section 86. YARDS REQUIRED IN INDUSTRIAL DISTRICTS.

All structures to be constructed, altered, or moved, in the I-1 and I-2 Districts shall provide yards of the following minimum depths.

86.01. Front Yard - 100 feet.

86.02. Unless otherwise stated - Side Yard - 35 feet except where a side yard abuts a residential district in which case a side yard of 75 feet shall be provided.

86.03. Rear Yard - 25 feet.

86.04. Parking lots may extend 60 feet into a front yard and 20 feet into the side and rear yards providing the parking lot is adequately screened with plant material front adjoining property or streets.

Section 87. OFF-STREET PARKING AND LOADING

There shall be provided in the I-1 and I-2 Districts adequate off-street parking in accordance with the schedule in Article II, and off-street loading in accordance with the off-street loading portion of Article VII, Section 76.



ARTICLE IX

PLANNED UNIT DEVELOPMENT PLAN

Purpose: The purpose of this section is to provide regulation for Planned Unit Developments (PUD), which are of a significantly different character than traditional land developments. Specific standards and exceptions have been developed to govern the actions and recommendations of the Plan Commission regarding such developments.

Section 91. GENERAL

It shall be the policy of the Town of Veedersburg to promote progressive development of land and construction thereon by encouraging planned unit developments to achieve:

- 91.1. A maximum choice of living environments by allowing a variety of housing and building types and permitting an increased density per acre and a reduction in lot dimensions, yards, building setbacks, and area requirements.
- 91.2. A more useful pattern of open space and recreation areas and, if permitted as part of the project, more convenience in the location of accessory commercial uses and services.
- 91.3. A development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural drainage patterns.
- 91.4. A more efficient use of land than is generally achieved through conventional development resulting in substantial savings through shorter utilities and streets.
- 91.5. A development pattern in harmony with land use density, transportation facilities, and community facilities objectives of the comprehensive plan.

Section 92. **PLANNED UNIT DEVELOPMENT RESTRICTIONS**

Whenever there is a conflict or difference between the provisions of this section and those of the other sections of this ordinance, the provisions of this section shall prevail. Subjects not covered by this section shall be governed by the respective provisions found elsewhere in this ordinance.

A planned unit development shall conform to the following:

- 92.1. The number of dwelling units erected shall not exceed the number permitted by the regulations of the district in which it is located unless a density increase is permitted.
- 92.2. All uses that may be allowed within the land use district may be permitted within a PUD.
- 92.3. Up to 10% of the gross land area in a residential district may be directed to commercial, industrial, public and quasi-public uses that are not allowed within the land use district, provided there is a favorable finding by the Plan Commission:
- 92.3.1 That the uses permitted by such exceptions are necessary or desirable and are appropriate with respect to the primary purpose of residential development.
- 92.3.2. That the uses are not of such nature or so located as to exercise a detrimental influence on the development nor on the surrounding neighborhood.
- 92.3.3. That the uses are intended to serve principally the residents of the PUD.
- 92.3.4. That the uses are planned as an integral part of the PUD.
- 92.3.5. That the uses will be located and so designed as to provide direct access to a collector or an arterial street without creating traffic congestion or hazard.
- 92.4. A minimum parcel area of ten acres is required for a PUD.

- 92.5. There shall be at least 10% of the land area in the development provided for park and recreational purposes which shall not be covered by buildings, parking lots, driveways, or streets. No more than 50% of this useable open space shall be covered by water.
- 92.6. If any open space or recreational facility is to be used solely by the residents of the project, adequate provisions shall be made for assessments against the property within the project so that such facilities can be properly maintained and operated.
- 92.7. All utilities, including communication and electric systems, shall be placed underground within the limits of the development. Appurtenances to these systems which can be effectively screened may excepted.
- 92.8. The design and designation of private streets shall be subject to the approval of the Plan Commission.
- 92.9. The development plan shall include a common water supply and distribution system, either public or private, which shall meet the approval of the Plan Commission and shall be built at no expense to the local government.
- 92.10. The development plan shall include a sanitary sewer system connected to a public sewer system, if available within a reasonable distance from the project, or it shall provide for a central collection and treatment system in accordance with the requirements of the Plan Commission.
- 92.11. The plan of the project may provide for the integral and harmonious design of buildings in commercial and industrial areas, and the parcels shall be developed in parklike surroundings utilizing landscaping and existing woodlands as buffers to screen lighting, parking areas, loading areas, and other such features from the adjoining and surrounding residential areas.
- 92.12. No building is permitted to exceed the height limit of the district in which it is located by more than 10%.
- 92.13. All previously noted parking standards shall remain in effect for all PUD'S.
- 92.14. Non-residential areas must be developed in equal ratio to residential areas. This is required to avoid the total development of residential structures without the accompanying services.

Section 93. INCREASED RESIDENTIAL DENSITY THROUGH DESIGN INCENTIVES

To provide for an incentive for quality PUD, the Plan Commission may authorize an increased residential density of up to 20% of tic allowable number of dwelling units. In allowing for density increase, the Commission shall be guided by time following criteria:

- 93.1. If open space provided exceeds 20% of land area, additional 5% increase in residential density allowed.
- 93.2. If land donated or dedicated for public purposes such as public buildings, schools, and parks, additional 5% increase in residential development allowed. .

93.3. If there is significant landscaping, screening, and site planning in development, additional 5% increase in residential development allowed.

93.4. If community facilities and amenities such as trails, lakes, plaza fountains, tennis courts, etc. are provided in PUD, additional 5% increase in residential development allowed.

Section 94. **PROCEDURE FOR APPROVAL OF PUD**

94.1. Submit a preliminary site plan in triplicate to the Plan Commission in sketch form which includes, but is not restricted to, the following information:

94.1.1. Location and boundaries of tract to be developed, showing the general layout of streets and the existing and proposed zoning of all areas.

94.1.2. Tentative placement of all improvements on the site, showing how recommendations of this ordinance and any requirements of the Board of Zoning Appeals and/or Plan Commission have been utilized.

94.1.3. General proposals on densities on both residential and other uses. (To allow for sufficient flexibility, the Commission may allow minor shifts in use locations and densities, provided, however, that the general overall plan is adhered to.)

94.1.4. Proposed schedule for the development of the site.

94.2. If the Plan Commission after public hearing approves the preliminary development plan, the plan, together with the recommendations of the Plan Commission, shall be embodied in a report to the Board of Zoning Appeals and the Town Council stating the reasons for the approval of the plan and application, and specific evidence and facts showing that the proposed PUD plan has considered and made provision for the following essential elements:

94.2.1. That the appropriate use of property adjacent to the area included in the plan will be fully safeguarded.

94.2.2. That the plan is consistent with the intent of this ordinance to promote public health, safety, and the general welfare.

94.2.3. That the tract, collectively, meets the minimum space requirements for the specific district(s).

94.3. The Plan Commission shall give notice of acceptance or rejection of the proposal within 60 days. Reasons for rejection, along with suggestions for revisions, shall be given. The developer may resubmit plans after the suggested corrections or additions are made.

94.4. The developer shall submit a final site plan.

94.5. The Plan Commission shall give notice of acceptance or rejection of the final proposal within

60 days. Reasons for rejection, along with suggestions for revisions, shall be given along with any rejection by the Commission. Developer may resubmit plans after corrections. After final approval, developer may proceed with construction.

Section 95: **NONRESIDENTIAL SUBDIVISIONS**

95.1 A nonresidential subdivision shall be subject to all the requirements of the zoning ordinance of Veedersburg and amendments hereto, as well as such additional standards as required by the Plan Commission, and shall conform to be proposed land uses and standards established under the Zoning Ordinance of Veedersburg.

95.2 Any applicant shall demonstrate that any proposed street, block, or parcel pattern of the nonresidential subdivision is specifically adapted to its anticipated uses, and also takes into account other uses in the vicinity. The following principals and standards shall be observed:

A. Each nonresidential area or parcel shall be shown and marked on the plat as to its intended purpose. Proposals for incremental lot by lot subdivision shall also be noted.

B. Proposed parcels shall be suitable in area and dimensions to the types of development anticipated.

C. The Plan Commission may impose special requirements on street, curb, driveway and sidewalk design and construction.

D. Street rights of way and pavement construction shall be adequate to accommodate the type and volume of anticipated traffic.

E. The Plan Commission may impose special requirements in order to protect adjacent residential areas from any potential nuisance caused by nonresidential subdivision, including the provision of extra depth on parcels backing onto existing or potential residential areas, and for permanent landscape buffers when necessary.

F. Streets carrying nonresidential traffic shall not normally be extended to the boundaries of adjacent existing or potential residential areas. Truck routes may be established as necessary to prevent industrial traffic from encroaching into adjacent residential areas.

95.3 The Plan Commission shall have the power and authority to alter or modify lot boundaries, lot sizes and width of streets in considering any application for a nonresidential subdivision.

(Amended by [Ord. No. 3-10](#), adopted 8/24/2010.)

ARTICLE X

SPECIAL EXCEPTIONS

Section 101. The Board of Zoning Appeals, after a public hearing, shall grant an application for a special exception provided the applicant has submitted to the Board a written application for a special exception setting forth the name, address and phone of the applicant (and owner, if other than the applicant), a legal description of the property, and a description of the special exception applied for.

Section 102. Prior to approval of any application for a special exception, the Board of Zoning Appeals must first make the following findings of fact based upon evidence presented to the Board of Zoning Appeals at the hearing:

102.1. The special exception is a listed special exception within the ordinance for the particular zoning classification of the subject real estate;

102.2. Approval of the special exception will not have a substantial adverse impact upon the character of the neighborhood, traffic conditions, public utilities and such other matters as relate to the public health, public safety and general welfare;

102.3. Approval of the special exception will not otherwise frustrate the purposes of the Ordinance or the Comprehensive Plan adopted by the Town Council.

102.4. Approval of the special exception will not substantially adversely affect the use, enjoyment or value of the adjacent properties. (*Amended by [Ord. No. 97-28](#), adopted 10/28/1997.*)

Section 103. In granting a special exception, the Board of Zoning Appeals may attach thereto any conditions and safeguards it deems necessary or desirable in furthering the purposes of this ordinance. Such conditions may include but shall not be limited to requiring the applicant to enter into a written commitment reciting the description of the real estate and the nature of the restriction or commitment. The written commitment may be recorded in the office of the Recorder of Fountain County, IN and the recording fee shall be paid by the applicant.

Section 104. A violation of a written commitment entered into by the applicant shall be deemed as a violation of the Ordinance and shall be subject to the same fines, penalties and enforcement measures as any other violation of the Ordinance.

ARTICLE XI

MOBILE HOME GUIDELINES

Section 111. The provision of mobile homes shall be treated as a special exception in each of the three residential districts as well as the two agricultural districts. As such, the following procedures will be followed:

111.1. Within 30 days after application for the special permit, a notice of public hearing shall be published in a newspaper having county-wide circulation stating time and location of a public hearing and the nature of the request for which the hearing is held.

111.2. Concurrent with the newspaper publication, all adjacent landowners will be notified by mail as to the mobile home location request.

111.3. At least five days prior to the public hearing, all letters of objection will be required to be filed in the office of the Zoning Administrator.

111.4. If no objections are received at least five days prior to the public hearing and no request for a variance is made the Zoning Administrator may waive the public hearing and issue the mobile home location permit.

Section 112. All mobile homes will be governed by the following construction control standards:

112.1. Trailers, mobile homes and other manufactured homes constructed 10 years prior to the date of the special permit application shall not be permitted to be located or installed in the Jurisdictional Area, and such homes shall not be connected to the Town's electric, water or sewer systems.

112.2. A dwelling unit designed and built in a factory, which bears a seal certifying that it was built in compliance with the federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 USC 5401 et seq.), which has at least 1350 square feet of occupied space and which was constructed within ten years of the date of the special permit application, may be installed as a permanent residence in the Jurisdictional Area in which residential structures are authorized provided the requirements for residential structures in such district are met. Manufactured homes constructed more than 10 years from the date of the special permit application that do not have at least 1350 square feet of occupied space or which are not constructed in accordance with the Manufactured Homes Construction and Safety Standards Law of 1974 shall not be permitted to be located or installed in the Jurisdictional Area, and such homes shall not be connected to the Town's electrical, water or sewer systems.

112.3. Existing manufactured homes that are located in the Jurisdictional Area on the effective date of this ordinance may remain in their current locations, but may not be moved to another location within the Jurisdictional Area and may be replaced by other manufactured homes only if such replacement homes satisfy the requirements set forth in this Ordinance.

112.4. All mobile homes shall be mounted on a permanent block or concrete foundation.

- 112.5. All mobile homes shall be securely anchored to the permanent foundation.
- 112.6. All mobile homes shall, within 60 days of their placement, having skirting around the entire unit. Such skirting shall reach from the ground to the bottom of the mobile home and shall be placed on all sides of the unit.
- 112.7. Each mobile home shall have provisions for the covered storage of personal goods and articles stored outside the unit.

Section 113. All mobile homes will additionally be required to meet the guidelines of the particular zoning district in which they are located. This shall not include, however, the guidelines related to gross floor area in R-2 and R-3 Districts. Instead, the gross floor area for all mobile homes shall be a minimum of 950 square feet in R-2 and R-3 Districts.

(Article XI, MOBILE HOME GUIDELINES, was amended by [Ord. 2015-04](#), adopted 4/14/2015.)

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ARTICLE XII

SETBACK REGULATIONS

Section 121. Except within the C-1 Commercial Districts, no building, structure, concrete or masonry wall, shall be erected or structurally altered so that any part thereof is nearer than 50 feet to the right-of-way of any federal highway route, nearer than 75 feet to the centerline of any state route, or nearer than 60 feet to centerline of any other public road. if there is conflict between the setback regulations and the yard regulations, the more restrictive regulations shall govern.

Except within the C-1 Commercial Districts, no structures which obstruct visibility shall be erected at the street intersections within a triangle formed by extending lines 75 feet from the centerline intersection in each direction.

121.1. Locations for advertising signs and billboards within lime town limits must be approved for line of sight safety by the Town Superintendent of utilities. If compliance with the setback regulations is not originally required, a waiver shall be given slating that if the necessity for compliance arises,

the company constructing the sign will move it without expense to the Town.

121.2. This regulation shall not be interpreted to reduce the buildable width or depth of a lot in a single ownership subdivided and recorded by law at the time of the passage of this ordinance to less than 35 feet. In locations where the building line restrictions set forth herein will create an undue hardship or in locations wherein the majority or existing buildings are not in conformity with these restrictions, appeals may be made for a variance in which the set back regulation may be modified.

ARTICLE XIII


BOARD OF ZONING APPEALS

Section 131. CREATION, MEMBERSHIP, AND OFFICERS

A Board of Zoning Appeals is hereby authorized to be established. Such Board of Zoning Appeals shall consist of five (5) members appointed as follows: one citizen member appointed by the Veedersburg Plan Commission from its membership who shall live outside the corporate limits of the Town of Veedersburg; one citizen member who is not a member of the Veedersburg Plan Commission appointed by the Town Council of the Town of Veedersburg; and one citizen member who is a member of the Veedersburg Plan Commission and two citizen members who are not members of the Veedersburg Plan Commission appointed by the president of the Veedersburg Town Council.

In the event a vacancy occurs among the members of the Board of Zoning Appeals, the appointing authority shall appoint a member for the unexpired term of the vacating member. Each appointing authority may designate an alternate member to participate in any hearing where a regular member has been disqualified because of a conflict of interest. A conflict of interest occurs whenever a member has a direct or indirect financial interest in the outcome of a matter before the Board.

Terms shall expire on the first Monday of January of the first, second, third or fourth year following appointment. Thereafter, as terms expire, each new appointment shall be for a term of four years. At the first meeting of each year, the Board of Zoning Appeals shall elect a chairman and vice-chairman. All members of the Board of Appeals shall serve without compensation.

By amendment to this Ordinance, an additional division of the Board of Zoning Appeals may be established to have concurrent or exclusive jurisdiction over the Jurisdictional Area that is outside the corporate limits of the Town of Veedersburg. In the event such an additional division is established, its members shall be appointed in accordance with Indiana Code  36-7-4-902 and 903.

Section 132. GENERAL PROCEDURE

A majority of the entire membership of the Board of Zoning Appeals shall constitute a quorum. No action of the board is official, however, unless concurred in by a majority of the entire membership of the board. The Board of Zoning Appeals may appoint a secretary and such employees as are necessary for the discharge of its duties and within its budget fix their compensation.

The Plan Commission shall provide suitable offices for the holding of Board of Zoning Appeals' hearings and the preservation of records, documents, and accounts. The town council shall appropriate such funds to the Plan Commission as are necessary to carry out the duties of the Board of Zoning Appeals. The members of the Board of Zoning Appeals shall serve without salary or reimbursement for travel expenses.

The Board of Zoning Appeals shall adopt general rules governing the filing of appeals, the publication of notices, the application for variances and exceptions, and the conduct of hearings. The Board shall keep minutes of its proceedings, investigations, and other official actions and in all cases heard by it, prepare findings and record the vote on all actions taken. All minutes and records shall be filed in the office of the Board and shall be public records.

Section 133. APPEALS: HOW TAKEN

133.1. Any person aggrieved may appeal to the Board of Zoning Appeals to review any order, requirement, decision, or determination made by the Zoning Administrator.

133.2. Such appeal shall be made by filing with the Zoning Administrator and the Board of Appeals, a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board of Appeals papers constituting the record upon which the action appealed from was taken.

133.3. An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies to the Board of Appeals, after the notice of appeal has been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Fountain Circuit Court, on notice to the officer or board from whom the appeal is taken, and the owner of the premises affected, and on due cause shown.

133.4. The Board of Zoning Appeals shall fix a reasonable time for the hearing of an appeal. Public notice shall be given of the hearing and due notice shall be given additionally to the affected parties as determined by the Board. The Board of Zoning Appeals shall require the party making the appeal to assume the cost of public notice and due notice to interested parties. Upon the hearing, any party may appear in person, by agent, or by attorney. The executive director or his representative may appear before the Board in any appeal, variance, or exception proceeding and present facts and arguments relating to the matter at issue.

Section 134. POWERS OF THE BOARD OF APPEALS

The Board of Appeals shall have the following powers:

134.1. Interpretation and Administrative Review. To hear and decide appeals where it is alleged that there is an error in any action by the Zoning Administrator or other administrative official in carrying out the provisions of this ordinance; and for the interpretation of the Zoning Maps.

134.2. Variances. To hear and decide on applications for variances in cases where there are practical difficulties or particular hardship in the way of carrying out the provisions of this Ordinance. other than use. Nothing contained herein shall be construed to give the Board of Zoning Appeals the power to gram a use variance from a zoning classification or district. Any such use variance must be sought through a re-zoning application unless the use is a listed special exception within the zoning classification.

A variance from the terms of this ordinance shall not be granted by the Board of Zoning Appeals unless and until a written application for a variance is submitted to the Zoning Administrator and the Board of Zoning Appeals containing:

134.2.1. Name. address, and phone number of applicants.

134.2.2. Legal description of property.

134.2.3. Description of nature of variance requested, including a diagram plot plan drawn to scale.

134.2.4. A narrative statement demonstrating that the requested variance conforms to the following standards:

a. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;

b. That a literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance:

c. That granting the variance will not be injurious to the public health, safety, morals and general %Nelfare of the community and will not substantially adversely affect the use and value of the adjacent properties;

d. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures. or buildings.

e. In granting a variance, the Board of Zoning Appeals may attach thereto any conditions and safeguards it deems necessary or desirable in furthering the purposes of this Ordinance, including but not limited to requiring the applicant to enter into a written commitment reciting the legal description and the nature of the restriction or commitment, which written commitment may be recorded in the office of the Recorder of Fountain County, IN. The recording fee for any written commitment shall be paid by the applicant. Violation of any of these conditions or safeguards shall be deemed as violation

of this ordinance.

A variance shall not be granted unless the Board makes specific findings of fact based directly on the particular evidence presented to it, which support conclusions that the standards and conditions imposed by Subsection 134.2.4 of this section have been met by the applicant.

All final administrative decisions of the Board of Appeals shall be subject to judicial review as provided by Statute.

ARTICLE XIV

VEEDERSBURG PLAN COMMISSION

Section 141. PROCEEDINGS OF THE PLAN COMMISSION.

The Plan Commission shall continue to operate under its existing rules of operation. Meetings shall be held monthly, and special meetings may be called by at least two members of the Commission upon written request to the Secretary. All meetings shall be open to the public. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions all of which shall be of public record and be immediately filed in the office of the Commission.

Section 142. DUTIES OF THE PLAN COMMISSION

- 142.1. Initiate proposed amendments to this ordinance.
- 142.2. Review all proposed amendments to this ordinance and make recommendations to the Veedersburg Town Council.
- 142.3. Review all planned unit developments and grant primary and secondary approval for the same.
- 142.4. Review all proposed subdivision developments and make recommendations to the Veedersburg Town Council.
- 142.5. Review all rezoning requests and make recommendations to the Veedersburg Town Council.
- 142.6. Initiate legal action to enforce the provisions of the Zoning Ordinance.

Section 143. MEMBERSHIP OF THE PLAN COMMISSION

The Veedersburg Plan Commission shall consist of nine (9) members as follows: three elected or appointed municipal officials of the Town of Veedersburg, appointed by the Veedersburg Town Council; four citizen members residing within the Town of Veedersburg, appointed by the President of the Veedersburg Town Council; and two citizen members who reside in the Jurisdictional Area but outside the corporate boundaries of the Town of Veedersburg, appointed by the Fountain County Commissioners.

In the event a vacancy occurs among the members of the Plan Commission, the appointing authority shall appoint a member for the unexpired term of the vacating member. A member of the Plan Commission may not participate in any decision in which the member has a direct or indirect financial interest. When an initial term of office of a citizen member expires, each new appointment shall serve a term of four years. No citizen member may hold other elective or appointive office.

Section 144. GENERAL PROCEDURE OF THE PLAN COMMISSION

A majority of the entire membership of the Plan Commission shall constitute a quorum. No action of the Plan Commission is official unless it is authorized by a majority of the entire membership of the Commission at a regular or special meeting. At the first regular meeting of each year, the Commission shall elect a president and a vice-president from its membership. The vice-president shall act as president during any absence of the regular president.

ARTICLE XV

PUBLIC HEARING BY THE BOARD OF ZONING APPEALS

Section 151. INITIATION OF PUBLIC HEARING

The Board of Zoning Appeals shall hold a public hearing within 45 days after the receipt of an application for an appeal from the Zoning Administrator or a variance from an applicant. However, the public hearing shall not be held sooner than 10 days after its receipt.

Section 152. NOTICE OF PUBLIC HEARING IN NEWSPAPER

Before holding the public hearing required in Section 151, notice of such hearing shall be given in the newspaper of general circulation of the county at least 10 days before the date of said hearing. The notice shall set forth the time and place of the public hearing and the nature of the proposed appeal or

variance.

Section 153. NOTICE TO PARTIES IN INTEREST

Before holding the public hearing required in Section 151, written notice of such hearing shall be mailed by the Applicant, by certified mail, return receipt requested, at least ten days before the date of the hearing to each person who owns an interest in real estate, abutting the property involved in such petition including owners of real estate at corners, across streets, alleys or casements, as well as others who may share a common boundary; all other persons who in the opinion of the applicant have an interest in the outcome of the petition; and any owner of the affected real estate who did not join as an original petitioner or who did not file a waiver of notice of hearing prior to the date of public hearing.

Section 154. ACTION BY BOARD OF ZONING APPEALS

Within 30 days after the public hearing required in Section 151, the Board of Zoning Appeals shall either approve, approve with supplementary conditions as specified in Section 134.2.4(e). or disapprove the request for appeal or variance. The Board of Zoning Appeals shall further make a finding that the reason(s) set forth in the application justify the granting of the variance that will make possible a reasonable use of the land, building, or structure.

ARTICLE XVI

PERMITS, FEES, AND PENALTIES

Section 161. PERMITS PROCEDURE

161.1. Applications for permits shall be filed in written form with the Zoning Administrator and shall state the legal description of the property, the name and address of the owner, the applicant, the contractor, estimated costs, and shall describe the uses to be established or expanded, and shall give such information as may be required by this ordinance for its proper enforcement.

161.2. All applications shall be accompanied by a dimensioned drawing of the building plot showing the location of buildings and structures, lot area to be used, auto parking area, and water supply and sewage disposal facilities.

161.3. Concrete, stone, wood, masonry, or other fences in a required front yard. exceeding 48 inches in height, and which cannot be viewed through, shall require permits. The Zoning

Administrator shall require permits (except in the C-1 District) for any fences or other structures within the sight triangle established by the center of intersection and two points 75 feet from it, each point being on the centerline of an intersection road, and shall deny permits for those which could obstruct vision in said sight triangle.

161.3.1 Set back for fences in a side yard. A fence in a side yard may be placed on a property line if both property owners agree in writing to such fence placement. Any application submitted for building a fence in a side yard should contain the written consent of the adjacent landowner. If the written consent of the adjacent land owner is not obtained, then the applicant shall set back the fence 18 inches inside his/her property line.

(Added by [Ordinance No. 03-13](#), adopted 7/23/2013)

161.4. Each permit issued for a main building, accessory structure or building, shall be posted in plain sight on the premises for which it is issued, until completion of construction or occupancy.

161.5. Any work or change in use authorized by permit but not substantially started within 90 days shall require a new permit. A permit shall be revoked by the Zoning Administrator when he shall find from personal inspection or from competent evidence that the rules or regulations under which it has been issued are being violated.

161.6. All applications and a copy of all permits issued shall be systematically filed and kept by the Zoning Administrator in his office for ready reference.

161.7. To partially defray the costs of administering the ordinance, a fee shall be charged for each permit and collected by the Clerk-Treasurer, who shall account for the same to the Town of Veedersburg. Such fees are as follows:

161.7.1. A fee of Fifty Dollars (\$50.00) shall be paid and collected upon the first One Hundred Fifty Thousand Dollars (\$150,000.00) expended for proposed construction, reconstruction, or structural alteration, except that the \$5 fee shall be paid and collected for proposed construction, reconstruction, or structural alteration in an AG-1 Rural Agricultural District.

161.7.2. Except in AG-1 Rural Agricultural Districts, an additional fee of One Dollar (\$1.00) per thousand dollars or fraction thereof shall be paid and collected in excess of One Hundred Fifty Thousand Dollars (\$150,000.00) expended for proposed construction, reconstruction, or structural alteration.

161.8. No permit shall be required for:

161.8.1. Routine maintenance or repair of buildings, structures, or equipment, such as siding, repainting or reroofing a building.

161.8.2. Construction of a service connection to a municipally owned and operated utility.

161.8.3. Portable structures which are on skids or runners, not exceeding an area of 120 square feet in size, and without a concrete floor, and not attached to a concrete or masonry foundation or footing.

may be erected without obtaining a building permit, subject to setback regulations.

161.8.4. Upon application to the Zoning Administrator and subject to approval of Plan Commission. certain other portable type structures used for bona fide agricultural purposes may be erected without obtaining a building permit and without cost to the applicant, subject to setback regulations.

161.9. Failure to obtain a building permit shall be a violation of this Ordinance and will be punishable under the provisions of Section 162 of this Ordinance.

161.10. Building permits of occupancy issued on the basis of plans and applications approved by the Zoning Administrator authorize only the use or arrangement set forth in such approved plans and applications or amendments thereto. and no other use, arrangements. or construction. Any use, arrangement, or construction contrary to that authorized shall be deemed a violation of this Ordinance and be punishable under the provisions of Section 162 of this ordinance.

161.11. Any person may file a written complaint whenever a violation of this ordinance occurs or is alleged to have occurred. The complaint shall state fully and accurately the causes and basis thereof, and be filed with and recorded by the Zoning Administrator. The Zoning Administrator shall immediately investigate and take action upon such complaint as provided in this ordinance.

Section 162. PENALTIES FOR VIOLATION OF ORDINANCE

Any structure erected, raised, or converted, or premises used, in violation of this Ordinance is a common nuisance; and each person in possession and the owner of the structure, land, or premises is liable for maintaining a common nuisance.

Penalty - A person who violates this ordinance is punishable by a fine not to exceed Five Hundred Dollars (\$500.00) per day for each such violation.

Section 163. SCHEDULE OF FEES, CHARGES, AND EXPENSES

The Plan Commission shall, by ordinance or resolution, establish a schedule of fees, charges. and expenses and a collection procedure for building permits, amendments. appeals, variances. conditional use permits. plan approvals. and other matters pertaining to the administration and enforcement of this Ordinance requiring investigations, legal. advertising. postage. and other expenses. Until all applicable fees, charges. and expenses have been paid in full, no action shall be taken on any application or appeal.

All applications for variances, special use permits, plan approval, and other matters relative to the administration and enforcement of this ordinance shall require a Fifty Dollar (\$50.00) filing fee; provided, however, a Two Hundred Dollar (\$200.00) filing fee shall be required for all applications for planned unit developments or amendments of the zoning ordinance, maps or district classification, provided that the fee for applying for an amendment of the zoning ordinance, maps or classifications shall be waived if the applicant is requesting the amendment to permit the continuance or expansion of a use in effect for such property on the date this Ordinance was adopted.

No petition shall be considered by the Plan Commission or Board of Zoning Appeals without the fees having been paid in advance. The fees shall include the costs for all mailing and legal advertising costs. No fees for special permits shall be refunded.

Refiling of applications after being denied by the Plan Commission and/or Board of Zoning Appeals shall be accepted only after a ninety (90) days waiting period and shall include all applicable fees and charges.

(Section XVI, Permits, Fees, and Penalties, was amended by [Ord. No. 98-3](#), adopted 2/24/1998.)

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ARTICLE XVII

ADMINISTRATION

Section 171. **ENFORCEMENT OF THE ORDINANCE**

It shall be the duty of the Zoning Administrator, designated by the Veedersburg Town Council, to enforce this Ordinance. He shall receive applications required by this Ordinance, issue permits, and furnish the prescribed certificates. He shall examine areas for which permits have been issued, and shall make necessary inspections to see that the provisions of this ordinance are being upheld. He may be provided with the assistance of the Veedersburg Town Marshals in enforcing orders and the Town Attorney in prosecuting violations.

For the purpose of this ordinance, the Zoning Administrator shall have the following duties:

- 171.1. Upon finding that any of the provisions of this ordinance are being violated, he shall notify in writing the person responsible for such violation(s), ordering the action necessary to correct such violation.
- 171.2. Order discontinuance of illegal uses of land, buildings, or structures.
- 171.3. Order removal of illegal buildings or structures or illegal additions or structural alterations.
- 171.4. Order discontinuance of any illegal work being done.

171.5. Take any other action authorized by this Ordinance to ensure compliance with or to prevent violations of this Ordinance. This may include the issuance of and action on building and certificate of occupancy permits and such similar administration duties as are permissible under the law.

ARTICLE XVIII

BUILDINGS UNDER CONSTRUCTION

Section 181. To avoid undue hardship, nothing in this Ordinance shall be deemed to require change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Ordinance and upon which actual building construction has been diligently carried on. "Actual construction" is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner; except that where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, providing that work shall be diligently carried on until completion of the building involved.

ARTICLE XIX

AMENDMENTS

The Veedersburg Town Council may amend, supplement, change, modify, or repeal the regulations, restrictions, and boundaries as herein contained.

Section 191. PROCEDURE

Amendments to the Zoning Ordinance may be proposed by:

- (1) A member of the Town Council, to that body:
- (2) The Plan Commission to the Veedersburg Town Council: or

(3) By petition of the owners of property of 50% or more of the area involved in the petition, either to the Veedersburg Town Council. or to the Plan Commission.

Any proposed ordinance for the amendment, supplement, change. or repeal of the zoning ordinance shall be referred to the Commission for consideration and report before any final action is taken by a legislative body.

Prior to the adoption of a zoning ordinance amendment, the Plan Commission shall give ten days notice by publication in a newspaper of general circulation within the county and hold a public hearing.

Upon the adoption of the Zoning Ordinance by the Plan Commission, and amendments thereto, the secretary shall certify a copy of the ordinance, maps, and reports to the Veedersburg Town Council, and recommend the adoption of the proposal.

ORDINANCE NO. 97-28

AN ORDINANCE AMENDING ORDINANCE NO. 97-19, THE ZONING ORDINANCE FOR THE TOWN OF VEEDERSBURG AND SURROUNDING TWO-MILE AREA

WHEREAS, the Town Council of the Town of Veedersburg has previously adopted [Ordinance No. 97-19](#), a Zoning Ordinance for the Town of Veedersburg and Surrounding Two-Mile Area; and

WHEREAS, the Town Council of the Town of Veedersburg has determined that it is in the best interests of the residents of the Town and the surrounding area that the Zoning Ordinance be amended as set forth below;

NOW THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Veedersburg as follows:

Section 1. Amendment of Section 56 of the Zoning Ordinance. [Section 56](#) of the Zoning Ordinance is hereby amended to read in its entirety as follows:

Section 56. Yards Required in R-1 and R-1R Districts

Except as required in the Setback Regulations, Article XI, all structures to be constructed, altered, or moved in the R-1 and R-1R District shall provide yards of the following minimum depths:

- 56.1. Front Yard - 30 feet.
- 56.2. Rear Yard - 15 feet or one foot for each foot of building height, whichever is the greater.
- 56.3 Side Yard - 6 feet minimum, one side yard; 15 feet minimum, sum of two side yards.

Section 2. Amendment of Section 102 of the Zoning Ordinance. [Section 102](#) of the Zoning Ordinance is hereby amended by adding the following at the end of the section:

102.4. Approval of the special exception will not substantially adversely affect the use, enjoyment or value of the adjacent properties.

So ordained this 28 day of Oct , 1997

VEEDERSBURG TOWN COUNCIL

Donald L. Bailey
Donald L. Bailey, President

Richard L. Rusk
Richard Rusk

Greg Seibold

Richard C. Burton
Richard C. Burton

Tim Shumaker
Tim Shumaker

Attest:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

ORDINANCE NO. 98-3

**AN ORDINANCE AMENDING ORDINANCE NO. 97-19, THE ZONING ORDINANCE FOR
THE TOWN OF VEEDERSBURG AND SURROUNDING TWO-MILE AREA**

WHEREAS, the Town Council of the Town of Veedersburg has previously adopted [Ordinance No. 97-19](#), a Zoning Ordinance for the Town of Veedersburg and Surrounding Two- Mile Area; and

WHEREAS, the Town Council of the Town of Veedersburg has determined that it is in the best interests of the residents of the Town and the surrounding area that the Zoning Ordinance be amended as set forth below;

NOW THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Veedersburg as follows:

Section 1. Amendments of Articles III and XVI of the Zoning Ordinance. Articles [III](#) and [XVI](#) of the Zoning Ordinance are hereby amended in their entirety to read as set forth in the attached [Exhibit A](#).

Section 2. Continued Effect. As amended hereby, Ordinance No. 97-19 remains in full force and effect.

So ordained this 24th day of February, 1998

VEEDERSBURG TOWN COUNCIL

Donald L. Bailey
Donald Bailey, President

Richard Rusk

Gregory Seibold
Greg Seibold

Richard C. Burton
Richard C. Burton

Tim Shumaker
Tim Shumaker

Attest:

Kathryn M. York

EXHIBIT A

ARTICLE III

PROVISIONS GOVERNING AGRICULTURAL DISTRICTS

Purpose: The purpose of the AG Districts is to encourage the preservation of a proper setting for the pleasant approaches to the populated areas of the Jurisdictional Area; to provide an area for agricultural pursuits protected from infringement of unguided urban development: to create and preserve a setting for rural small estate residential development: to conserve areas physically unsuitable for intensive development, and to provide in the area immediately surrounding the corporate limits of the Town of Veedersburg, an environment capable of accommodating future expansion of the incorporated areas in an orderly and efficient manner.

Section 31. AGRICULTURAL USES

“Agricultural Use” shall have the meaning set forth in Section 12.3 of this Ordinance. It is the policy of the Veedersburg Plan Commission and Board of Zoning Appeals to conserve, protect and encourage the development and improvement of the agricultural resources in the Jurisdictional Area. Bona fide agricultural land uses and applications in Agricultural Districts shall have a preference over nonagricultural land uses and applications.

Section 32. USES PERMITTED IN THE AGRICULTURAL DISTRICTS

32.1. Permitted Uses in AG-1 Districts. The AG-1 Rural Agricultural District consists of all land outside the corporate boundaries of the Town of Veedersburg and within the Jurisdictional Area that is not otherwise zoned. All agricultural, commercial, industrial, residential and other legal uses of property and structures to accommodate such uses are permitted in the AG-1 Rural Agricultural District, except that the uses and structures for any of the uses or purposes set forth in Section 33.1 of this Ordinance shall be permitted only if a special exception for such use or structure has been obtained from the Board of Zoning Appeals.

32.2. Permitted Uses in AG-2 Districts. Land and structures devoted to an Agricultural Use, bona

vide. may be constructed. operated and maintained in an AG-2 Urban Agricultural District, except as otherwise expressly provided in this Article III, and except that no livestock or poultry may be raised, produced or located in such districts. Except for an Agricultural Use, no building or premises shall be used or arranged or designed to be used in an AG-2 Urban Agricultural District except for one or more of the following uses:

- 32.2.1. Churches.
- 32.2.2. Community Buildings (Grange Halls, etc.).
- 32.2.3. Contractor's equipment storage.
- 32.2.4. Dwellings, single-family or two-family.
- 32.2.5. Golf Courses and Golf Driving Ranges.
- 32.2.6. Grain Storage, commercial, if not nearer than 300 feet to any residence other than that of the owner or lessor of the site.
- 32.2.7. Greenhouses.
- 32.2.8. Home Occupations, provided that not more than one sign with a maximum of ten square feet may be displayed setting forth such occupation and that a gravel, crushed rock, or other improved access road shall be provided off the public right-of-way.
- 32.2.9. Hospitals and institutions of a charitable or philanthropic nature, provided that such buildings shall not be located upon sites containing an area of less than five acres, may not occupy over 30% of the total area of the lot, and that the building shall be set back from all yard lines a distance of not less than two feet for each foot of building height.
- 32.2.10. Lakes (artificial).
- 32.2.11. Libraries, museums.
- 32.2.12. Local Governmental Meeting Places.
- 32.2.13. Monasteries, nunneries, religious retreats, homes for the aged, orphanages.
- 32.2.14. Picnic Grounds, provided that the minimum area of such tract shall be 10.000 square feet. and that one sign with an area of not more than 20 square feet may be displayed thereon, and that a gravel. crushed stone. or other improved access road shall be provided.
- 32.2.15. Radio and television stations.
- 32.2.16. Railroad trackage, team tracks, but not roundhouses or repair shops.
- 32.2.17. Schools.

32.2.18 Service occupations, housed in a structure separate from a dwelling in which sales and services customarily provided in rural areas are provided such as yard equipment sales and service and agricultural seed sales, provided that the business is owned and operated by the occupant of a dwelling located on the same lot or parcel on which the service occupation is located, that not more than one sign with a maximum of ten square feet may be displayed setting forth such occupation, that a gravel, crushed rock, or other improved access road shall be provided off the public right-of-way to service such occupation, and that the yard requirements for the structure housing such an occupation shall be twice that which is normally required. Such a use shall employ not more than one person outside the family resident dwelling. No offensive noise, vibration, smoke, dust, odors, heat, or glare shall be produced.

32.2.19. Signs (unilluminated or unlighted) as follows:

- (a) Bulletin boards for churches, and identification signs for schools or other permitted uses, not exceeding 36 square feet in area when located on the premises of such use.
- (b) Illumination of any sign shall be permitted only as a Special Use, after a public hearing and approval by the Veedersburg Board of Zoning Appeals.
- (c) Nameplates not exceeding 144 square inches in area on either side for each dwelling unit.
- (d) Signs offering real estate, livestock, or agricultural products for sale, not exceeding 50 square feet in area.
- (e) Signs permitted by law within highway right-of-way.
- (f) Signs shall conform to the yard requirements of the District in which placed.

32.2.20. Water Works.

Section 33. SPECIAL EXCEPTIONS IN AGRICULTURAL DISTRICTS

33.1. **Special Exceptions in AG-1 District.** To provide for the location of special classes of uses which are deemed desirable for the public welfare within this district, but which are potentially incompatible with uses herein permitted in it, a classification of special exceptions is hereby established. Such special exceptions shall be subject to the guidelines and conditions identified in Article X of this Ordinance.

33.1.1. Feeding or other disposal of community collected garbage.

33.1.2. Junk yards, scrap metal yards or auto wrecking yards. Automobile wrecking and salvage operations or scrap metal yards if located not less than 400 feet from any residence other than that of the owner or operator of the yard, provided such operation is conducted within an enclosed area enclosed on all sides with a tight painted fence not less than eight feet high and provided further that such operation shall not be visible from the nearest street or road.

33.1.3. Confined feeding operations where 300 or more cattle, 600 or more swine or sheep, or 30,000 or more fowl are housed (or penned) and fed in one or more confined areas. and lagoons for the collection of animal waste. The Board of Zoning Appeals shall require the applicant for a special exception under this provision to drill and maintain one or more monitoring wells to determine if there has been ground water contamination, unless this requirement is waived by the Board of Zoning Appeals.

33.1.4 Landfills (sanitary or otherwise), monofills, dumps or any other type of depository for waste or by products of any nature or description and transfer stations for temporary storage. sorting and transfer of waste materials.

33.1.5. Sewage treatment plants.

33.1.6. Asphalt manufacturing plants, temporary or permanent.

33.1.7. Plants or facilities for the manufacture of chemicals, including ammonia or chlorine.

33.1.8. Plants or facilities for the manufacture of paper or cellophane.

33.1.9. The manufacture, storage, distribution or destruction of explosives, including fireworks.

33.1.10. Killing, dressing, storing and/or packaging of poultry, rabbits, swine, sheep or cattle.

33.1.11. Prisons and penitentiaries.

33.1.12. The storage of one or more disabled vehicles or trailers or any of the parts thereof where the same may be seen from any public roadway or adjoining property.

33.1.13. Any land use or application which is similar in nature to any of the uses listed in this Section 33.1 and which has the potential for creating smoke, noise or offensive odors which may be expected to emanate beyond the confines of the property on which the use is to occur.

33.2. Special Exceptions in AG-2 Districts. To provide for the location of special classes of uses which are deemed desirable for the public welfare within this district, but which are potentially incompatible with uses herein permitted in it, a classification of special exceptions is hereby established. Such special exceptions shall be subject to the guidelines and conditions identified in Article X of this Ordinance. The special exceptions which may be permitted in an AG-2 Urban Agricultural District are as follows:

33.2.1. Airports, public and private, subject to the requirements of the State of Indiana.

33.2.2. Cemeteries, mausoleums, crematories, or columbariums, in cemeteries of not less than 50 acres.

33.2.3. Child day care centers, facilities and residential structures which do not otherwise qualify as home occupational uses under this Ordinance.

- 33.2.4. Children's fairgrounds, including pony riding and miniature railroads.
- 33.2.5. Circuses, provided that they shall not operate more than 15 consecutive days. nor sell beer or alcoholic beverages, and that they shall be located not closer than 1000 feet to any dwelling except that of the owner or lessor of the site.
- 33.2.6. Commercial resort and campgrounds.
- 33.2.7. Commercial storage buildings for private storage of personal property by the general public, provided the storage units are totally enclosed and contents of the storage units are completely obscured from the public view.
- 33.2.8. Extraction of clay, coal, dirt, gravel, peat, sand, stone top soil, oil, and other natural resources.
- 33.2.9. Fairgrounds. race tracks, and county farms.
- 33.2.10. Fertilizer Plants for storage, blending, and distribution of gaseous, liquid, and solid chemicals for agricultural production.
- 33.2.11. Fishing (commercial), in artificial or existing lakes or ponds. including sale of food and fishing fees, soft drinks, non-illuminated for night use.
- 33.2.12. Fishing and game preserves, boat liveries, and similar uses and applications which are for commercial purposes or made available to the public.
- 33.2.13. Mobile homes, provided each unit contains a gross floor area of 720 square feet or more, and further provided that all other area regulations for dwellings in this district be observed, in addition to sewage disposal and water supply regulations for residential use.
- 33.2.14. Motels and tourist courts, provided that gravel or other improved surface access roads shall be constructed to parking areas and that parking areas off the public right-of-way shall be furnished at the rate of one parking space for each dwelling unit.
- 33.2.15. Open air illumination for outdoor games such as baseball, football, or other uses where glare and noise might unreasonably affect surrounding property or highway traffic.
- 33.2.16. Private clubs and lodges.
- 33.2.17. Public parks and forest reserves.
- 32.2.18. Public Utility Substations, booster stations, radio and television relay towers, repeater stations, etc., but not including power generation or gas manufacturing plants.
- 32.2.19. Removal of ledge rock with required approval for blasting, quarrying. and crushing stone.
- 33.2.20. Rooming and boarding or tourist houses providing lodging and/or meals for more than six

persons.

33.2.21. Sanitariums.

33.2.22. Sawmills.

33.2.23. Seed processing plants.

33.2.24. Sewage treatment plants.

33.2.25. Temporary asphalt plants, and crushed rock storage.

33.2.26. Veterinarian offices, animal hospitals, animal boarding and kennels.

Section 34. **REQUIRED LOT AREA AND LOT WIDTHS IN AGRICULTURAL DISTRICTS**

There are no lot area requirements or lot width requirements in AG-1 Rural Agricultural Districts. The following provisions shall apply with respect to AG-2 Urban Residential Districts.

34.1. **Dwellings.** Each dwelling structure, modular home or mobile home shall be located on a lot or tract in such manner as to comply with the yard regulations of this district and such lot or tract shall have a minimum area of one acre and a minimum width at the setback or front yard line, whichever is applicable, of 125 feet with the following exceptions which shall be deemed to conform with the regulations of this district:

34.1.1. Any dwelling existing at the time of passage of this ordinance.

34.1.2. Any dwellings existing or constructed as farm dwellings which have been or may be transferred as dwellings (non-farm); or

34.1.3 Lots or tracts of record at the time of passage of this ordinance, which are less than one acre in area or less than 150 feet in width, may be used for the erection of a single-family dwelling or two-family dwelling, provided that two or more contiguous lots in common ownership of record at the time of passage of this ordinance shall be combined in one parcel to approach the required area insofar as possible, that the intent of the yard regulations of this district be reasonably observed, and that the area of parcel so obtained is not reduced in transfer.

Section 35. **HEIGHT REGULATIONS IN AGRICULTURAL DISTRICTS.**

There are no height regulations in AG-1 Rural Agricultural Districts. The following provisions shall apply with respect to AG-2 Urban Residential Districts. No dwelling shall exceed 30 feet in height unless each side yard is increased over the required minimum by five feet for every five feet or fraction thereof of additional height over 30 feet. Dwellings shall not have a height of less than 8 feet over a majority of the area of the ground floor except that the 8-foot requirement shall not apply until two years after the start of construction.

Section 36. YARDS REQUIRED IN AGRICULTURAL DISTRICTS

There are no yard requirements in AG-1 Rural Agricultural Districts. The following provisions shall apply with respect to AG-2 Urban Residential Districts. Except as required in the Setback Regulations. Article XII. no building shall be erected within 50 feet of the right-of-way line of any public road or highway, nor within 15 feet or one foot for each foot of building height, whichever is the greater, of any lot line.

Section 37. PARKING REGULATIONS FOR AGRICULTURAL DISTRICTS

There are no parking requirements in AG-1 Rural Agricultural Districts. The following provisions shall apply with respect to AG-2 Urban Residential Districts. Not less than two parking spaces shall be provided per dwelling unit on the lot or in a building.

Section 38. GROUND FLOOR AREA REQUIRED IN AGRICULTURAL DISTRICTS

There are no ground floor area requirements in AG-1 Rural Agricultural Districts. The following provisions shall apply with respect to AG-2 Urban Residential Districts. One-story dwellings shall have a total ground floor area of not less than 1,000 square feet measured from the exterior faces of exterior walls, including utility rooms. but excluding open porches. garages, and terraces. Dwellings having more than one story shall have not less than 850 square feet of ground floor area measured as prescribed for one-story dwellings.

Section 39. ADVERTISING DEVICES AS A SPECIAL USE

Posters, painted bulletins and advertising signs, hereafter called advertising devices. may be established in the AG-1 or AG-2 Agricultural District after obtaining written permission. when applicable, from the State Highway Commission and after a public hearing and approval by the County Board of Zoning Appeals subject to the following general requirements. and such other requirements as the Board of Zoning Appeals believes proper in the individual circumstances.

39. 1. Setback from Highways. Advertising signs fronting on roads or streets shall be placed not closer than 100 feet from the right-of-way line of the nearest highway.

39.2. Setback from Public Institutions. No advertising devices shall be placed within 500 feet of the property line of any church, school, hospital, or similar public or semi-public property existing at time advertising device is placed.

39.3. Setback from Dwellings. No advertising devices shall be placed within 500 feet of the nearest dwelling existing at time device is placed.

39.4. Copy on One Device. The advertising copy shall be placed on one device only, and not continued to two or more devices.

39.5. Public Interest. The advertising device shall be placed in a manner to respect the public interest in respect to natural scenery and with discretion and good taste with respect to frequency and

concentration.

39.6. **Ownership.** All devices must be placed on property properly leased or owned by the company placing its devices.

39.7. **Time Limits.** Permits for any device placed as a Special Use shall be for a period not to exceed three years for wooden structures and five years for steel structures. All devices shall be properly maintained by painting and structural repair.

39.8 **Submission and Filing of Contract.** Before a special permit is issued, the applicant shall submit a copy of the contract showing the right to maintain the device on the property for a length of time not to exceed that approved by the Board of Zoning Appeals. This contract shall be filed in the office of the Zoning Administrator together with the permit signed by the applicant setting forth special conditions relative to the Special Use required by the Board of Zoning Appeals.

39.9. **Exceptions to Permit Requirement.** Signs designating the time of meeting, location, or notice of meetings pertaining to the Chamber of Commerce, Kiwanis, Rotary, Lions International, 4-H clubs, churches, or other similar organizations and groups may be placed as separate signs each having an area of less than ten square feet in the AG-1 and AG-2 Agricultural Districts without a permit, or these signs may be incorporated into one sign and placed in the AG-1 or AG-2 Agricultural District at a distance of not less than 50 feet from the right-of-way line of the highway with approval of the Board of Zoning Appeals.

ARTICLE XVI

PERMITS, FEES, AND PENALTIES

Section 161. PERMITS PROCEDURE

161.1. Applications for permits shall be filed in written form with the Zoning Administrator and shall state the legal description of the property, the name and address of the owner, the applicant, the contractor, estimated costs, and shall describe the uses to be established or expanded, and shall give such information as may be required by this ordinance for its proper enforcement.

161.2. All applications shall be accompanied by a dimensioned drawing of the building plot showing the location of buildings and structures, lot area to be used, auto parking area, and water supply and sewage disposal facilities.

161.3. Concrete, stone, wood, masonry, or other fences in a required front yard, exceeding 48 inches in height, and which cannot be viewed through, shall require permits. The Zoning

Administrator shall require permits (except in the C-1 District) for any fences or other structures within the sight triangle established by the center of intersection and two points 75 feet from it, each point being on the centerline of an intersection road, and shall deny permits for those which could obstruct vision in said sight triangle.

161.4. Each permit issued for a main building, accessory structure or building, shall be posted in plain sight on the premises for which it is issued, until completion of construction or occupancy.

161.5. Any work or change in use authorized by permit but not substantially started within 90 days shall require a new permit. A permit shall be revoked by the Zoning Administrator when he shall find from personal inspection or from competent evidence that the rules or regulations under which it has been issued are being violated.

161.6. All applications and a copy of all permits issued shall be systematically filed and kept by the Zoning Administrator in his office for ready reference.

161.7. To partially defray the costs of administering the ordinance, a fee shall be charged for each permit and collected by the Clerk-Treasurer, who shall account for the same to the Town of Veedersburg. Such fees are as follows:

161.7.1. A fee of Fifty Dollars (\$50.00) shall be paid and collected upon the first One Hundred Fifty Thousand Dollars (\$150,000.00) expended for proposed construction, reconstruction, or structural alteration, except that the \$5 fee shall be paid and collected for proposed construction, reconstruction, or structural alteration in an AG-1 Rural Agricultural District.

161.7.2. Except in AG-1 Rural Agricultural Districts, an additional fee of One Dollar (\$1.00) per thousand dollars or fraction thereof shall be paid and collected in excess of One Hundred Fifty Thousand Dollars (\$150,000.00) expended for proposed construction, reconstruction, or structural alteration.

161.8. No permit shall be required for:

161.8.1. Routine maintenance or repair of buildings, structures, or equipment, such as siding, repainting or reroofing a building.

161.8.2. Construction of a service connection to a municipally owned and operated utility.

161.8.3. Portable structures which are on skids or runners, not exceeding an area of 120 square feet in size, and without a concrete floor, and not attached to a concrete or masonry foundation or footing. may be erected without obtaining a building permit, subject to setback regulations.

161.8.4. Upon application to the Zoning Administrator and subject to approval of Plan Commission. certain other portable type structures used for bona fide agricultural purposes may be erected without obtaining a building permit and without cost to the applicant, subject to setback regulations.

161.9. Failure to obtain a building permit shall be a violation of this Ordinance and will be punishable under the provisions of Section 162 of this Ordinance.

161.10. Building permits of occupancy issued on the basis of plans and applications approved by the Zoning Administrator authorize only the use or arrangement set forth in such approved plans and applications or amendments thereto. and no other use, arrangements. or construction. Any use, arrangement, or construction contrary to that authorized shall be deemed a violation of this Ordinance and be punishable under the provisions of Section 162 of this ordinance.

161.11. Any person may file a written complaint whenever a violation of this ordinance occurs or is alleged to have occurred. The complaint shall state fully and accurately the causes and basis thereof, and be filed with and recorded by the Zoning Administrator. The Zoning Administrator shall immediately investigate and take action upon such complaint as provided in this ordinance.

Section 162. PENALTIES FOR VIOLATION OF ORDINANCE

Any structure erected, raised, or converted, or premises used, in violation of this Ordinance is a common nuisance; and each person in possession and the owner of the structure, land, or premises is liable for maintaining a common nuisance.

Penalty - A person who violates this ordinance is punishable by a fine not to exceed Five Hundred Dollars (\$500.00) per day for each such violation.

Section 163. SCHEDULE OF FEES, CHARGES, AND EXPENSES

The Plan Commission shall, by ordinance or resolution, establish a schedule of fees, charges. and expenses and a collection procedure for building permits, amendments. appeals, variances. conditional use permits. plan approvals. and other matters pertaining to the administration and enforcement of this Ordinance requiring investigations, legal. advertising. postage. and other expenses. Until all applicable fees, charges. and expenses have been paid in full, no action shall be taken on any application or appeal.

All applications for variances, special use permits, plan approval, and other matters relative to the administration and enforcement of this ordinance shall require a Fifty Dollar (\$50.00) filing fee; provided, however, a Two Hundred Dollar (\$200.00) filing fee shall be required for all applications for planned unit developments or amendments of the zoning ordinance, maps or district classification, provided that the fee for applying for an amendment of the zoning ordinance, maps or classifications shall be waived if the applicant is requesting the amendment to permit the continuance or expansion of a use in effect for such property on the date this Ordinance was adopted.

No petition shall be considered by the Plan Commission or Board of Zoning Appeals without the fees having been paid in advance. The fees shall include the costs for all mailing and legal advertising costs. No fees for special permits shall be refunded.

Refiling of applications after being denied by the Plan Commission and/or Board of Zoning Appeals shall be accepted only after a ninety (90) days waiting period and shall include all applicable fees

and charges.

ORDINANCE NO. 00-11

ORDINANCE AMENDING THE ZONING MAPS OF THE TOWN OF VEEDERSBURG

WHEREAS, a petition has been filed requesting that the zoning maps for an area along East Washington Street in Sterling known as Tracts 1 and 2 in a subdivision of the William Lucas Addition and also known as 709 and 711 E. Washington (the “Affected Area”) be amended from an R-1 District to an R-2 District; and

WHEREAS, notice and publication of the date, place and time of the public hearing was given in accordance with Indiana Code § 36-7-4-604 and Indiana Code 5-3-1 by the Veedersburg Plan Commission, and at such public hearing the Veedersburg Plan Commission voted to recommend the zoning amendment to the Veedersburg Town Council, and such recommendation has been certified to the town council;

NOW THEREFORE, BE IT ORDAINED by the Veedersburg Town Council as follows:

Section 1. Amendment of Zoning Maps. The zoning maps for the Affected Area shall be and hereby are amended so that the zoning classification of the Affected Area shall henceforth be R-2 The Zoning Administrator is authorized and directed to amend the zoning maps as herein provided.

Adopted this 12th day of December, 2000.

VEEDERSBURG TOWN COUNCIL

Carl Hoagland
Carl Hoadland, President

Richard C. Burton
Richard C. Burton

Kevin R. George
Kevin George

Amy Keeling
Amy Keeling

Joe Cox

Attest:

Laura Bennett

Laura Bennett, Clerk-Treasurer

**ORDINANCE AMENDING ZONING ORDINANCE FOR THE TOWN OF VEEDERSBURG
AND SURROUNDING TWO MILE AREA**

WHEREAS, [Ordinance No. 97-19](#) entitled "Zoning Ordinance for the Town of Veedersburg and Surrounding Two Mile Area" has been previously adopted by the Town Council of Veedersburg; and

WHEREAS, the Town Council of Veedersburg has determined that the Zoning Ordinance needs to be modified to address issues for nonresidential subdivisions; and

WHEREAS, the Town Council of Veedersburg wishes to amend the Zoning Ordinance to provide for regulation of nonresidential subdivisions.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Veedersburg, Fountain County, Indiana, that Article IX entitled "Planned Unit Development Plan" of the Zoning Ordinance be amended to add [Section 95](#) as follows:

SECTION 95: NONRESIDENTIAL SUBDIVISIONS

95.1 A nonresidential subdivision shall be subject to all the requirements of the zoning ordinance of Veedersburg and amendments hereto, as well as such additional standards as required by the Plan Commission, and shall conform to be proposed land uses and standards established under the Zoning Ordinance of Veedersburg.

95.2 Any applicant shall demonstrate that any proposed street, block, or parcel pattern of the nonresidential subdivision is specifically adapted to its anticipated uses, and also takes into account other uses in the vicinity. The following principals and standards shall be observed:

- A. Each nonresidential area or parcel shall be shown and marked on the plat as to its intended purpose. Proposals for incremental lot by lot subdivision shall also be noted.
- B. Proposed parcels shall be suitable in area and dimensions to the types of development anticipated.
- C. The Plan Commission may impose special requirements on street, curb, driveway and sidewalk design and construction.
- D. Street rights of way and pavement construction shall be adequate to accommodate the type and volume of anticipated traffic.
- E. The Plan Commission may impose special requirements in order to protect adjacent residential areas from any potential nuisance caused by nonresidential subdivision, including the provision of extra depth on parcels backing onto existing or potential residential areas, and for permanent landscape buffers when necessary.
- F. Streets carrying nonresidential traffic shall not normally be extended to the boundaries of adjacent existing or potential residential areas. Truck routes may be established as necessary to prevent industrial traffic from encroaching into adjacent residential areas.

95.3 The Plan Commission shall have the power and authority to alter or modify lot boundaries, lot sizes and width of streets in considering any application for a nonresidential subdivision.

PASSED AND ADOPTED by the Council of the Town of Veedersburg on the 24 day of August , 2010.

Keith K. Smith

Stephen R. Cates

Travis Covault

Bob Barker

ATTEST:

Clerk-Treasurer

ORDINANCE NO. 03 -13 ORDINANCE AMENDING ZONING ORDINANCE FOR THE TOWN OF VEEDERSBURG AND SURROUNDING TWO MILE AREA

WHEREAS, [Ordinance No. 97-19](#) entitled “Zoning Ordinance for the Town of Veedersburg and Surrounding Two Mile Area” has been previously adopted by the Town Council of Veedersburg; and

WHEREAS, the Town Council of Veedersburg has determined that the Zoning Ordinance needs to be modified to address issues for fences and set backs for fences; and

WHEREAS, the Town Council of Veedersburg wishes to amend the Zoning Ordinance to provide for regulation of fences and set backs for fences.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Veedersburg, Fountain County, Indiana, that [Section 161 of Article XVI](#) entitled “Permits, fees and Penalties” of the Zoning Ordinance be amended to add Section 161.3.1 as follows:

SECTION 161

161.3. Concrete, stone, wood, masonry, or other fences in a required front yard, exceeding 48 inches in height, and which cannot be viewed through, shall require permits. The Zoning Administrator shall require permits (except in the C-1 District) for any fences or other structures within the sight triangle established by the center of intersection and two points 75 feet from it, each point being on the centerline of an intersection road, and shall deny permits for those which could obstruct vision in said sight triangle.

161.3.1 Set back for fences in a side yard. A fence in a side yard may be placed on a property line if both property owners agree in writing to such fence placement. Any application submitted for building a fence in a side yard should contain the written consent of the adjacent landowner. If the written consent of the adjacent land owner is not obtained, then the applicant shall set back the fence 18 inches inside his/her property line.

PASSED AND ADOPTED by the Council of the Town of Veedersburg on the 23rd day of July , 2013.

Keith K. Smith

Tim Shumaker

Troy Finley

Teresa K. Cooper

Stephen R. Cates

Attest:

Kathy J. Pugh
Clerk-Treasurer

**ORDINANCE NO. 2015 - #04 ORDINANCE AMENDING ZONING ORDINANCE FOR
THE TOWN OF VEEDERSBURG AND SURROUNDING TWO MILE AREA**

WHEREAS, [Ordinance No. 97-19](#) entitled “Zoning Ordinance for the Town of Veedersburg and Surrounding Two Mile Area” has been previously adopted by the Town Council of Veedersburg; and

WHEREAS, the Town Council of Veedersburg has determined that the zoning ordinance needs to be updated and amended to address issues for mobile homes; and

WHEREAS, the Town Council of Veedersburg wishes to amend Article XI for mobile home Guidelines.

NOW, THEREFORE BE IT ORDAINED by the Town Council of the Town of Veedersburg, Fountain County, Indiana, that [Article XI](#) entitled “Mobile Home Guidelines” be amended as follows:

**ARTICLE XI
MOBILE HOME GUIDELINES**

Section 111. The provision of mobile homes shall be treated as a special exception in each of the three residential districts as well as the two agricultural districts. As such, the following procedures will be followed:

111.1. Within 30 days after application for the special permit, a notice of public hearing shall be published in a newspaper having county-wide circulation stating time and location of a public hearing and the nature of the request for which the hearing is held.

111.2. Concurrent with the newspaper publication, all adjacent landowners will be notified by mail as to the mobile home location request.

111.3. At least five days prior to the public hearing, all letters of objection will be required to be filed in the office of the Zoning Administrator.

111.4. If no objections are received at least five days prior to the public hearing and no request for a variance is made the Zoning Administrator may waive the public hearing and issue the mobile home location permit.

Section 112. All mobile homes will be governed by the following construction control standards:

112.1. Trailers, mobile homes and other manufactured homes constructed 10 years prior to the date of the special permit application shall not be permitted to be located or installed in the Jurisdictional Area, and such homes shall not be connected to the Town’s electric, water or sewer systems.

112.2. A dwelling unit designed and built in a factory, which bears a seal certifying that it was built in compliance with the federal Manufactured Housing Construction and Safety Standards Law of

1974 (42 USC § 5401 et seq.), which has at least 1350 square feet of occupied space and which was constructed within ten years of the date of the special permit application, may be installed as a permanent residence in the Jurisdictional Area in which residential structures are authorized provided the requirements for residential structures in such district are met. Manufactured homes constructed more than 10 years from the date of the special permit application that do not have at least 1350 square feet of occupied space or which are not constructed in accordance with the Manufactured Homes Construction and Safety Standards Law of 1974 shall not be permitted to be located or installed in the Jurisdictional Area, and such homes shall not be connected to the Town's electrical, water or sewer systems.

112.3. Existing manufactured homes that are located in the Jurisdictional Area on the effective date of this ordinance may remain in their current locations, but may not be moved to another location within the Jurisdictional Area and may be replaced by other manufactured homes only if such replacement homes satisfy the requirements set forth in this Ordinance.

112.4. All mobile homes shall be mounted on a permanent block or concrete foundation.

112.5. All mobile homes shall be securely anchored to the permanent foundation.

112.6. All mobile homes shall, within 60 days of their placement, having skirting around the entire unit. Such skirting shall reach from the ground to the bottom of the mobile home and shall be placed on all sides of the unit.

112.7. Each mobile home shall have provisions for the covered storage of personal goods and articles stored outside the unit.

Section 113. All mobile homes will additionally be required to meet the guidelines of the particular zoning district in which they are located. This shall not include, however, the guidelines related to gross floor area in R-2 and R-3 Districts. Instead, the gross floor area for all mobile homes shall be a minimum of 950 square feet in R-2 and R-3 Districts.

PASSED AND ADOPTED by the Town Board of Veedersburg on the 14th day of April , 2015.

Teresa K. Cooper

Stephen R. Cates

Troy Finley

Mark Rusk

Attest:

Kathy J. Pugh
Clerk-Treasurer

TOWN OF VEEDERSBURG
ORDINANCE NO. 99- 4

AN ORDINANCE TO VACATE AN ALLEY
IN THE TOWN OF VEEDERSBURG, INDIANA

WHEREAS, Mark S. Carr, Brenda S. Carr, and Michael G. Newnum have requested that an alley, more particularly described as follows:

A portion of an alley running north and south and more fully described as follows: Beginning at the southeast corner of Lot 34 in O'Rear and Patterson's Addition to the Town of Sterling (now a part of the Town of Veedersburg), thence north 66 feet along the east side of Lot 34 to the northeast corner of said Lot 34, thence east across said alley to the northwest corner of Lot 33 in O'Rear and Patterson's Addition to the Town of Veedersburg, thence south 66 feet along the west line of Lot 33 to the southwest corner of Lot 33, thence west across the alley to the southeast corner of Lot 34 and the place of beginning. be vacated; and

WHEREAS, after due advertising, notice and hearing, pursuant to Indiana Code §§ 5-3-12 and 36-7-3-12, no objections or remonstrances have been filed by any person aggrieved by the proposed vacation and the Town Council of the Town of Veedersburg now finds that the petition to vacate the alley as requested should be granted;

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Veedersburg, Indiana, that:

Section 1. The above referenced and described alley is hereby vacated, set over, and reverted equally, along the centerline thereof, to the abutting owners, each abutting owner to take according to the length of such owner's platted frontage along the alley hereby vacated.

Section 2. As provided in Indiana Code § 36-7-3-16(b), the foregoing vacation shall not deprive a public utility of the use of all or part of the vacated alley to the extent any such utility was occupying or using all or any part of the vacated alley for the location and operation of its facilities at the time the petition to vacate the alley was received by the Town Council of the Town of Veedersburg.

Section 3. The Clerk-Treasurer of the Town of Veedersburg is directed to forward a copy of this Ordinance, duly executed, to the Recorder of Fountain County for recording, and to the Auditor of Fountain County.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT THIRTY-ONE (31) DAYS AFTER ITS PASSAGE.

Passed and adopted by the Town Council of the Town of Veedersburg, Indiana, on the 9 day of March , 1999.

Richard L. Rusk
Richard Rusk, President

Charlie Burton

Greg Seibold
Greg Seibold

Tim Shumaker
Tim Shumaker

Kevin George

Attest:

Kathryn M. York
Kathryn York, Clerk-Treasurer

PETITION TO VACATE
A PORTION OF AN ALLEY IN THE TOWN OF VEEDERSBURG

Mark A. Carr, Brenda S. Carr and Michael G. Newnum, as the owners of lots in the Town of Veedersburg which lie immediately to the west and east of the alley described below, hereby petition the Town Council of the Town of Veedersburg to vacate the following described portion of an alley in the Town of Veedersburg:

A portion of an alley running north and south and more fully described as follows: Beginning at the southeast corner of Lot 34 in O'Rear and Patterson's Addition to the Town of Sterling (now a part of the Town of Veedersburg), thence north 66 feet along the east side of Lot 34 to the northeast corner of said Lot 34, thence east across said alley to the northwest corner of Lot 33 in O'Rear and Patterson's Addition to the Town of Veedersburg, thence south 66 feet along the west line of Lot 33 to the southwest corner of Lot 33, thence west across the alley to the southeast corner of Lot 34 and the place of beginning.

The undersigned are all of the owners of property abutting the alley proposed to be vacated.

Petitioners request that a hearing be scheduled on this petition within 30 days of the date hereof. Petitioners further request that notice of this petition be published as provided by Indiana Code 5-3-1. Petitioners will pay the expense of providing the foregoing notice.

TOWN OF VEEDERSBURG
ORDINANCE NO. 99- 16

AN ORDINANCE TO VACATE AN ALLEY IN THE TOWN OF VEEDERSBURG, INDIANA

WHEREAS, Thomas E. Dickerson, Sue C. Dickerson, Mark W. Cox and Fawn R. Cox have requested that a certain alley in the Original Plat of the Town of Veedersburg, more particularly described as follows:

An alley in the Original Plat of the Town of Veedersburg, Indiana bounded and described as follows:

Beginning at the northeast corner of Lot 80 in the Original Plat of the Town of Veedersburg, thence east along the south line of 4th Street and across the north line of the alley to be vacated to the northwest corner of Lot 82 in the Original Plat, thence south along the west lot lines of Lots 82 and 83 in the Original Plat, thence continuing south across an alley running east and west to the northwest corner of Lot 92 in the Original Plat, thence continuing south across the west lot lines of Lots 92 and 93 in the Original Plat to the southwest corner of Lot 93; thence west along the north line of 3rd Street and across the south line of the alley to be vacated to the southeast corner of Lot 95 in the Original Plat; thence north along the east lot lines of Lots 95 and 94 in the Original Plat; thence continuing north across an alley running east and west to the southeast corner of Lot 81 in the Original Plat; thence continuing north along the east lot lines of Lots 81 and 80 in the Original Plat to the northeast corner of Lot 80 and the place of beginning.

be vacated; and

WHEREAS, after due advertising, notice and hearing, pursuant to Indiana Code §§ 5-3-12 and 36-7-3-12, no objections or remonstrances have been filed by any person aggrieved by the proposed vacation and the Town Council of the Town of Veedersburg now finds that the request to vacate the alley as requested should be granted;

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Veedersburg, Indiana, that:

Section 1. The above referenced and described alley is hereby vacated, set over, and reverted equally, along the centerline thereof, to the abutting owners to the east and west, each abutting owner to take according to the length of such owner's platted frontage along the portion of the alley hereby vacated.

Section 2. As provided in Indiana Code § 36-7-3-16(b), the foregoing vacation shall not deprive a public utility of the use of all or part of the vacated alley to the extent any such utility was occupying or using all or any part of the vacated alley for the location and operation of its facilities at the time the petition to vacate the alley was received by the Town Council of the Town of Veedersburg.

Section 3. The Clerk-Treasurer of the Town of Veedersburg is directed to forward a copy of this Ordinance, duly executed, to the Recorder of Fountain County for recording, and to the Auditor of

Fountain County.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT THIRTY-ONE (31) DAYS AFTER ITS PASSAGE.

Passed and adopted by the Town Council of the Town of Veedersburg, Indiana, on the 21 day of December , 1999.

Richard L. Rusk
Richard Rusk

Richard C. Burton

Greg Seibold
Greg Seibold

Tim Shumaker
Tim Shumaker

Kevin George
Kevin George

Attest:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

TOWN OF VEEDERSBURG
ORDINANCE NO. 05- 05

AN ORDINANCE TO VACATE AN ALLEY
IN THE TOWN OF VEEDERSBURG, INDIANA

WHEREAS, Bobby T. Barker, Betty Lou Barker, Benny Manning and Sharon Manning have requested that an alley, more particularly described as follows:

A portion of an alley running north and south and more fully described as follows: Beginning at the northeast corner of Lot 344 in the Gookins Brothers Second Addition to the Town of Veedersburg, thence south 165 feet along the east side of Lots 344 and 343 to the southeast corner of said Lot 343, thence east along said alley to the southwest corner of Lot 326 in Gookins Brothers Second Addition to the Town of Veedersburg, thence north 165 feet along the west line of Lots 326 and 325 to the northwest of Lot 325, thence west along and across the alley to the northeast corner of Lot 344 to the place of beginning.

be vacated; and

WHEREAS, after due advertising, notice and hearing, pursuant to Indiana Code §5-3-1-2 and 36-7-3-12, no objections or remonstrances have been filed by any person aggrieved by the proposed vacation and the Town Council of the Town of Veedersburg now finds that the petition to vacate the alley as requested should be granted;

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Veedersburg, Indiana, that:

Section 1. The above referenced and described alley is hereby vacated, set over, and reverted equally, along the centerline thereof, to the abutting owners, each abutting owner to take according to the length of such owner's platted frontage along the alley hereby vacated.

Section 2. As provided in Indiana Code §36-7-3-16(b), the foregoing vacation shall not deprive a public utility of the use of all or part of the vacated alley to the extent any such utility was occupying or using all or any part of the vacated alley for the location and operation of its facilities at the time the petition to vacate the alley was received by the Town Council of the Town of Veedersburg.

Section 3. **The Clerk-Treasurer of the Town of Veedersburg is directed to forward a copy of this Ordinance, duly executed, to the Recorder of Fountain County for recording, and to the Auditor of Fountain County.**

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT THIRTY-ONE DAYS AFTER ITS PASSAGE.

Passed and adopted by the Town Council of the Town of Veedersburg, Indiana, on the ____ day of _____, 2005.

Carl Hoagland

Albert Goodson

Richard C. Burton

Attest:

Laura Bennett

Laura Bennett, Clerk-Treasurer

TOWN OF VEEDERSBURG
ORDINANCE NO. 06- 05

AN ORDINANCE TO VACATE A PART OF GRAY STREET
IN THE TOWN OF VEEDERSBURG, INDIANA

WHEREAS, Keith K. Smith, Patricia Smith, Garland Fisher and Jean Fisher have requested that a portion of Gray Street in the Town of Veedersburg, Indiana, more particularly described as follows:

All that part of Gray Street, between 11th Street on the south and the platted street of McCowan on the north between Lots 65, 66,67,68 and Lots 77, 78,79 and 80 in LJJ's Addition in the Town of Veedersburg.

be vacated; and

WHEREAS, after due advertising, notice and hearing, pursuant to Indiana Code §5-3-1-2 and 36-7-3-12, no objections or remonstrances have been filed by any person aggrieved by the proposed vacation and the Town Council of the Town of Veedersburg now finds that the petition to vacate a portion of Gray Street as described herein and as requested should be granted;

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Veedersburg, Indiana, that:

Section 1. The above referenced and described portion of Gray Street is hereby vacated, set over, and reverted equally, along the centerline thereof, to the abutting owners, each abutting owner to take according to the length of such owner's platted frontage along the street hereby vacated.

Section 2. As provided in Indiana Code §36-7-3-16(b), the foregoing vacation shall not deprive a public utility of the use of all or part of the vacated alley to the extent any such utility was occupying or using all or any part of the vacated alley for the location and operation of its facilities at the time the petition to vacate the portion of the street was received by the Town Council of the Town of Veedersburg.

Section 3. The Clerk-Treasurer of the Town of Veedersburg is directed to forward a copy of this Ordinance, duly executed, to the Recorder of Fountain County for recording, and to the Auditor of Fountain County.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT THIRTY-ONE DAYS AFTER ITS PASSAGE.

Passed and adopted by the Town Council of the Town of Veedersburg, Indiana, on the ____ day of _____, 2005.

Carl Hoagland

Albert Goodson

Richard C. Burton

Attest:

Laura Bennett

Laura Bennett, Clerk-Treasurer

A RESOLUTION VACATING NEBEKER STREET AND INTERSECTING ALLEYS

RESOLUTION NO. 2010-10

WHEREAS, a petition to vacate Nebeker Street was in 2005 filed by a land owner adjacent to Nebeker Street;

AND WHEREAS, a public hearing was held on December 13, 2005 allowing testimony and evidence both in support of the petition and in opposition;

AND WHEREAS, the actions of the Town Board in December of 2005 were not duly reduced to writing and properly recorded with the Fountain County Recorder;

AND WHEREAS, the Town Board in 2005 determined that the vacating of Nebeker Street and intersecting alleys would not make access of lands by public means or public way difficult or inconvenient, and the vacating of Nebeker Street will not hinder the growth or orderly development of any neighborhood or future extension.

BE IT RESOLVED by the Town Board of the Town of Veedersburg, Indiana, that:

Section 1. That the following previously created street and alleys platted in the Town of Veedersburg, are hereby vacated, being:

See Description attached at [Exhibit A](#)

Section 2. That the following utility and drainage easement, be created accordingly:

A new drainage and utility easement dedicated over that former portion known as Nebeker Street, being approximately 20 feet wide over the description attached as Exhibit A.

Section 3. Any easement for utilities running under, over, or across said real estate, which currently exist, shall not be affected by this Resolution, but shall remain in full force and effect, with all rights and privileges applicable thereto. All future utilities and drainage shall run through the easement currently created by this ordinance.

Section 4. This document shall be recorded at the petitioner's expense and shall become effective upon execution and signature.

ADOPTED and PASSED by the Town Board of the Town of Veedersburg, Indiana, this 20 day of October, 2010.

Town of Veedersburg

Keith K. Smith

Seth A. Hoagland

Bob Barker

Travis Covault

ATTEST:

Keri Lynn Grubb
Keri Grubb, Clerk-Treasurer

Instrument prepared by Stuart K. Weliever, Attorney at Law

Exhibit A

- All All that part of Nebeker Street starting from the northeast corner of Lot sixteen (16), to the southeast corner of Lot twenty-six (26), thirty (30) feet east to center of Nebeker Street, also known as Kennedy Drive, north one hundred forty-eight (148) feet, east thirty (30) feet to the
1. southwest corner of Lot fifteen (15), to the northwest corner of Lot twelve (12) and back to the place of starting.

 2. The alley located within the Glascock and Nebeker Addition to the Town of Veedersburg starting from the southwest corner of Lot nineteen (19), to the northwest corner of Lot sixteen (16), to the northeast corner of North one half Lot twenty (20), to the southeast corner of South one half Lot twenty (20), and back to the place of starting.

 3. The alley located within the Glascock and Nebeker Addition to the Town of Veedersburg starting from the northeast corner of Lot twenty-six (26), to the northwest corner of Lot twenty-one (21), to the southwest corner of the south half of Lot twenty (20) to the northeast corner of Lot nineteen (19), and back to the place of starting.

+/-

CERTIFICATION associated with #2010-10R: Vacating Nebeker Street and Intersecting
Alleys (10/26/2010)

AN ORDINANCE VACATING PUBLIC ALLEY

WHEREAS, Steven L Hinote, Sr. and Tammy Sue Hinote, have petitioned the Town of Veedersburg, Indiana to vacate a certain alley located between (1) Lots 163 and Lot 164 and (2) Lots 165 and 162 in the Original Plat of the Town of Veedersburg, Fountain County, Indiana, more commonly known as 104 E. Washington Street, Veedersburg, Indiana; and

WHEREAS, Steven L. Hinote Sr. and Tammy Sue Hinote are the owners of Lots 162, 163, 164, and 165; and

WHEREAS, the vacation of said alley will not hinder the growth or orderly development of the neighborhood in which it is located; it will not make access to the lands by means of public way difficult or inconvenient; and it will not hinder the public's access to church, school, or other public place;

NOW THEREFORE:

BE IT ORDAINED BY THE TOWN OF VEEDERSBURG, FOUNTAIN COUNTY, INDIANA:

Section 1: The Town of Veedersburg, Fountain County, Indiana does hereby vacate the following:

The alley running generally north and south extending from the southwest corner of lot 163 to the southeast corner of lot 164; thence north to the northeast corner of lot 165; thence east to the northwest corner of lot 162; thence south to the southwest corner of lot 163 which is the place of beginning, all in the Original Plat of the Town of Veedersburg, Fountain County, Indiana;

Section 2: That upon vacation of said alley lying between (1) Lots 164 and 163 and (2) Lots 165 and 162, all in the Original Plat of the Town of Veedersburg, in Fountain County, Indiana and as more particularly described in Section 1 above, those portions of the alley lying between said lots should accrete to the ownership of Lot 163 and Lot 162 in the Original Plat of the Town of Veedersburg, in Fountain County, Indiana.

Section 3: Any easements for utilities running under, over, or across said real estate, which currently exist, shall not be affected by this Ordinance, but shall remain in full force and effect, with all rights and privileges thereto. All future utilities and drainage shall run through the easement currently created by this Ordinance.

Section 4: This document shall be recorded at Petitioners' expense and shall become effective upon execution and signature.

ADOPTED and PASSED by the Town Board of Veedersburg, Fountain County, Indiana this 24th day of January, 2012.

Town of Veedersburg

By: Keith K. Smith

By: Tim Shumaker

By: Stephen R. Cates

By: Troy Finley

By: Teresa K. Cooper

This ordinance APPROVED and SIGNED by us this 24th day of January, 2012.

This instrument prepared by Bradley C. Davis, Attorney at Law, 318 Fourth Street, P.O. Box 202, Covington, IN 47932. I affirm that I have taken reasonable care to redact each Social Security Number in this document, unless required by law.

Bradley C. Davis
Bradley C. Davis

Supporting Documents:

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Cover Letter from Atty. Bradley C. Davis, 12/21/2011

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Petition to Vacate - Page 1

+/-

Petition to Vacate - Page 2

+/-

Notice of Public Hearing

ORDINANCE #03-2016

AN ORDINANCE VACATING A PORTION OF MERIDIAN STREET IN THE TOWN OF VEEDERSBURG

WHEREAS, Arnold Eskal & Sandra E. Carlson have petitioned the Town of Veedersburg, Indiana to vacate a certain portion of Meridian Street running North and South and beginning at the Southeast corner of lot twenty-eight (28) in the Zerelda Greenleaf's Addition to the Town of Veedersburg; thence East sixty (60) feet; North two hundred sixty four (264) feet; thence West sixty (60) feet to the Northeast corner of lot twenty-five (25); thence South to the place of beginning; being all that part of Meridian Street lying between (1) lots 25, 26, 27, & 28 in Zerelda Greenleaf's Addition on the West, and (2) Hub Park on the East.

WHEREAS, Arnold Eskal & Sandra E. Carlson are the owners of lots 25, 26, 27, & 28 in Zerelda Greenleaf's Addition and

WHEREAS, the vacation of said portion of this street will not make access to the area by means of public way difficult or inconvenient.

NOW THEREFORE:

BE IT ORDAINED BY THE TOWN OF VEEDERSBURG, FOUNTAIN COUNTY, INDIANA:

Section 1: The Town of Veedersburg, Fountain County, Indiana, does hereby vacate the following:

The portion of Meridian Street running North and South beginning at the Southeast corner of lot twenty-eight (28) in the Zerelda Greenleaf's Addition to the Town of Veedersburg; thence East sixty (60) feet; North two hundred sixty four (264) feet; thence West sixty (60) feet to the Northeast corner of lot twenty-five (25); thence South to the place of beginning; being all that part of Meridian Street lying between (1) lots 25, 26, 27, & 28 in Zerelda Greenleaf's Addition on the West, and (2) Hub Park on the East.

Section 2: Any easements for utilities running under, over, or across said real estate, which currently exist, shall not be affected by this Ordinance, but shall remain in full force and effect, with all rights and privileges thereto. All future utilities and drainage shall run through the easement currently created by this Ordinance.

ADOPTED AND PASSED by the Town Council of Veedersburg, Fountain County, Indiana this 8th day of March, 2016.

Mark Rusk

Teresa K. Cooper

Troy Finley
Veedersburg Town Council

ATTEST: Kathy J. Pugh
Clerk-Treasurer

This document prepared by Kathy J. Pugh, Clerk-Treasurer, Veedersburg Indiana, I affirm that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

Kathy J. Pugh
Kathy J. Pugh

AN ORDINANCE VACATING A PORTION OF
ADAMS STREET IN VEEDERSBURG,
FOUNTAIN COUNTY. INDIANA

WHEREAS, James A. York and Jackie Y. York, husband and wife, have petitioned the Town Board of the Town of Veedersburg to vacate a portion of Adams Street in the Original Plat of the Town of Chambersburg, now part of the Town of Veedersburg, Fountain County, Indiana; and

WHEREAS, the petitioners are the owners of the following described two (2) tracts of real estate, situate in Fountain County, State of Indiana, to-wit:

Tract I:

Ninety-five (95) feet of even width off of and from the East side of the following described tract: Lots numbered nine (9) and sixteen (16) in the Official Plat of the Town of Chambersburg (now a part of the Town of Veedersburg);

Tract II:

Six hundredths (0.06) of an acre located in the South fraction of the Northeast quarter of Section six (6), Township nineteen (19) North, Range seven (7) West, the same being a strip of land thirteen (13) feet by two hundred ten (210) feet which adjoins and lies immediately East of the East boundary of Adams Street in said Town of Chambersburg, and which is directly East of said Lots nine (9) and sixteen (16) described above;

which tracts are adjacent to both sides of that portion of Adams Street sought to be vacated; and

WHEREAS, all of the landowners who are adjacent to that portion of Adams Street sought to be vacated or are separated therefrom by a street, to-wit: Steven C. Simonton and Charles R. Simonton, as tenants in common, Connie L. Abernathy, and James O. Hollingshead and Nelda N. Hollingshead, husband and wife, have consented to the vacation of said street and waived notice thereof; and

WHEREAS, the petitioners have caused Notice of a hearing on the Petition to Vacate that portion of Adams Street to be published in the Fountain County Neighbor, a newspaper of general circulation in Fountain County; and

WHEREAS, the Town Board of the Town of Veedersburg has considered the petition and the consents thereto;

NOW THEREFORE, said Town Board finds that the vacation of said portion of Adams Street would not hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous; it would not make access to the lands of any person by means of public way difficult or inconvenient; it would not hinder the public's access to a church, school, or other public building or place; and it would not hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous.

AND FURTHER, THERFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF VEEDERSBURG that the following portion of Adams Street in the Original Plat of the Town of Chambersburg, now part of the Town of Veedersburg, Fountain County, Indiana, to-wit:

That the portion of Adams Street located in the Original Plat of the town of Chambersburg, now a part of the town of Veedersburg, Fountain County, Indiana, which lies East of Lots nine (9) and sixteen (16) in the Original Plat of the town of Chambersburg, now a part or the town of Veedersburg, Fountain County, Indiana, being one hundred thirty-two (132) Feet North and South and sixty-six (66) feet East and West;

be vacated.

BE IT FURTHER ORDAINED that the West half of said vacated portion shall accrete to the owners of Lots nine (9) and sixteen (16) in the Original Plat of the Town of Chambersburg, Indiana, now a part of the Town of Veedersburg, Indiana, and that the East half of said portion shall accrete to the owners of the following described real estate, to-wit:

Six hundredths (0.06) of an acre located in the South fraction of the Northeast quarter of Section six (6), Township nineteen (19) North, Range seven (7) West, the same being a strip of land thirteen (13) feet by two hundred ten (210) feet which adjoins and lies immediately East of the East boundary of Adams Street in said Town of Chambersburg, and which is directly East of said Lots nine (9) and sixteen (16) described above.

BE IT FURTHER ORDAINED that any easement for utilities running under, over, or across said real estate, which currently exist, shall not be affected by this Ordinance, but shall remain in full force and effect, with all rights and privileges applicable thereto. All future utilities and drainage shall run through the easement currently created by this ordinance

BE IT FURTHER ORDAINED that this Ordinance shall be filed at Petitioner's expense with the Auditor and Recorder of Fountain County, Indiana.

ADOPTED by the Town Board of the Town of Veedersburg, this 31st day of May, 2016, by a vote of 3 for and 0 against.

TOWN BOARD OF THE TOWN OF
VEEDERSBURG

Teresa K. Cooper
Teresa Cooper

Ken Smith
Ken Smith

Troy Finley

Mark Rusk

Stephen R. Cates
Steve Cates

ATTEST:

Kathy J. Pugh
Kathy J. Pugh, Clerk-Treasurer

**ORDINANCE NO. 95- 2 AN ORDINANCE ANNEXING TERRITORY INTO
THE TOWN OF VEEDERSBURG, INDIANA**

WHEREAS, a majority in number of the owners of the property described in the attached Exhibit A (the "Annexation Property") who own property having 75% or more of the assessed value of the property within the Annexation Property have filed their petition with the Town Council of the Town of Veedersburg pursuant to Indiana Code § 36-4-3-5 requesting that the Town of Veedersburg annex the Annexation Property into the Town of Veedersburg, and

WHEREAS, the Town Council of the Town of Veedersburg has determined that it is in the best interests of the Town to grant the petition and annex the Annexation Property;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG:

Section 1. Annexation of Territory. The territory described in the attached Exhibit A is hereby annexed into the corporate boundaries of the Town of Veedersburg.

Section 2. Assignment to Town Council District. The Annexation Property is assigned into Town Council district number 3

Section 3. Effective Date. This Ordinance shall take effect 60 days after the publication of this Ordinance in accordance with Indiana Code 5-3-1.

TOWN COUNCIL OF THE TOWN OF
VEEDERSBURG

Donald L. Bailey
Donald Bailey, President

Ralph Cushman
Ralph Cushman

Richard Rusk

Greg F. Seibold
Greg Seibold

Richard C. Burton
Richard Burton

ATTEST:

Kathryn M. York
Kathryn M. York Clerk-Treas.

RESOLUTION ADOPTING FISCAL PLAN FOR THE ANNEXATION
OF
TERRITORY IN THE VICINITY OF VIEWER HILLS
INTO
THE TOWN OF VEEDERSBURG, INDIANA

WHEREAS, Viewer Hills Trailer Park and neighboring property adjoins the Town of Veedersburg at the northeast corner of the municipal limits of the Town of Veedersburg; and

WHEREAS, residents of the territory described below (the "Annexation Territory") have enjoyed many of the same benefits as are provided by the Town of Veedersburg to its residents, including, without limitation, water service, fire hydrants, street maintenance, police protection and enjoyment of the parks maintained by the Town of Veedersburg, but residents of the Annexation Territory have not been required to pay taxes to the Town of Veedersburg for such services-, and

WHEREAS, residents of the Annexation Territory will be able to participate in town elections if the Annexation Territory is annexed, and they will be charged lower water rates once the Annexation Territory is within the town limits; and

WHEREAS, one area of possible future development lies immediately to the north and east of the Annexation Territory; and

WHEREAS, the Town Council of the Town of Veedersburg has determined that it is the best interests of the Town and its residents to annex the Annexation Territory into the Town, and

WHEREAS, Indiana Code § 36-4-3-13(d) requires that the Town have a written fiscal plan and policy in place as of the date of passage of the annexation ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Veedersburg, Indiana as follows:

Section 1. The fiscal plan and policy for the provision of municipal services to the territory described in Section 2 below dated March 11, 1997 and incorporated by reference herein is hereby adopted and approved by the Town Council of Veedersburg, Indiana.

Section 2. The Annexation Territory referred to herein is legally described as follows

All of the following described tracts not currently located within the corporate boundaries of the Town of Veedersburg:

Parcel 1.

All that part of the following described real estate lying South of I-74 and West of New State Road

#41.

Beginning four and fifty hundredths (4.50) chains South of the Northeast Corner of Section six (6) in Township nineteen (19) North of Range seven (7) West thence running South twenty seven and twenty hundredths (27.20) chains to a stone, thence West twenty three (23) chains to stone, thence North two (2) degrees East ten and forty hundredths (10.40) chains, thence East two and fifty hundredths (2.50) chains; thence North ten (10) degrees East sixteen and eighty five hundredths (16.85) chains; thence East seventeen and seventy five hundredths (17.75) chains to the place of beginning, containing fifty five (55) acres, more or less.

Also a part of Section six (6) in Township nineteen (19) North of Range seven (7) West, commencing at the Northwest corner of the lands of Agnes Cook. thence running North twenty one (21) chains; thence East with the bed of the creek eight (8) chains and twelve (12) links; thence South fifteen (15) chains and fifty (50)-links, thence West two (2) chains and fifty (50) links; thence South eight (8) chains and five (5) links; thence West five (5) chains and fifty (50) links to the place of beginning, supposed to contain fifteen (15) acres, more or less.

Parcel 2

Lots numbered one (1), two (2), seven (7) and eight (8) in the Original Plat of the town of Chambersburg, Indiana, also Fractional Lot numbered one (1) in the Original Plat of the town of Chambersburg, Indiana containing three fourths of an acre, more or less; Fractional lot numbered two (2) in the Original Plat of the town of Chambersburg, Indiana, containing three fourths of an acre, more or less; Commencing at a point 11.89 chains east of the southwest corner of the north fraction of the northeast quarter of Section six (6), in Township nineteen (19) north, Range seven (7) west, thence East 5.72 chains, thence north 17 degrees west, 2.08 chains, thence west 2 degrees and 70 minutes north, 4.85 chains, thence south 6 degrees west, 2.67 chains to the place of beginning, containing, 1.13 acres more or less;

Commencing at a point 18.45 chains west, and 45.5 rods north of the southeast corner of the northeast quarter of Section six (6) in Township nineteen (19) north, Range seven (7) west, and running thence-east 4.98 chains to the east line of Adams Street in the town of Chambersburg, thence north 34.5 rods more or less to the north line of the south fraction of the southeast fractional quarter of said Section six (6), thence east 4.98 chains, thence south to the place of beginning, containing 5 acres, more or less.

Also all that portion of Adams Street in the town of Chambersburg lying north of the south line of Cherry Street, excepting therefrom fifty-six (56) feet of even width off of and from the west side of the south 210 feet of said portion of said street.

Also all that portion of North Street in the town of Chambersburg, lying between Lots one (1) and two (2) and fractional lots one (1) and two (2) in said town. Containing in all 8.55 acres, more or less.

Adopted this 8 day of April , 1997.

VEEDERSBURG TOWN COUNCIL

Donald L. Bailey
Donald Bailey, President

Richard L. Rusk
Richard Rusk

Greg Seibold
Greg Seibold

Richard C. Burton
Richard C. Burton

Tim Shumaker
Tim Shumaker

ATTEST:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

ORDINANCE ANNEXING TERRITORY IN THE AREA OF VIEWER HILLS
INTO
THE TOWN OF VEEDERSBURG, INDIANA

WHEREAS, the Town Council of the Town of Veedersburg has determined that it is in the best interests of the Town of Veedersburg, and fair and equitable to the existing residents of the Town of Veedersburg and the residents of the territory described below in Section 1 of this Ordinance (the "Annexation Territory") that the Annexation Territory be annexed into the corporate boundaries of the Town of Veedersburg; and

WHEREAS, the Town Council of the Town of Veedersburg held a public hearing pursuant to Ind. Code 36-4-3-2.1 on April 8, 1997 at 7 p.m. at which all interested persons were given an opportunity to testify as to the proposed annexation, and notice of the hearing was given in accordance with Ind. Code 5-3-1; and

WHEREAS, the Town Council of the Town of Veedersburg has adopted a written fiscal plan and policy for the provision of municipal services to the Annexation Territory by [Resolution No. 97- 3](#) dated April 8, 1997.

NOW THEREFORE, BE IT ORDAINED AND ESTABLISHED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG THAT:

Section 1 The following described territory contiguous to the Town of Veedersburg, is hereby annexed into the corporate boundaries of the Town of Veedersburg pursuant to Indiana Code 06-4-3-4.

All of the following described tracts not currently located within the corporate boundaries of the Town of Veedersburg:

Parcel 1.

All that part of the following described real estate lying South of I-74 and West of New State Road #41.

Beginning four and fifty hundredths (4.50) chains South of the Northeast Corner of Section six (6) in Township nineteen (19) North of Range seven (7) West thence running South twenty seven and twenty hundredths (27.20) chains to a stone, thence West twenty three (23) chains to stone, thence North two (2) degrees East ten and forty hundredths (10.40) chains, thence East two and fifty hundredths (2.50) chains; thence North ten (10) degrees East sixteen and eighty five hundredths (16.85) chains; thence East seventeen and seventy five hundredths (17.75) chains to the place of beginning, containing fifty five (55) acres, more or less.

Also a part of Section six (6) in Township nineteen (19) North of Range seven (7) West, commencing at the Northwest corner of the lands of Agnes Cook. thence running North twenty one (21) chains; thence East with the bed of the creek eight (8) chains and twelve (12) links; thence South fifteen (15) chains and fifty (50) links; thence West two (2) chains and fifty (50) links; thence South eight (8) chains and five (5) links; thence West live (5) chains and fifty (50) links to the place of beginning, supposed to contain fifteen (15) acres, more or less.

Parcel 2

Lots numbered one (1), two (2), seven (7) and eight (8) in the Original Plat of the town of Chambersburg, Indiana, also

Fractional Lot numbered one (1) in the Original Plat of the town of Chambersburg, Indiana containing three fourths of an acre, more or less; Fractional lot numbered two (2) in the Original Plat of the town of Chambersburg, Indiana, containing three fourths of an acre, more or less; Commencing at a point 1 I 89 chains east of the southwest corner of the north fraction of the northeast quarter of Section six (6), in Township nineteen (19) north, Range seven (7) west, thence East 5.72 chains, thence north 17 degrees west, 2.08 chains, thence west 2 degrees and 70 minutes north, 4.85 chains, thence south 6 degrees Nvest, 2.67 chains to the place of beginning, containing, 1.13 acres more or less;

Commencing at a point 18.45 chains west, and 45.5 rods north of the southeast corner of the northeast quarter of Section six (6) in Township nineteen (19) north, Range seven (7) west, and running thence-east 4.98 chains to the east line of Adams Street in the town of Chambersburg, thence north 34.5 rods more or less to the north line of the south fraction of the southeast fractional quarter of said Section six (6), thence east 4.98 chains, thence south to the place of beginning, containing 5 acres, more or less.

Also all that portion of Adams Street in the town of Chambersburg lying north of the south line of Cherry Street, excepting therefrom fifty-six (56) feet of even width off of and from the west side of the south 210 feet of said portion of said street

Also all that portion of Not th Street in the town of Chamhershurg, lying between Lots one (1) and two (2) and fractional lots one (1) and two (2) in said town. Containing in all 8.55 acres, more or less.

Section 2. The Clerk-Treasurer of the Town of Veedersburg is hereby authorized and directed to publish notice of the adoption of this Ordinance in the manner prescribed by Indiana Code §§ 5-3-1-1 to 5-3-1-9.

Section 3. In the absence of remonstrance or appeal under Indiana Code §§ 36-4-3-11 or 36-4-3-15.5, this Ordinance shall take effect 60 days after its final publication.

Adopted this 8 day of April , 1997.

VEEDERSBURG TOWN COUNCIL

Donald L. Bailey
Donald Bailey, President

Richard L. Rusk
Richard Rusk

Greg Seibold
Greg Seibold

Richard C. Burton
Richard C. Burton

Tim Shumaker
Tim Shumaker

ATTEST:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

**A RESOLUTION AUTHORIZING THE SALE OF QUARTER BLOCKS 22 AND 23 IN THE
ORIGINAL PLAT OF THE TOWN OF VEEDERSBURG**

WHEREAS, after giving notice under Indiana Code 5-3-1, the Town Council of the Town of Veedersburg held a public hearing on whether to approve the disposal, by sale of the west half of quarter block 22 and and the east half of quarter block 23 in the Original Plat of the Town of Veedersburg, (the "Lots"), which Lots are currently owned by the Town; and

WHEREAS, after such hearing, the Town Council of the Town of Veedersburg has determined to approve the disposal of the Lots by the sale procedures set forth in Ind. Code 36-1-11;

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Veedersburg as follows:

Section 1. Approval of Disposal of Lots. The disposal of the Lots by the sale procedures set forth in Ind. Code 36-1-11 is hereby approved.

Section 2. Appraisal. The Clerk-Treasurer of the Town of Veedersburg is hereby authorized and directed to cause two appraisers to prepare a joint appraisal of the Lots in accordance with Indiana Code § 36-1-11-4(b).

Section 3. Publication of Notice of Sale. After completion of the joint appraisal, the Clerk-Treasurer of the Town of Veedersburg is authorized and directed to publish a notice in accordance with Indiana Code 5-3-1 setting forth the terms and conditions of the sale, which notice shall be in conformance with Indiana Code § 36-1-11-4.

So resolved this 8th day of September, 1998.

VEEDERSBURG TOWN COUNCIL

Richard L. Rusk
Richard Rusk, President

Greg Seibold
Greg Seibold

Richard C. Burton
Richard C. Burton

Tim Shumaker

Kevin George
Kevin George

Attest:

Kathryn M. York
Kathryn M. York, Clerk-Treasurer

RESOLUTION #09-2015

WHEREAS the Town of Veedersburg owns real estate in Veedersburg, Fountain County, Indiana, described as follows:

Beginning twenty-two (22) feet west of the southeast corner of lot one hundred twenty-three (123) in the Original Plat of the Town of Veedersburg, in Fountain County, Indiana; thence west twenty-one (21) feet and five (5) inches; thence north sixty-six (66) feet; thence west seven (7) inches; thence north forty-four (44) feet and four (4) inches to the northwest corner of the brick business building (and not including any part of the wooden shed at the north end of said brick building) on said real estate herein described; thence east twenty-two (22) feet; thence south to the place of beginning, and being part of lots one hundred twenty-two (122) and one hundred twenty-three (123) in the Original Plat of the Town of Veedersburg, together with an easement on and over that part of said lot one hundred twenty-three (123) immediately adjoining the tract hereinabove described on the east, for a stairway from the ground to the second story of the aforesaid brick building, said easement being three (3) feet wide, to front or Second Street in said town, and being appurtenant to and running with said tracts of real estate the west tract being the dominant estate, said easement being as shown in a grant dated June 24, 1925, from Clinton Fletcher and Julia E. Fletcher, his wife, to William E. Glover and recorded in Miscellaneous Record 12, at pages 14 and 15, in the office of the Recorder of Fountain County, Indiana, together with any other rights and appurtenances of record belonging to said tract of real estate hereinbefore described.

commonly known as 109/111 East Second St, Veedersburg Indiana, (hereinafter called "Real Estate") and,

WHEREAS said Real Estate, along with the building thereon and other areas surrounding the building, was obtained by the Town as a part of nuisance litigation; and,

WHEREAS the real estate is not needed for town purposes; and

WHEREAS, in the interest of the Town, to determine and make a finding regarding the need of Real Estate for town purposes;

NOW THEREFORE IT IS HEREBY RESOLVED that a public hearing be scheduled and conducted by the Town of Veedersburg at 6:00 o'clock p. m. on the 26th day of January, 2016, for the purposes of:

1. Determining if Real Estate is a suitable site for the governmental needs of the Town of Veedersburg;
2. If Real Estate is not a suitable site, then to determine if Town's interest in Real Estate is needed for town purposes;
3. If Real Estate is not a suitable site, then to determine if it is in the best interests of the Town to consider the sale or exchange of Real Estate;
If Real Estate is not a suitable site, to consider the approval of the disposal of Real

4. Estate;
- If Real Estate is determined to not needed for town purposes and it is in the interests of the Town to sell or exchange Real Estate that a disposal agent be appointed, then
5. to authorize appraisal of Real Estate, to set terms and conditions of sale of Real Estate, and to authorize the disposal agent appointed to act in behalf of Town to do all things necessary or expedient to effect such sale.

IT IS FURTHER RESOLVED that the Clerk Treasurer be and is hereby authorized and directed to publish notice in accordance with IC 5-3-1 at least 10 days before the public hearing herein approved.

)

Teresa K. Cooper Pres.
President, Veedersburg Town Board

ATTEST: Kathy J. Pugh
Clerk Treasurer

ORDINANCE NO. 1-70

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #1-70: Salary for 1970 (--/--/1970)

ORDINANCE NO. 5-70

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:
















(VOID) #5-70: Waterworks Rates and Charges (5/5/1970) - Page 1



(VOID) #5-70: Waterworks Rates and Charges (5/5/1970) - Page 2

Editor's Note: This material, as found in the ordinance files, represents the Findings of the Public Service Commision of Indiana - Cause No. 32352, June 19, 1970. This material may provide supporting documentation for other documents.

Editor's Note: Photographs of the pages of this document:

-  Public Service Commission Findings (6/19/1970)- Page 1
-  Public Service Commission Findings (6/19/1970)- Page 2
-  Public Service Commission Findings (6/19/1970)- Page 3
-  Public Service Commission Findings (6/19/1970)- Page 4
-  Public Service Commission Findings (6/19/1970)- Page 5
-  Public Service Commission Findings (6/19/1970)- Page 6
-  Public Service Commission Findings (6/19/1970)- Page 7
-  Public Service Commission Findings (6/19/1970)- Page 8
-  Public Service Commission Findings (6/19/1970)- Page 9
-  Public Service Commission Findings (6/19/1970)- Page 10
-  Public Service Commission Findings (6/19/1970)- Page 11
-  Public Service Commission Findings (6/19/1970)- Page 12
-  Public Service Commission Findings (6/19/1970)- Page 13

ORDINANCE NO. 1-71

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #1-71: Salary for 1971 (--/--/1971)

Amending Ordinance 1-71

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) Amending Salary Ordinance 1-71 (--/--/1971)

ORDINANCE NO. 1-72

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #1-72: Salary for 1972 (--/--/1972)

ORDINANCE NO. 2-72

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #2-72: Amending Salary Ordinance 1-72 (--/--/1972)

Amending Ordinance 1-73

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:
















(VOID) Amending Salary Ordinance 1-73 (--/--/1973)

ORDINANCE NO. 3-76

Editor's Note: This ordinance is Void. It was replaced by [Ord. No. 94-20](#), adopted 11/15/1994.

Editor's Note: Photographs of the pages of this ordinance:

-  (VOID) #3-76: Terms and Conditions of Electric Service (3/16/1976) - Page 1
-  (VOID) #3-76: Terms and Conditions of Electric Service (3/16/1976) - Page 2
-  (VOID) #3-76: Terms and Conditions of Electric Service (3/16/1976) - Page 3
-  (VOID) #3-76: Terms and Conditions of Electric Service (3/16/1976) - Page 4
-  (VOID) #3-76: Terms and Conditions of Electric Service (3/16/1976) - Page 5
-  (VOID) #3-76: Terms and Conditions of Electric Service (3/16/1976) - Page 6
-  (VOID) #3-76: Terms and Conditions of Electric Service (3/16/1976) - Page 7
-  (VOID) #3-76: Terms and Conditions of Electric Service (3/16/1976) - Page 8
-  (VOID) #3-76: Terms and Conditions of Electric Service (3/16/1976) - Page 9
-  (VOID) #3-76: Terms and Conditions of Electric Service (3/16/1976) - Page 10
-  (VOID) #3-76: Terms and Conditions of Electric Service (3/16/1976) - Page 11
-  (VOID) #3-76: Terms and Conditions of Electric Service (3/16/1976) - Page 12
-  (VOID) #3-76: Terms and Conditions of Electric Service (3/16/1976) - Page 13

RESOLUTION NO. 1-77

Editor's Note: This resolution has expired.















Editor's Note: Photographs of the resolution:

 (EXPIRED) #1-77R: Authorize Town Attorney to Petition Public Service Commission
(1/18/1977)

ORDINANCE NO. 7-77

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance and attachments:

-  (VOID) #7-77: Establishing Electric Rates and Charges (12/6/1977) - Page 1
-  (VOID) #7-77: Establishing Electric Rates and Charges (12/6/1977) - Page 2
-  (VOID) #7-77: Establishing Electric Rates and Charges (12/6/1977) - Page 3
-  (VOID) #7-77: Establishing Electric Rates and Charges (12/6/1977) - Page 4
-  (VOID) #7-77: Establishing Electric Rates and Charges (12/6/1977) - Page 5
-  (VOID) #7-77: Establishing Electric Rates and Charges (12/6/1977) - Page 6
-  (VOID) #7-77: Establishing Electric Rates and Charges (12/6/1977) - Page 7
-  (VOID) #7-77: Establishing Electric Rates and Charges (12/6/1977) - Page 8
-  (VOID) #7-77: Establishing Electric Rates and Charges (12/6/1977) - Page 9
-  (VOID) #7-77: Establishing Electric Rates and Charges (12/6/1977) - Page 10
-  (VOID) #7-77: Establishing Electric Rates and Charges (12/6/1977) - Page 11
-  (VOID) #7-77: Establishing Electric Rates and Charges (12/6/1977) - Page 12
-  (VOID) #7-77: Establishing Electric Rates and Charges (12/6/1977) - Page 13
-  (VOID) #7-77: Establishing Electric Rates and Charges (12/6/1977) - Page 14

ORDINANCE NO. 5-78

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

+/-

(VOID) #5-78: Waterworks Rates and Charges (9/28/1978) - Page 1

+/-

(VOID) #5-78: Waterworks Rates and Charges (9/28/1978) - Page 2

+/-

(VOID) #5-78: Waterworks Rates and Charges (9/28/1978) - Page 3

+/-

(VOID) #5-78: Waterworks Rates and Charges (9/28/1978) - Page 4

+/-

(VOID) #5-78: Waterworks Rates and Charges (9/28/1978) - Page 5

+/-

(VOID) #5-78: Waterworks Rates and Charges (9/28/1978) - Page 6


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
(VOID) #5-78: Waterworks Rates and Charges (9/28/1978) - Page 7

ORDINANCE NO. 6-78

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance and attachments:

 (VOID) #6-78: Amending Electric Rates and Charges - Adding "Wholesale Power Cost Tracking" (12/5/1978) - Page 1

 (VOID) #6-78: Amending Electric Rates and Charges - Adding "Wholesale Power Cost Tracking" (12/5/1978) - Page 2

ORDINANCE NO. 7-79

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #2-79: Sanitation Department Rates and Charges (2/20/1979)

ORDINANCE NO. 2-80

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #2-80: Sanitation Department Rates and Charges (2/5/1980) - Page 1



(VOID) #2-80: Sanitation Department Rates and Charges (2/5/1980) - Page 2

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) Sanitation Department Rates and Charges (2/5/1980) - Page 1

 (VOID) Sanitation Department Rates and Charges (2/5/1980) - Page 2

ORDINANCE NO. 3-81

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #3-81: Sanitation Department Rates and Charges (3/3/1981) - Page 1
















(VOID) #3-81: Sanitation Department Rates and Charges (3/3/1981) - Page 2

ORDINANCE NO. 6-81

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance and attachments:

-  (VOID) #6-81: Rates and Charges for Electric Utility (8/4/1981) - Page 1
-  (VOID) #6-81: Rates and Charges for Electric Utility (8/4/1981) - Page 2
-  (VOID) #6-81: Rates and Charges for Electric Utility (8/4/1981) - Page 3
-  (VOID) #6-81: Rates and Charges for Electric Utility (8/4/1981) - Page 4
-  (VOID) #6-81: Rates and Charges for Electric Utility (8/4/1981) - Page 5
-  (VOID) #6-81: Rates and Charges for Electric Utility (8/4/1981) - Page 6
-  (VOID) #6-81: Rates and Charges for Electric Utility (8/4/1981) - Page 7
-  (VOID) #6-81: Rates and Charges for Electric Utility (8/4/1981) - Page 8
-  (VOID) #6-81: Rates and Charges for Electric Utility (8/4/1981) - Page 9
-  (VOID) #6-81: Rates and Charges for Electric Utility (8/4/1981) - Page 10
-  (VOID) #6-81: Rates and Charges for Electric Utility (8/4/1981) - Page 11
-  (VOID) #6-81: Rates and Charges for Electric Utility (8/4/1981) - Page 12
-  (VOID) #6-81: Rates and Charges for Electric Utility (8/4/1981) - Page 13

RESOLUTION NO. 1-81

Editor's Note: This resolution has expired.

Editor's Note: Photographs of the resolution:



(EXPIRED) #1-81: Dealing with Refund from Public Service Company (11/3/1981)

RESOLUTION NO. 2-81

Editor's Note: This resolution has expired.

Editor's Note: Photographs of the resolution:
















(EXPIRED) #2-81R: Dealing with Increase from Public Service Company (11/17/1981)

ORDINANCE NO. 82-3

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance and attachments:

-  (VOID) #82-3: Amending Electric Rates and Charges (3/2/1982) - Page 1
-  (VOID) #82-3: Amending Electric Rates and Charges (3/2/1982) - Page 2
-  (VOID) #82-3: Amending Electric Rates and Charges (3/2/1982) - Page 3
-  (VOID) #82-3: Amending Electric Rates and Charges (3/2/1982) - Page 4
-  (VOID) #82-3: Amending Electric Rates and Charges (3/2/1982) - Page 5
-  (VOID) #82-3: Amending Electric Rates and Charges (3/2/1982) - Page 6
-  (VOID) #82-3: Amending Electric Rates and Charges (3/2/1982) - Page 7
-  (VOID) #82-3: Amending Electric Rates and Charges (3/2/1982) - Page 8
-  (VOID) #82-3: Amending Electric Rates and Charges (3/2/1982) - Page 9
-  (VOID) #82-3: Amending Electric Rates and Charges (3/2/1982) - Page 10
-  (VOID) #82-3: Amending Electric Rates and Charges (3/2/1982) - Page 11
-  (VOID) #82-3: Amending Electric Rates and Charges (3/2/1982) - Page 12
-  (VOID) #82-3: Amending Electric Rates and Charges (3/2/1982) - Page 13

RESOLUTION NO. 1-83

Editor's Note: This resolution has expired.

Editor's Note: Photographs of the resolution:



(EXPIRED) #1-83R: Dealing with Increase from Public Service Company (1/4/1983)

Amending Ordinance 1-83

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) Amending Salary Ordinance 1-83 (--/--/1983)

ORDINANCE NO. 2-84

Editor's Note: This ordinance is Void. "Security Deposits" have been reset by [Ordinance No. 2-09, Section 3](#), as adopted on 8/11/2009.

Editor's Note: Photographs of the pages of this ordinance:





(VOID) #2-84: Schedule of Utility Deposits (2/7/1984)


ORDINANCE NO. 4-84


Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #4-84: Waterworks: Rates and Charges, Usage Regulations and Penalties
(3/3/1984) - Page 1

 (VOID) #4-84: Waterworks: Rates and Charges, Usage Regulations and Penalties
(3/3/1984) - Page 2

 (VOID) #4-84: Waterworks: Rates and Charges, Usage Regulations and Penalties
(3/3/1984) - Page 3

 (VOID) #4-84: Waterworks: Rates and Charges, Usage Regulations and Penalties
(3/3/1984) - Page 4

ORDINANCE NO. 3-84

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #3-84: Sanitation Department Rates and Charges (3/5/1984) - Page 1



(VOID) #3-84: Sanitation Department Rates and Charges (3/5/1984) - Page 2

Amending Ordinance 1-85

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) Amending Salary Ordinance 1-85 (6/13/1985)

ORDINANCE NO. 5-86

Editor's Note: This ordinance is Void. It amended past Ord. Nos. 4-66 and 4-82 to add a Sewage System Tap-on Fee. The fee is now part of the Sewage Works Rates and Charges Ordinance.

Editor's Note: Photographs of the pages of this ordinance:




(VOID) #5-86: Adding Tap-On Fee for Sewer Service (11/3/1986)

ORDINANCE NO. 2-88

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #2-88: Salary for 1988 (--/--/1988) - Page 1

 (VOID) #2-88: Salary for 1988 (--/--/1988) - Page 2

ORDINANCE NO. 3-88

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #3-88: Sanitation Department Rates and Charges (3/1/1988)

ORDINANCE NO. 4-88

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #4-88: Amending Salary Ordinance 2-88 (3/15/1988)

ORDINANCE NO. 6-88

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:





(VOID) #6-88: Amending Salary Ordinance 2-88 (10/18/1988)

ORDINANCE NO. 1-89

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #1-89: Salary for 1989 (--/--/1989) - Page 1

 (VOID) #1-89: Salary for 1989 (--/--/1989) - Page 2

ORDINANCE NO. 4-89

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #4-89: Sanitation Department Rates and Charges (5/16/1989)

ORDINANCE NO. 6-89

Editor's Note: This ordinance is Void. It was implicitly replaced by [Ordinance 2012-8](#), adopted 10/23/2012.

Editor's Note: Photographs of the pages of this ordinance:


 (VOID) #6-89: Establishes Marshal's Reserves (--/--/1989)

ORDINANCE NO. 1-90

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:


 (VOID) #1-90: Salary for 1990 (--/--/1990) - Page 1


 (VOID) #1-90: Salary for 1990 (--/--/1990) - Page 2

ORDINANCE NO. 1-91

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #1-91: Salary for 1991 (1/15/1991) - Page 1

 (VOID) #1-91: Salary for 1991 (1/15/1991) - Page 2

ORDINANCE NO. 2-91

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #2-91: Amending Salary Ordinance 1-91 (2/4/1991)

ORDINANCE NO. 6-91

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:





(VOID) #6-91: Amending Salary Ordinance 2-91 (7/4/1991)

ORDINANCE NO. 1-92

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #1-92: Salary for 1992 (1/21/1991) - Page 1

 (VOID) #1-92: Salary for 1992 (1/21/1991) - Page 2

ORDINANCE NO. 4-92

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #4-92: Amending Salary Ordinance 1-92 (2/4/1992)

Editor's Note: This Financial Analysis, as presented by H.J. Umbaugh and Associates on 6/16/1992, is likely "supporting documentation" for one of the bond ordinances of 1992. It is included here as digital images:

- +/- Sewage Works Financial Analysis (6/16/1992) - Page 1
- +/- Sewage Works Financial Analysis (6/16/1992) - Page 2
- +/- Sewage Works Financial Analysis (6/16/1992) - Page 3
- +/- Sewage Works Financial Analysis (6/16/1992) - Page 4
- +/- Sewage Works Financial Analysis (6/16/1992) - Page 5
- +/- Sewage Works Financial Analysis (6/16/1992) - Page 6
- +/- Sewage Works Financial Analysis (6/16/1992) - Page 7
- +/- Sewage Works Financial Analysis (6/16/1992) - Page 8
- +/- Sewage Works Financial Analysis (6/16/1992) - Page 9
- +/- Sewage Works Financial Analysis (6/16/1992) - Page 10
- +/- Sewage Works Financial Analysis (6/16/1992) - Page 11
- +/- Sewage Works Financial Analysis (6/16/1992) - Page 12
- +/- Sewage Works Financial Analysis (6/16/1992) - Page 13
- +/- Sewage Works Financial Analysis (6/16/1992) - Page 14
- +/- Sewage Works Financial Analysis (6/16/1992) - Page 15

ORDINANCE NO. 10-92

Editor's Note: This ordinance is Void. Please refer to the current Sewage Rates and Charges Ordinance.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #10-92: Sewage Works Rates and Charges (7/7/1992) - Page 1


 (VOID) #10-92: Sewage Works Rates and Charges (7/7/1992) - Page 2


 (VOID) #10-92: Sewage Works Rates and Charges (7/7/1992) - Page 3

ORDINANCE NO. 1-93

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #1-93: Salary for 1993 (1/19/1993) - Page 1

 (VOID) #1-93: Salary for 1993 (1/19/1993) - Page 2

ORDINANCE NO. 6-93

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #6-93: Amending Salary Ordinance 1-93 (8/3/1993)

ORDINANCE NO. 14-93

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:




(VOID) #14-93: Additional Pay for Marshal with No Deputy (--/--/1993)

ORDINANCE NO. 1-94

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #1-94: Salary for 1994 (2/--/1994) - Page 1

 (VOID) #1-94: Salary for 1994 (2/--/1994) - Page 2

RESOLUTION NO. 6-1994

Editor's Note: This resolution has expired.

Editor's Note: Photographs of the resolution:



(EXPIRED) #6-1994R: Loan from Electric Utility to General Fund (4/19/1994)

ORDINANCE NO. 94-4

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance and attachments:

+/-

(VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 1

+/-

(VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 2

+/-

(VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 3

+/-

(VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 4

+/-

(VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 5

+/-

(VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 6

+/-

(VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 7

+/-

(VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 8

+/-

(VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 9

+/-

(VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 10

+/-

(VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 11

+/-

(VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 12

+/-

(VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 13

+/-

(VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 14

+/-

(VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 15

- +/- (VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 16
- +/- (VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 17
- +/- (VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 18
- +/- (VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 19
- +/- (VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 20
- +/- (VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 21
- +/- (VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 22
- +/- (VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 23
- +/- (VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 24
- +/- (VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 25
- +/- (VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 26
- +/- (VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 27
- +/- (VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 28
- +/- (VOID) #94-4: Amending Electrical Rates (5/17/1994) - Page 29

ORDINANCE NO. 3-94

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #3-94: Amending Salary Ordinance 94-1 (6/7/1994)

Editor's Note: This material - a Water and Sewage Monthly Billing Chart - was found in the ordinance files and may provide supporting documentation for other materials. As the chart was "current" in July of 1994, the documented rates have since been replaced.

Editor's Note: Photographs of the pages of this material:

 Water and Sewage Monthly Billing Chart (7/--/1994) - Page 1


 Water and Sewage Monthly Billing Chart (7/--/1994) - Page 2


 Water and Sewage Monthly Billing Chart (7/--/1994) - Page 3

ORDINANCE NO. 1-95

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #1-95: Salary for 1995 (1/17/1995) - Page 1

 (VOID) #1-95: Salary for 1995 (1/17/1995) - Page 2

SEWER USE ORDINANCE 95-7

Editor's Note: This ordinance is Void. It was replaced and implicitly repealed by [Ordinance 5-07](#), adopted 6/05/2007.

Editor's Note: Photographs of the pages of this ordinance:

-  (VOID) #95-7: Sewer Use Regulations (6/20/1995) - Page 1
-  (VOID) #95-7: Sewer Use Regulations (6/20/1995) - Page 2
-  (VOID) #95-7: Sewer Use Regulations (6/20/1995) - Page 3
-  (VOID) #95-7: Sewer Use Regulations (6/20/1995) - Page 4
-  (VOID) #95-7: Sewer Use Regulations (6/20/1995) - Page 5
-  (VOID) #95-7: Sewer Use Regulations (6/20/1995) - Page 6
-  (VOID) #95-7: Sewer Use Regulations (6/20/1995) - Page 7
-  (VOID) #95-7: Sewer Use Regulations (6/20/1995) - Page 8
-  (VOID) #95-7: Sewer Use Regulations (6/20/1995) - Page 9
-  (VOID) #95-7: Sewer Use Regulations (6/20/1995) - Page 10
-  (VOID) #95-7: Sewer Use Regulations (6/20/1995) - Page 11
-  (VOID) #95-7: Sewer Use Regulations (6/20/1995) - Page 12
-  (VOID) #95-7: Sewer Use Regulations (6/20/1995) - Page 13
-  (VOID) #95-7: Sewer Use Regulations (6/20/1995) - Page 14

+/-

(VOID) #95-7: Sewer Use Regulations (6/20/1995) - Page 15

+/-

(VOID) #95-7: Sewer Use Regulations (6/20/1995) - Page 16

+/-

(VOID) #95-7: Sewer Use Regulations (6/20/1995) - Page 17

+/-

(VOID) #95-7: Sewer Use Regulations (6/20/1995) - Page 18

ORDINANCE NO. 12-95

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #12-95: Amending Electric Rates (9/19/1995) - Page 1

 (VOID) #12-95: Amending Electric Rates (9/19/1995) - Page 2

 (VOID) #12-95: Amending Electric Rates (9/19/1995) - Page 3

ORDINANCE NO. 1-96

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #1-96: Salary for 1996 (1/16/1996)

ORDINANCE NO. 96-8

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) Waterworks Rates and Charges - Page 1

 (VOID) Waterworks Rates and Charges - Page 2

 (VOID) Waterworks Rates and Charges - Page 3

 (VOID) Waterworks Rates and Charges - Page 4

ORDINANCE NO. 96-9

Editor's Note: This ordinance is Void. Please refer to the current Sewage Rates and Charges Ordinance.

Editor's Note: Photographs of the pages of this ordinance:

+/-

(VOID) #96-9: Sewage Works Rates and Charges (7/8/1996) - Page 1

+/-

(VOID) #96-9: Sewage Works Rates and Charges (7/8/1996) - Page 2

+/-

(VOID) #96-9: Sewage Works Rates and Charges (7/8/1996) - Page 3

FAIR HOUSING ORDINANCE

GENERAL ORDINANCE 96-14, 1996

Editor's Note: This ordinance has been replaced by [Ordinance #05-2015](#) as adopted on 7/9/2015.

WHEREAS, in accordance with the Civil Rights Act of 1968, as amended, the Housing and Community Development Act of 1974, as amended, and Indiana Code 22-9.5-1, et. seq., the following provisions are necessary and appropriate to prevent discrimination in the area of housing because of race, color, religion, sex, handicap, familial status or national origin;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE Town OF Veedersburg, INDIANA, AS FOLLOWS:

Section 1. POLICY STATEMENT:

It shall be the policy of the Town of Veedersburg to provide, within constitutional limitation, for fair housing throughout its corporate limits as provided for under the federal Civil Rights Act of 1968, as amended, the federal Housing and Community Development Act of 1974, as amended, and Indiana Code 22-9.5-1 et. seq.

Section 2. DEFINITIONS:

The definitions set forth in this Section shall apply throughout this Ordinance:

- (a) "Dwelling" means any building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as, a residence by one (1) or more families; or any vacant land which is offered for sale or lease for the construction or location of a building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as a residence by one (1) or more families (I.C. 22-9.5-2-8).
- (b) "Family" includes a single individual (I.C. 22-9.5-2-9), with the status of such family being further defined in subsection (h) of this Section.
- (c) "Person" (I.C. 22-9.5-2-11) includes one (1) or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, non-incorporated organizations, trustees, trustees in cases under Title 11 of the United States Code, receivers, and fiduciaries.
- (d) "To rent" (I.C. 22-9.5-2-13) includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy the premises owned by the occupant.
- (e) "Discriminatory Housing Practice" means an act that is unlawful under Sections 4, 5, 6, 7 or 8 of

this Ordinance or I.C. 22-9.5-5.

(f) "Handicap" means, with respect to a person:

- (1) a physical or mental impairment which substantially limits one or more of such person's major life activities,
- (2) a record of having such an impairment, or
- (3) being regarded as having such an impairment,
- (4) An impairment described or defined pursuant to the federal Americans with Disabilities Act of 1990.
- (5) Any other impairment defined under I.C. 22-9.5-2-10.

The term "handicap" shall not include current illegal use of or addiction to a controlled substance as defined in Section 802 of Title 21 of the United States Code [I.C. 22-9.5-2-10(b)]; nor does the term "handicap" include an individual solely because that individual is transvestite [I.C. 22-9.5-2-10(c)].

(g) "Aggrieved person" includes any person who (I.C. 22-9.5-2-2):

- (1) claims to have been injured by a discriminatory housing practice; or
- (2) believes that such person will be injured by a discriminatory housing practice that is about to occur.

(h) "Familial status" means one or more individuals (who have not attained the age of 18 years) being domiciled with:

- (1) a parent or another person having legal custody of such individual or the written permission of such parent or other person.

The protections afforded against discrimination on this basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

(i) "Commission" (I.C. 22-9.5-2-3) means the Indiana Civil Rights Commission created pursuant to I.C. 22-9-1-4, et. seq.

(j) "Complainant" (I.C. 22-9.5-2-4) means a person, including the Commission, who files a complaint under I.C. 22-9.5-6.

Section 3. UNLAWFUL PRACTICE:

Subject to the provisions of subsection (b) of this Section, Section 9 of this Ordinance and Title 22-

9.5-3 of Indiana Code, the prohibitions against discrimination in the sale or rental of housing set forth Title 22-9.5-5-1 of Indiana Code and in Section 4 of this Ordinance shall apply to:

- (a) All dwellings except as exempted by subsection (b) and Title 22-9.5-3 of Indiana Code.
- (b) Other than the provisions of subsection (c) of this Section, nothing in section 4 shall apply to:
 - (1) Any single-family house sold or rented by an owner where the private individual owner does not own more than three such single-family houses at any one time; provided that in the sale of such single-family house by a private individual owner not residing in the house at the time of sale or who was not the most recent resident of such house prior to the sale, the exemption shall apply only to one such sale within any twenty-four month period. The private individual owner may not own any interest in, nor have owned or reserved on his behalf, title to or any right to all or a portion of the proceeds from the sale or rental of more than three such single-family houses at any one time. The sale or rental of any such single-family house shall be excepted from application of this section only if such house is sold or rented:
 - (A) without the use in any manner of the sales or rental facilities or services of any real estate broker, agent or salesman, or any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent or salesman, or person and
 - (B) without the publication, posting or mailing, after notice of advertisement or written notice in violation of section 4(c) of this ordinance, but nothing in this proviso shall prohibit the use of attorneys, escrow agents, abstracters, title companies and other such professional assistance as necessary to perfect or transfer this title, or
 - (2) rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.
- (c) For the purposes of subsection (b), a person shall be deemed to be in the business of selling or renting dwellings if:
 - (1) he has, within the preceding twelve months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein, or
 - (2) he has, within the preceding twelve months, participated as agent, other than in the sale of his own personal residence, in providing sales or rental facilities or services in two or more transactions involving the sale or rental of any dwelling or any interest therein, or
 - (3) he is the owner of any dwelling unit designed or intended for occupancy by, or occupied by, five or more families.

Section 4. DISCRIMINATION IN THE SALE OR RENTAL OF HOUSING:

As made applicable by Section 3 and except as exempted by Sections 3(b) and 9, it shall be unlawful:

(a) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, familial status or national origin.

(b) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, familial status or national origin.

(c) To make, print, or publish, or cause to be made, printed, or published any notice, statement or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status or national origin, or an intention to make any such preference, limitation, or discrimination.

(d) To represent to any person because of race, color, religion, sex, handicap, familial status or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.

(e) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or perspective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, handicap, familial status or national origin.

(f)(1) To discriminate in the sale or rental, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a handicap of--

(A) that buyer or renter;

(B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or

(C) any person associated with that person.

(2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a handicap of:

(A) that person; or

(B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or

(C) any person associated with that person.

(3) For purposes of this subsection, discrimination includes:

(A) a refusal to permit, at the expense of the handicapped person, reasonable modifications of

existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises except that, in the case of a rental, the landlord may where it is reasonable to do so condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted;

(B) a refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling; or

(C) in connection with the design and construction of covered multi-family dwellings for first occupancy after the date that is 30 months after September 13, 1988, a failure to design and construct those dwellings in such a manner that--

(i) the public use and common use portions of such dwellings are readily accessible to and usable by handicapped persons;

(ii) all the doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by handicapped persons in wheelchairs; and

(iii) all premises within such dwellings contain the following features of adaptive design:

(I) an accessible route into and through the dwelling;

(II) light, switches, electrical outlets, thermostats, and other environmental controls in accessible locations;

(III) reinforcements in bathroom walls to allow later installation of grab bars; and

(IV) usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.

(4) Compliance with the appropriate requirements Americans With Disabilities Act of 1990 and of the American National Standard for buildings and facilities providing accessibility and usability for physically handicapped people (commonly cited as "ANSI A117.1") suffices to satisfy the requirements of paragraph (3)(C)(iii).

(5) Nothing in this subsection requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals of whose tenancy would result in substantial physical damage to the property of others.

Section 5. DISCRIMINATION IN RESIDENTIAL REAL ESTATE-RELATED TRANSACTIONS:

(a) It shall be unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available

such a transaction, or in the terms or conditions of such a transaction, because of race, color, religion, sex, handicap, familial status, or national origin.

(b) As used in this section, the term "residential real estate-related transaction" means any of the following:

(1) The making or purchasing of loans or providing other financial assistance:

(A) for purchasing, constructing, improving, repairing, or maintaining a dwelling; or

(B) secured by residential real estate.

(2) The selling, brokering, or, appraising of residential real property.

(c) Nothing in this ordinance prohibits a person engaged in the business of furnishing appraisals of real property to take into consideration factors other than race, color, religion, national origin, sex, handicap, or familial status.

Section 6. DISCRIMINATION IN THE PROVISION OF BROKERAGE SERVICES:

It shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership, or participation, on account of race, color, religion, sex, handicap, familial status or national origin.

Section 7. INTERFERENCE, COERCION, OR INTIMIDATION:

It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by sections 3, 4, 5, or 6 of this ordinance.

Section 8. PREVENTION OF INTIMIDATION IN FAIR HOUSING CASES:

Whoever, whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with:

(a) any person because of his race, color, religion, sex, handicap, familial status, or national origin and because he is or has been selling, purchasing, renting, financing, occupying, or contracting or negotiating for the sale, purchase, rental, financing or occupation of any dwelling, or applying for or participating in any service, organization, or facility relating to the business of selling or renting dwellings; or

- (b) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from:
 - (1) participating, without discrimination on account of race, color, religion, sex, handicap, familial status, or national origin, in any of the activities, services, organizations or facilities described in subsection 15(a); or
 - (2) affording another person or class of persons opportunity or protection so to participate; or
- (c) any citizen because he is or has been, or in order to discourage such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion, sex, handicap, familial status, or national origin, in any of the activities, services, organizations or facilities described in subsection (a), or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to participate shall be fined according to local, state and federal law; and if bodily injury results shall be fined not more than \$10. than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life.

Section 9. EXEMPTIONS:

- (a) Exemptions defined or set forth under Title 22-9.5-3 et. seq. of Indiana Code shall be exempt from the provisions of this Ordinance to include those activities or organizations set forth under subsections (b) and (c) of this Section.
- (b) Nothing in this ordinance shall prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color or national origin. Nor shall anything in this ordinance prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members or from giving preference to its members.
- (c)
 - (1) Nothing in this ordinance regarding familial status shall apply with respect to housiig for older persons.
 - (2) As used in this section, "housing for older persons" means housing:
 - (A) provided under any state of federal program that the Secretary of the Federal Department of Housing and Urban Development or the state civil rights commission determines is specifically designed and operated to assist elderly persons (as defined in the state or federal program); or
 - (B) intended for, and solely occupied by, persons 62 years of age or older; or
 - (C) intended and operated for occupancy by at least one person 55 years of age or older per unit.

Section 10. ADMINISTRATIVE ENFORCEMENT OF ORDINANCE:

- (a) The authority and responsibility for properly administering this Ordinance and referral of complaints hereunder to the Commission as set forth in subsection (b) hereof shall be vested in the Chief Elected Official of the Town of Veedersburg, Indiana.
- (b) Notwithstanding the provisions of I.C. 22-9.5-4-8, the Town of Veedersburg, Indiana, because of a lack of financial and other resources necessary to fully administer enforcement proceedings and possible civil actions under this Ordinance, herein elects to refer all formal complaints of violation of the articles of this Ordinance by Complainants to the Indiana Civil Rights Commission ("Commission") for administrative enforcement actions pursuant to Title 22-9.5-6 of Indiana Code and the Chief Elected Official of the Town of Veedersburg, Indiana, shall refer all said complaints to the Commission as provided for under subsection (a) of this Section to said Commission for purposes of investigation, resolution and appropriate relief as provided for under Title 22-9.5-6 of Indiana Code.
- (c) All executive departments and agencies of the Town of Veedersburg, Indiana, shall administer their departments, programs and activities relating to housing and urban development in a manner affirmatively to further the purposes of this Ordinance and shall cooperate with the Chief Elected Official and the Commission to further such purposes.
- (d) The Chief Elected Official of the Town of Veedersburg, Indiana, or the Chief Elected Official's designee, shall provide information on remedies available to any aggrieved person or complainant requesting such information.

Section 12. SEPARABILITY OF PROVISIONS

If any provision of this Ordinance or the application thereof to any person or circumstances shall be determined to be invalid, the remainder of the Ordinance and the application of its provisions to other persons not similarly situated or to other circumstances shall not be affected thereby.

CERTIFICATION OF ADOPTION

It is hereby certified that this Ordinance Number 96-14 was passed by the Common Council of the Town of Veedersburg, Indiana, at its legally convened meeting of September 17, 1996

By: Donald L. Bailey
Presiding Officer

Name: Donald L. Bailey

Title: Clerk-Treas

Attest: Kathryn M. York

Name: Kathryn M. York

Date: September 17, 1996

ORDINANCE NO. 96-15

Editor's Note: This ordinance has expired; the term of the franchise was set for 15 years and the agreement was adopted on 9/17/1996.

Editor's Note: Photographs of the pages of this ordinance:

 (EXPIRED) #96-15: Cable Television Franchise Agreement (9/17/1996) - Page 1

 (EXPIRED) #96-15: Cable Television Franchise Agreement (9/17/1996) - Page 2

 (EXPIRED) #96-15: Cable Television Franchise Agreement (9/17/1996) - Page 3

ORDINANCE NO. 96-17

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #96-17: Amending Salary Ordinance 96-1 (11/26/1996)

DRUG-FREE WORK PLACE POLICY

Editor's Note: This resolution has been replaced by [Ordinance #12-2015](#) as adopted on 12/8/2015.

1. The following policy is established by the Veedersburg Town Council in accordance with the Drug Free Workplace Act of 1988. This policy is intended to establish a drug-free workplace, and will be considered as a condition of employment.
2. Veedersburg is committed to providing a drug-free workplace, and expects the cooperation of all employees and a similar commitment from them.
 - A. Pursuant to the Drug-Free Workplace Act of 1988, the Town is required to notify employees that the unlawful manufacture, distribution, dispensing, possession or use of controlled substance (as defined in Schedule I -V of Section 202 of the Controlled Substance Act-- 21 U.S.C. 812) by any employee is prohibited, whether or not the employee is on duty.
 - B. Any employee convicted of any Federal or State criminal drug statute arising out of conduct occurring in the workplace must notify the employer in writing of that fact within five (5) calendar days of the conviction.
 - C. Any employer receiving Federal funds, who is notified by an employee of a workplace-related drug conviction, must report it to the Contracting Agency within ten (10) calendar days of learning of such conviction. Any conviction not reported may result in the loss of Federal funds.
 - D. The employer must, within thirty (30) days after receiving notice of a conviction from an employee:
 - a. Take appropriate personnel action against employee up to and including termination;
or
 - b. Require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency.
 - E. An employee who fails to report a workplace related drug conviction:
 - a. Will be terminated from employment; and
 - b. May be held civilly liable for any loss of Federal funds resulting from the failure to report the conviction.

F. Any employee who is referred to a drug rehabilitation program, (see D-b above), and fails to satisfactorily participate in the program will be terminated from employment.

G. where permitted by law, an employee may be required to submit to a mandatory drug screening.

3. Veedersburg will establish a Drug-Free Awareness Program.

A. Education - Every employee covered by this policy will receive the following drug education:

1. Drug information will be periodically distributed and displayed in the work areas.
2. A copy of this policy will be given to each employee and displayed in the work area.

Adopted this 23rd day of December, 1996.

VEEDERSBURG TOWN COUNCIL

Donald L. Bailey
President

Richard L. Rusk
Member

Tim Shumaker
Member

Gregory F. Seibold
Member

Member

ATTEST:

Kathryn M. York
Clerk-Treasurer

ORDINANCE NO. 97-12

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

+/-

(VOID) #97-12: Rates and Charges for Electric Utility (3/17/1997) - Page 1

+/-

(VOID) #97-12: Rates and Charges for Electric Utility (3/17/1997) - Page 2

+/-

(VOID) #97-12: Rates and Charges for Electric Utility (3/17/1997) - Page 3

+/-

(VOID) #97-12: Rates and Charges for Electric Utility (3/17/1997) - Page 4

+/-

(VOID) #97-12: Rates and Charges for Electric Utility (3/17/1997) - Page 5

+/-

(VOID) #97-12: Rates and Charges for Electric Utility (3/17/1997) - Page 6

+/-

(VOID) #97-12: Rates and Charges for Electric Utility (3/17/1997) - Page 7

+/-

(VOID) #97-12: Rates and Charges for Electric Utility (3/17/1997) - Page 8

+/-

(VOID) #97-12: Rates and Charges for Electric Utility (3/17/1997) - Page 9

+/-

(VOID) #97-12: Rates and Charges for Electric Utility (3/17/1997) - Page 10






+/-

(VOID) #97-12: Rates and Charges for Electric Utility (3/17/1997) - Page 11

ORDINANCE NO. 7-99

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

-  (VOID) #7-99: Waterworks Rates and Charges (6/8/1999) - Page 1
-  (VOID) #7-99: Waterworks Rates and Charges (6/8/1999) - Page 2
-  (VOID) #7-99: Waterworks Rates and Charges (6/8/1999) - Page 3
-  (VOID) #7-99: Waterworks Rates and Charges (6/8/1999) - Page 4
-  (VOID) #7-99: Waterworks Rates and Charges (6/8/1999) - Page 5

ORDINANCE NO. 4-00

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #4-00: Amending Water Rate Ordinance 99-7 (4/13/2000) - Page 1



(VOID) #4-00: Amending Water Rate Ordinance 99-7 (4/13/2000) - Page 2

ORDINANCE NO. 00-06

Editor's Note: This ordinance is Void. It amended [Ordinance 95-7](#), adopted 6/20/1995, which was replaced and implicitly repealed by [Ordinance 5-07](#), adopted 6/05/2007.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #00-06: Amending Sewer Use Ordinance No. 95-7 (5/23/2000) - Page 1



(VOID) #00-06: Amending Sewer Use Ordinance No. 95-7 (5/23/2000) - Page 1

ORDINANCE NO. 8-00

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #8-00: Salary for 2001 (--/--/2000)

ORDINANCE NO. 13-00

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #13-00: Amending Salary Ordinance 8-00 (--/--/2000)

ORDINANCE NO. 2-01

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #2-01: Salary for 2002 (--/--/2001)

ORDINANCE NO. 4-01

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #4-01: Increase Deputy Marshall Wages, 2001 and 2002 (8/14/2001)

ORDINANCE NO. 8-01

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #8-01: Amending Salary Ordinance 2-01 (--/--/2001)

ORDINANCE NO. 3-02

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #3-02: Salary for 2003 (---/---/2002)

ORDINANCE NO. 1-03

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #1-03: Sanitation Department Rates and Charges (3/11/2003)

ORDINANCE NO. 4-03

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #4-03: Sanitation Department Rates and Charges (8/12/2003)

ORDINANCE NO. 5-03

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #5-03: Salary for 2004 (---/---/2003)

ORDINANCE NO. 8-03

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #8-03: Amending Salary Ordinance 5-03 (--/--/2003)

ORDINANCE NO. 1-04

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:





(VOID) #1-04: Amending Salary Ordinance 5-03 (--/--/2004)

ORDINANCE NO. 5-04

Editor's Note: This ordinance is Void.















Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #5-04: Salary for 2005 (---/---/2004) - Page 1

 (VOID) #5-04: Salary for 2005 (---/---/2004) - Page 2

Editor's Note: This document - a Response to The Indiana Department of Environmental Management/Office of Water Quality - was found in the ordinance materials and may represent supporting materials for other documentation.

Editor's Note: Photographs of the pages of this document:

-  Wellhead Protection Response to OWQ/IDEM (5/6/2005) - Page 1
-  Wellhead Protection Response to OWQ/IDEM (5/6/2005) - Page 2
-  Wellhead Protection Response to OWQ/IDEM (5/6/2005) - Page 3
-  Wellhead Protection Response to OWQ/IDEM (5/6/2005) - Page 4
-  Wellhead Protection Response to OWQ/IDEM (5/6/2005) - Page 5
-  Wellhead Protection Response to OWQ/IDEM (5/6/2005) - Page 6
-  Wellhead Protection Response to OWQ/IDEM (5/6/2005) - Page 7
-  Wellhead Protection Response to OWQ/IDEM (5/6/2005) - Page 8
-  Wellhead Protection Response to OWQ/IDEM (5/6/2005) - Page 9
-  Wellhead Protection Response to OWQ/IDEM (5/6/2005) - Page 10
-  Wellhead Protection Response to OWQ/IDEM (5/6/2005) - Page 11
-  Wellhead Protection Response to OWQ/IDEM (5/6/2005) - Page 12
-  Wellhead Protection Response to OWQ/IDEM (5/6/2005) - Page 13
-  Wellhead Protection Response to OWQ/IDEM (5/6/2005) - Page 14

ORDINANCE NO. 1-05

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:




(VOID) #1-05: Amending Salary Ordinance 5-04 (--/--/2005)

ORDINANCE NO. 11-05

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #11-05: Salary for 2006 (--/--/2005) - Page 1


 (VOID) #11-05: Salary for 2006 (--/--/2005) - Page 2

ORDINANCE NO. 2-06

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #2-06: Salary for 2007 (--/--/2006) - Page 1

 (VOID) #2-06: Salary for 2007 (--/--/2006) - Page 2

ORDINANCE NO. 4-06

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, REGARDING IMPLEMENTATION OF A NEW SCHEDULE OF RATES AND CHARGES FOR ELECTRIC UTILITY SERVICES

WHEREAS, the Town of Veedersburg, Indiana (the "Town"), owns and operates a municipal electric utility (the "Electric Utility"), and collects rates and charges for the electric utility services rendered by the Electric Utility; and

WHEREAS, the existing rates and charges for such services do not produce sufficient revenues to pay all the legal and other necessary expenses incident to the operation of the Electric Utility, including maintenance costs, operating charges, upkeep, repairs, and interest charges on bonds or other obligations including leases, to provide a sinking fund for the liquidation of bonds or other obligations including leases (in an amount established by the Town, not to exceed the maximum annual debt service on the bonds or obligations or the maximum annual lease rentals), to provide adequate money for working capital, to provide adequate money for making extensions and replacements, to provide money for the payment of any taxes that may be assessed against the Electric Utility, and to compensate the Town for taxes that would be due the Town on the Electric Utility property if it were privately owned; and

WHEREAS, it is necessary to increase certain of the existing rates and charges in order to provide sufficient funds to meet such financial requirements of the Electric Utility and to maintain the Electric Utility property in a sound physical and financial condition to render adequate and efficient service;

WHEREAS, the Town, acting through its Town Council, adopted Ordinance 2-83 on September 1, 1983, pursuant to IC 8-1.5-3-9.1, removing the Electric Utility from jurisdiction of the Indiana Utility Regulatory Commission for purposes of approval of rates and charges and the issuance of stocks, bonds, notes, or other evidences of indebtedness;

WHEREAS, this Town Council has the power, authority and responsibility to approve new rates and charges;

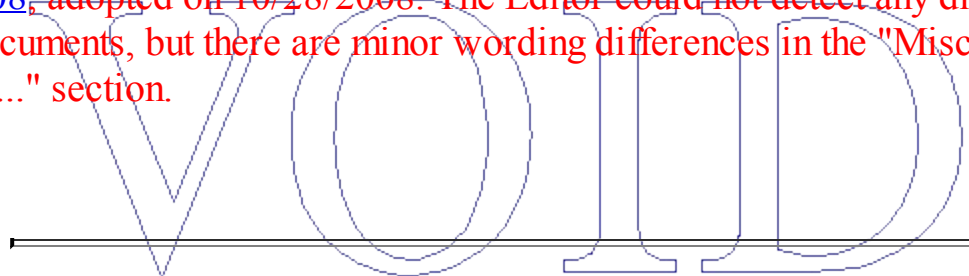
WHEREAS, notice of a public hearing on the proposed schedule of rates and charges has been published in accordance with IC 5-3-1; and

WHEREAS, such public hearing was held on September 26, 2006, at which time all owners of property served or to be served by the Electric Utility and any interested persons were afforded the opportunity to be heard concerning the proposed rates and charges,

NOW, THEREFORE, BE IT ORDERED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, THAT;

1. The Town Council hereby approves that following schedule of rates and charges for the electric utility services listed below and rendered by the Town of Veedersburg, Indiana, which rates shall replace the currently existing rates and charges for the services listed below:

Editor's Note: Note that due to a "programming error", the rates following were revised by Ordinance No. 13-08, adopted on 10/28/2008. The Editor could not detect any differences in the rates between the two documents, but there are minor wording differences in the "Miscellaneous and Non-Recurring Charges ..." section.



RESIDENTIAL SERVICE

1. AVAILABILITY

Available for single phase residential service through one meter including residential lighting, household appliances, refrigeration, cooking appliances, water heating, space heating and cooling, and small motors not exceeding five horsepower individual capacity. Applicant must be located on the Electric Utility's distribution lines suitable for supplying the service requested in Veedersburg, Indiana, and vicinity.

2. CHARACTER OF SERVICE

Service under this schedule shall be alternating current, 60 Hertz, single phase at a voltage of approximately 120 volts two-wire or 120/240 volts three-wire.

3. MONTHLY RATE

A. Customer charge:

Per meter per month	\$3.30
---------------------	--------

B. Energy Charge:

For the first 200 kWh or less	\$0.076 per kWh
For the next 800 kWh	\$0.067 per kWh
For all kWh above 1,000 kWh	\$0.057 per kWh

C. Minimum Charge:

The minimum monthly charge shall be the Customer Charge.

D.

Riders: FCA, WPCTF & MISO

The above rates and charges are subject to the Riders, as determined by the Town, for monthly Fuel Clause Adjustment (FCA) charges, changes in the Town's Wholesale Power Cost Tracking Factor (WPCTF) and Midwest Independent Transmission System Operator (MISO) charges.

VOID
COMMERCIAL SERVICE

1. AVAILABILITY

Available for single phase commercial service through one meter including small commercial lighting, miscellaneous small appliances, refrigeration, cooking, water heating, space heating and cooling and incidental motors not exceeding five horsepower individual capacity. Applicant must be located on the Electric Utility's distribution lines suitable for supplying the service requested in Veedersburg, Indiana and vicinity.

2. CHARACTER OF SERVICE

Service under this schedule shall be alternating current, 60 Hertz, single phase at a voltage of approximately 120 volts two-wire or 120/240 three-wire.

3. MONTHLY RATE

A. Customer Charge:

Per meter per month	\$3.85
---------------------	--------

B. Energy Charge:

For the first 200 kWh or less	\$0.088 per kWh
For the next 800 kWh	\$0.077 per kWh
For the next 1500 kWh	\$0.066 per kWh
For all kWh above 2,500 kWh	\$0.055 per kWh

Minimum Charge:

C.

The Minimum monthly charge shall be the Customer Charge.

D. Riders: FCA, WPCTF, & MISO

The above rates and charges are subject to the Riders, as determined by the Town, for monthly Fuel Clause Adjustment (FCA) charges, changes in the Town's Wholesale Power Cost Tracking Factor (WPCTF) and Midwest Independent Transmission System Operator (MISO) charges.

VOID

GENERAL POWER SERVICE

1. AVAILABILITY

Available for any power purposes except for power purposes supplied under Large Power Rate. Applicant must be located adjacent to an electric distribution line of the Electric Utility that is adequate and suitable for supplying the service required.

2. CHARACTER OF SERVICE

Service under this schedule shall be alternating current, 60 Hertz, at any standard polyphase voltage supplied by the Electric Utility in the locality for which service is requested.

3. MONTHLY RATE

A. Customer Charge:

Per meter per month	\$8.80
---------------------	--------

B. Energy Charge

For the first 500 kWh	\$0.110 per kWh
For the next 1,500 kWh	\$0.088 per kWh
For the next 3,000 kWh	\$0.066 per kWh
	\$0.055 per kWh

For all kWh above 5,000

C. Minimum Charge

The minimum monthly charge shall be the Customer Charge.

D. Riders: FCA, WPCTF, & MISO

The above rates and charges are subject to the Riders, as determined by the Town, for monthly Fuel Clause Adjustment (FCA) charges, changes in the Town's Wholesale Power Cost Tracking Factor (WPCTF) and Midwest Independent Transmission System Operator (MISO) charges.

4. MEASUREMENT OF ENERGY

Energy shall be measured by a suitable integrating instrument or instruments.

5. SPECIAL TERMS AND CONDITIONS

All service hereunder will be furnished through one meter unless the law requires that a separate service for exit lighting be installed, in which case an additional meter for exit lighting will be installed by the Electric Utility.

MUNICIPAL SERVICE

1. AVAILABILITY

Available to the Civil Town of Veedersburg, Indiana, for any electric light and/or power purposes. Service required shall be located in the electric service area of the Electric Utility.

2. CHARACTER OF SERVICE

Service under this schedule shall be alternating current, 60 Hertz, at any standard single phase or poly phase voltage supplied by the Electric Utility in the locality for which service is required.

MONTHLY RATE

3.

A. **For Street Lighting:**

Per kWh \$0.077 per kWh

B. **For All Other Municipal Service:**

Per kWh \$0.066 per kWh

C. **Rider: FCA, WPCTF, & MISO**

The above rates and charges are subject to the Riders, as determined by the Town, for monthly Fuel Clause Adjustment (FCA) charges, changes in the Town's Wholesale Power Cost Tracking Factor (WPCTF) and Midwest Independent Transmission System Operator (MISO) charges.

LARGE POWER SERVICE

1. **AVAILABILITY**

Available for any customer having a connected transformer capacity of 525 kVA or more; or, at the option of the Utility, any customer with power service having energy use of less than 200 kWh per kW of maximum billing load. Applicant must be located adjacent to an electric distribution line of the Electric Utility that is adequate and suitable for supplying the service requested.

2. **CHARACTER OF SERVICE**

Service under this schedule shall be alternating current, 60 Hertz, at any single phase or poly phase voltage supplied by the Electric Utility in the locality for which service is required.

3. **MONTH RATE**

A. **Customer Charge**

Per meter per month \$66.00 per month

B. **Maximum Load Charge**

Each kVA of Billing Maximum Load used per month

\$6.90 per kVA

C. Energy Charges

For all kWh used per month

\$0.0372 per kWh

D. Minimum Monthly Charge

The minimum monthly charge shall be the Customer Charge plus the Maximum Load Charge.

E. Rider: FCA, WPCTF, & MISO

The above rates and charges are subject to the Riders, as determined by the Town, for monthly Fuel Clause Adjustment (FCA) charges, changes in the Town's Wholesale Power Cost Tracking Factor (WPCTF) and Midwest Independent Transmission System Operator (MISO) charges.

VOID

4. BILLING MAXIMUM LOAD

The Billing Maximum load for any month shall be the greater of the maximum load for the month, or 60% of the highest monthly load during the preceding twelve months.

5. MEASUREMENT OF MAXIMUM LOAD AND ENERGY

Maximum load shall be measured by suitable recording instruments provided by the Electric Utility and in any month the maximum load expressed in kilovolt-amperes shall be the average number of kilowatts in the recorded 30 minute interval in such month during which the energy metered is greater than in any such 30 minute interval in such month, divided by the average power factor (expressed as a decimal) calculated for the month. Energy shall be measured by suitable integrating instruments provided by the Electric Utility.

LARGE POWER SERVICE TO MASTERGUARD CORPORATION

1. AVAILABILITY

Available for service to MasterGuard Corporation pursuant to an agreement between MasterGuard Corporation and the Town of Veedersburg, Indiana.

2. **CHARACTER OF SERVICE**

Service under this schedule shall be alternating current, 60 Hertz, poly-phase at a mutually agreed to voltage.

3. **MONTHLY RATE**

A. **Customer Charge**

\$275.00 per month

B. **Maximum Load Charge**

Each kVA of Billing Maximum Load per month \$11.55 per kVA

C. **Energy Charge**

For all kWh used per month \$0.0262 per kWh

D. **Minimum Monthly Charge**

The minimum monthly charge shall be the Customer Charge plus the Maximum Load Charge.

E. **Riders: FCA, WPCTF, & MISO**

The above rates and charges are subject to the Riders, as determined by the Town, for monthly Fuel Clause Adjustment (FCA) charges, changes in the Town's Wholesale Power Cost Tracking Factor (WPCTF) and Midwest Independent Transmission System Operator (MISO) charges.

4. **BILLING MAXIMUM LOAD**

The Billing Maximum Load for any month shall be the greater of the maximum load for the month, or 60% of the highest monthly load during the preceding twelve months.

5. **MEASUREMENT OF MAXIMUM LOAD AND ENERGY**

Maximum load shall be measured by suitable recording instruments provided by the Electric Utility and in any month the maximum load expressed in kilovolt-amperes shall be the average number of kilowatts in the recorded 30 minute interval in such month during which the energy metered is greater

than in any other such 30 minute interval in such month, divided by the average power factor (expressed as a decimal) calculated for the month.

Energy shall be measured by suitable integrating instruments provided by the Electric Utility.

VOI

OUTDOOR (DUSK TO DAWN) LIGHTING SERVICES

1. AVAILABILITY

Available only for continuous year-round service for outdoor lighting to any residential, farm commercial or industrial customer located adjacent to and electric distribution line of the Utility that is adequate and suitable for supplying the service requested.

2. CHARACTER OF SERVICE

Dusk-to-dawn outdoor lighting service using lamps available under this schedule.

3. MONTHLY RATE

For each lamp, controlled by a photoelectric relay, including luminaire, one span of secondary conductor, and bracket not to exceed four feet:

A. Lamp Only:

Type of Lamp	Per Month	Annually (in advance)
7,000 lumens (100 watt hps)	11.00	121.00
20,000 lumens (400 watt mercury vapor)	14.00	154.00

B. Lamp and Pole:

Type of Lamp	Per Month	Annually (in advance)
7,000 lumens (100 watt hps)	11.60	127.60
20,000 lumens (400 watt mercury vapor)	14.90	163.90
400 watt directional	17.60	

When additional facilities not provided for in the above charges are installed by the Utility, customer will pay in advance of installation, the cost of such additional facilities which may be required to supply service from the nearest or most suitable existing pole of the Utility to the point designated by the customer for the installation of said lamp. The Utility, at its option, may permit the customer to

pay for such additional facilities in equal monthly installments extending over a period not to exceed twelve (12) months. Existing customers needing a line buried shall be charged \$350. Customers needing temporary service shall be charged \$75.

(Amended by [Ord. No. 06-14](#), adopted 7/22/2014.)



{ [view archive](#) }

VOID

RIDER: FCA (FUEL CLAUSE ADJUSTMENT)

(Applicable to rates for customers in the following service classes: Residential, Commercial, General Power, Municipal, Large Power, and Large Power to MasterGuard).

The monthly Fuel Clause Adjustment Rider shall be expressed in certs per kWh and shall be the same as that most recently billed Veedersburg Municipal Electric Utility by the Town's wholesale power supplier. Such Fuel Clause Adjustment Rider shall be divided by one minus the total energy losses of the Electric Utility for the preceding calendar year expressed as a decimal fraction of the total energy purchased for the same year.

RIDER: WPCTF (WHOLESALE POWER COST TRACKING FACTOR)

(Applicable to rates for customers in the following service classes: Residential, Commercial, General Power, Municipal, Large Power, and Large Power to MasterGuard).

The Wholesale Power Cost Tracking Factor Rider shall be expressed in cents per kWh and adjusted at the Town's discretion based on changes in the Town's cost of purchased power. The base cost of power included in the wholesale rates amounts to \$0.041585 per kWh sold. The base cost of power shall be used as the basis for determining changes made by the Town in the WPCTF. The WPCTF Rate Adjustment applicable to the above listed Rate Schedules shall be \$0.000000 per kWh used per month, based upon the base cost of power noted above.

RIDER: MISO (MIDWEST INDEPENDENT TRANSMISSION SYSTEM OPERATOR)

(Applicable to rates for customers in the following service classes: Residential, Commercial, General Power, Municipal, Large Power, and Large Power to MasterGuard).

The monthly MISO Rider shall be expressed in cents per kWh and shall be the same as that most recently billed Veedersburg Municipal Electric Utility by the Town's wholesale power supplier. Such MISO Factor shall be divided by one minus the total energy losses of the Electric Utility for the preceding calendar year expressed as a decimal fraction of the total energy purchased for the same year.

~~**VOID**~~
MISCELLANEOUS AND NON-RECURRING CHARGES
APPLICABLE TO ALL RATE SCHEDULES

1. TERMS OF PAYMENT

Bills for service will be rendered monthly at intervals of approximately thirty days and will be based on the charges set forth in the rate schedules and are payable to the Utility Office.

All bills are rendered as “net” bills which will be subject to a late payment charge of 10% of the net bill when not paid by the due date shown on the bill.

Failure to receive a bill shall not entitle Customer to pay the net bill after the designated date has passed. Upon request, Electric Utility will inform Customer of the approximate date on which Customer should receive the bill each month and, if Customer notifies the Electric Utility that the electric bill is lost, Electric Utility will issue a duplicate.

2. RETURNED CHECK CHARGE

When Electric Utility is required to reprocess a check rendered for payment of a Customer’s bill, a \$20.00 charge will be assessed.

3. RECONNECTION CHARGE

When Electric Utility has discontinued service for nonpayment of a bill, temporary removal of meters, changes in service, or for any other cause, Electric Utility reserves the right to charge Customer an amount for reconnection commensurate with the cost of such reconnection. The minimum charge for such reconnection shall be \$25.00.

4. CONDITIONS OF SERVICE

Service shall be provided based upon the Town’s “General Terms and Conditions for Electric Service” as established by ordinance of the Town Council. The “General Terms and Conditions for Electric Service” are on file and available for inspection at the Town Utility office.

Section 2. This ordinance shall be in full force and effect from and after its passage signing by the President of the Town Council, as provided by law.

PASSED and adopted by the Town Council of the Town of Veedersburg on the 26th day of September, at 7:00 o'clock P.M.

VOID

Carl Hoagland
Presiding Officer

ATTEST:

Laura Bennett
Clerk-Treasurer

PRESENTED by me to the President of the Town Council of the Town of Veedersburg on the 26th day of September, at 7 o'clock P.M.

Laura Bennett
Clerk-Treasurer

APPROVED by me this 26th day of Sep, at 7 o'clock P.M.

Carl Hoagland
President of the Town Council

VOID

ORDINANCE NO. 4-07

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:




(VOID) #4-07: Sanitation Department Rates and Charges (6/26/2007)

ORDINANCE NO. 6-07

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #6-07: Salary for 2008 (--/--/2007) - Page 1


 (VOID) #6-07: Salary for 2008 (--/--/2007) - Page 2

ORDINANCE NO. 2-08

Editor's Note: This ordinance is Void. It was replaced by [Ord. No. 1-11](#), adopted 7/26/2011.

Editor's Note: Photographs of the pages of this ordinance:


 (VOID) #2-08: Establish Specific Handicap Parking Spaces and Penalties (4/22/2008) -
Page 1


 (VOID) #2-08: Establish Specific Handicap Parking Spaces and Penalties (4/22/2008) -
Page 2

ORDINANCE NO. 8-08

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #8-08: Salary for 2009 (--/--/2008) - Page 1

 (VOID) #8-08: Salary for 2009 (--/--/2008) - Page 2

ORDINANCE 11-08

Editor's Note: This ordinance is Void. It was replaced by [Ordinance No. 1-2013](#), adopted 2/26/2013.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #11-08: Amends Schedule of Rates and Charges (9/9/2008)

ORDINANCE 13-08

AN ORDINANCE AMENDING ORDINANCE 4-06 REGARDING THE RATES AND CHARGES FOR ELECTRIC UTILITY SERVICES

WHEREAS, the Town of Veedersburg, Indiana (the "Town"); owns and operates a municipal electric utility (the "Electric Utility") and collects rates and charges for the electric utility services rendered by the Electric Utility, and

WHEREAS, those rates and charges were revised as per [Ordinance 4-06](#), and

WHEREAS, this Town Council has the power, authority and responsibility to approve rates and charges, and

WHEREAS, it has been recommended by the State Board of Accounts that Ordinance 4-06 be retroactively amended due to a programming error,

NOW, THEREFORE, BE IT ORDERED BY THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, THAT;

Rates and charges for the following categories of customers shall be amended to reflect those charges that were in effect regarding customer charge, energy charge and minimum

1. charge immediately prior to the adoption of Ordinance 4-06 for the billing cycles from July 1, 2007 through November 1, 2008:
 - a. Residential Service
 - b. Commercial Service
 - c. General Power Service
 - d. Municipal Service
2. All other sections of Ordinance 4-06 shall remain in effect.

PASSED and adopted by the Town Council of the Town of Veedersburg on the 28th day of October, 2008.

Keith K. Smith

Bob Barker

Stephen R. Cates

Seth A. Hoagland

ATTEST: Laura Bennett
Clerk Treasurer

~~VOID~~

NOTICE OF PUBLIC HEARING CONCERNING A PROPOSED ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, REGARDING IMPLEMENTATION OF A NEW SCHEDULE OF RATES AND CHARGES FOR ELECTRIC UTILITY SERVICES

Notice is hereby given that the Town Council of the Town of Veedersburg, Indiana, will conduct a hearing with regard to an Ordinance entitled: “AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF VEEDERSBURG, INDIANA, REGARDING IMPLEMENTATION OF A NEW SCHEDULE OF RATES AND CHARGES FOR ELECTRIC UTILITY SERVICES” setting forth a proposed schedule of fees, on September 26, 2006 at 6:30 p.m. (local time), at the Community Room, 100 S. Main St., Veedersburg, Indiana. At such public hearing, all users of the electric utility of the Town of Veedersburg, owners of property served or to be served by the works, and other interested persons may be heard concerning the proposed fees. The proposed ordinance will be introduced at the Town Council meeting on September 12, 2006.

After the hearing, which may be adjourned from time to time, The Town Council will have a second reading of the Ordinance and may adopt the proposed Ordinance establishing the fees, either as originally introduced or as modified. A copy of the schedule of fees adopted shall be kept on file and available for public inspection in the office of Clerk-Treasurer.

The following fee schedule is proposed in the proposed Ordinance:

RESIDENTIAL SERVICE

1. AVAILABILITY

Available for single phase residential service through one meter including residential lighting, household appliances, refrigeration, cooking appliances, water heating, space heating and cooling, and small motors not exceeding five horsepower individual capacity. Applicant must be located on the Electric Utility's distribution lines suitable for supplying the service requested in Veedersburg, Indiana, and vicinity.

CHARACTER OF SERVICE

2.

Service under this schedule shall be alternating current, 60 Hertz, single phase at a voltage of approximately 120 volts two-wire or 120/240 volts three-wire.

3.

MONTHLY RATE

A. **Customer charge:**
Per meter per month \$3.30

B. **Energy Charge:**
For the first 200 kWh or less \$0.076 per kWh
For the next 800 kWh \$0.067 per kWh
For all kWh above 1,000 kWh \$0.057 per kWh

C. **Minimum Charge:**
The minimum monthly charge shall be the Customer Charge.

D. **Riders: FCA, WPCTF & MISO**
The above rates and charges are subject to the Riders, as determined by the Town, for monthly Fuel Clause Adjustment (FCA) charges, changes in the Town's Wholesale Power Cost Tracking Factor (WPCTF) and Midwest Independent Transmission System Operator (MISO) charges.

COMMERCIAL SERVICE

1. AVAILABILITY

Available for single phase commercial service through one meter including small commercial lighting, miscellaneous small appliances, refrigeration, cooking, water heating, space heating and cooling and incidental motors not exceeding five horsepower individual capacity. Applicant must be located on the Electric Utility's distribution lines suitable for supplying the service requested in Veedersburg, Indiana and vicinity.

2. CHARACTER OF SERVICE

Service under this schedule shall be alternating current, 60 Hertz, single phase at a voltage of approximately 120 volts two-wire or 120/240 three-wire.

3. MONTHLY RATE

A. Customer Charge:

Per meter per month

\$3.85

B. Energy Charge:

For the first 200 kWh or less

\$0.088 per kWh

For the next 800 kWh

\$0.077 per kWh

For the next 1500 kWh

\$0.066 per kWh

For all kWh above 2,500 kWh

\$0.055 per kWh

C. Minimum Charge:

The Minimum monthly charge shall be the Customer Charge.

D. Riders: FCA, WPCTF, & MISO

The above rates and charges are subject to the Riders, as determined by the Town, for monthly Fuel Clause Adjustment (FCA) charges, changes in the Town's Wholesale Power Cost Tracking Factor (WPCTF) and Midwest Independent Transmission System Operator (MISO) charges.

GENERAL POWER SERVICE

1. AVAILABILITY

Available for any power purposes except for power purposes supplied under Large Power Rate. Applicant must be located adjacent to an electric distribution line of the Electric Utility that is adequate and suitable for supplying the service required.

2. CHARACTER OF SERVICE

Service under this schedule shall be alternating current, 60 Hertz, at any standard polyphase voltage supplied by the Electric Utility in the locality for which service is requested.

3. MONTHLY RATE

A. Customer Charge:

Per meter per month \$8.80

B. Energy Charge

For the first 500 kWh	\$0.110 per kWh
For the next 1,500 kWh	\$0.088 per kWh
For the next 3,000 kWh	\$0.066 per kWh
For all kWh above 5,000	\$0.055 per kWh

C. Minimum Charge

The minimum monthly charge shall be the Customer Charge.

D. Riders: FCA, WPCTF, & MISO

The above rates and charges are subject to the Riders, as determined by the Town, for monthly Fuel Clause Adjustment (FCA) charges, changes in the Town's Wholesale Power Cost Tracking Factor (WPCTF) and Midwest Independent Transmission System Operator (MISO) charges.

4. MEASUREMENT OF ENERGY

Energy shall be measured by a suitable integrating instrument or instruments.

5. SPECIAL TERMS AND CONDITIONS

All service hereunder will be furnished through one meter unless the law requires that a separate service for exit lighting be installed, in which case an additional meter for exit lighting will be installed by the Electric Utility.

MUNICIPAL SERVICE

1. AVAILABILITY

Available to the Civil Town of Veedersburg, Indiana, for any electric light and/or power purposes. Service required shall be located in the electric service area of the Electric Utility.

2. CHARACTER OF SERVICE

Service under this schedule shall be alternating current, 60 Hertz, at any standard single phase or poly phase voltage supplied by the Electric Utility in the locality for which service is required.

3. MONTHLY RATE

A. For Street Lighting:

Per kWh	\$0.077 per kWh
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B. For All Other Municipal Service:

Per kWh	\$0.066 per kWh
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C. Rider: FCA, WPCTF, & MISO

The above rates and charges are subject to the Riders, as determined by the Town, for monthly Fuel Clause Adjustment (FCA) charges, changes in the Town's Wholesale Power Cost Tracking Factor (WPCTF) and Midwest Independent Transmission System Operator (MISO) charges.

LARGE POWER SERVICE

1. AVAILABILITY

Available for any customer having a connected transformer capacity of 525 kVA or more; or, at the option of the Utility, any customer with power service having energy use of less than 200 kWh per kW of maximum billing load. Applicant must be located adjacent to an electric distribution line of the Electric Utility that is adequate and suitable for supplying the service requested.

2. **CHARACTER OF SERVICE**

Service under this schedule shall be alternating current, 60 Hertz, at any single phase or poly phase voltage supplied by the Electric Utility in the locality for which service is required.

3. **MONTH RATE**

A. **Customer Charge**

Per meter per month \$66.00 per month

B. **Maximum Load Charge**

Each kVA of Billing Maximum Load used per month \$6.90 per kVA

C. **Energy Charges**

For all kWh used per month \$0.0372 per kWh

D. **Minimum Monthly Charge**

The minimum monthly charge shall be the Customer Charge plus the Maximum Load Charge.

E. **Rider: FCA, WPCTF, & MISO**

The above rates and charges are subject to the Riders, as determined by the Town, for monthly Fuel Clause Adjustment (FCA) charges, changes in the Town's Wholesale Power Cost Tracking Factor (WPCTF) and Midwest Independent Transmission System Operator (MISO) charges.

4. **BILLING MAXIMUM LOAD**

The Billing Maximum load for any month shall be the greater of the maximum load for the month, or 60% of the highest monthly load during the preceding twelve months.

MEASUREMENT OF MAXIMUM LOAD AND ENERGY

5.

Maximum load shall be measured by suitable recording instruments provided by the Electric Utility and in any month the maximum load expressed in kilovolt-amperes shall be the average number of kilowatts in the recorded 30 minute interval in such month during which the energy metered is greater than in any such 30 minute interval in such month, divided by the average power factor (expressed as a decimal) calculated for the month. Energy shall be measured by suitable integrating instruments provided by the Electric Utility.

VOID

LARGE POWER SERVICE TO MASTERGUARD CORPORATION

1. AVAILABILITY

Available for service to MasterGuard Corporation pursuant to an agreement between MasterGuard Corporation and the Town of Veedersburg, Indiana.

2. CHARACTER OF SERVICE

Service under this schedule shall be alternating current, 60 Hertz, poly-phase at a mutually agreed to voltage.

3. MONTHLY RATE

A. Customer Charge

\$275.00 per month

B. Maximum Load Charge

Each kVA of Billing Maximum Load per month	\$11.55 per kVA
--	-----------------

C. Energy Charge

For all kWh used per month	\$0.0262 per kWh
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D. Minimum Monthly Charge

The minimum monthly charge shall be the Customer Charge plus the Maximum Load

Charge.

E. Riders: FCA, WPCTF, & MISO

The above rates and charges are subject to the Riders, as determined by the Town, for monthly Fuel Clause Adjustment (FCA) charges, changes in the Town's Wholesale Power Cost Tracking Factor (WPCTF) and Midwest Independent Transmission System Operator (MISO) charges.

4. BILLING MAXIMUM LOAD

The Billing Maximum Load for any month shall be the greater of the maximum load for the month, or 60% of the highest monthly load during the preceding twelve months.

5. MEASUREMENT OF MAXIMUM LOAD AND ENERGY

Maximum load shall be measured by suitable recording instruments provided by the Electric Utility and in any month the maximum load expressed in kilovolt-amperes shall be the average number of kilowatts in the recorded 30 minute interval in such month during which the energy metered is greater than in any other such 30 minute interval in such month, divided by the average power factor (expressed as a decimal) calculated for the month.

Energy shall be measured by suitable integrating instruments provided by the Electric Utility.

OUTDOOR (DUSK TO DAWN) LIGHTING SERVICE

1. AVAILABILITY

Available only for continuous year-round service for outdoor lighting to any residential, farm, commercial or industrial customer located adjacent to an electric distribution line of the Utility that is adequate and suitable for supplying the service requested.

2. CHARACTER OF SERVICE

Dusk-to-dawn outdoor lighting service using lamps available under this schedule.

3. MONTHLY RATE

For each lamp, controlled by a photoelectric relay, including luminaire, one span of secondary conductor, and bracket not to exceed four feet:

A. Lamp Only:

<u>Type of Lamp</u>	<u>Per Month</u>	<u>Annually (in advance)</u>
7,000 lumens (175 watt mercury vapor)	\$6.00	\$66.00
20,000 lumens (400 watt mercury vapor)	\$9.00	\$99.00

B. Lamp and Pole:

<u>Type of Lamp</u>	<u>Per Month</u>	<u>Annually (in advance)</u>
7,000 lumens (175 watt mercury vapor)	\$6.60	\$72.60
20,000 lumens (400 watt mercury vapor)	\$9.90	\$108.90

When additional facilities not provided for in the above charges are installed by the Utility, customer will pay in advance of installation, the cost of such additional facilities which may be required to supply service from the nearest or most suitable existing pole of the Utility to the point designated by the customer for the installation of said lamp. The Utility, at its option, may permit the customer to pay for such additional facilities in equal monthly installments extending over a period not to exceed twelve months.

RIDER: FCA (FUEL CLAUSE ADJUSTMENT)

(Applicable to rates for customers in the following service classes: Residential, Commercial, General Power, Municipal, Large Power, and Large Power to MasterGuard).

The monthly Fuel Clause Adjustment Rider shall be expressed in certs per kWh and shall be the same as that most recently billed Veedersburg Municipal Electric Utility by the Town's wholesale power supplier. Such Fuel Clause Adjustment Rider shall be divided by one minus the total energy losses of the Electric Utility for the preceding calendar year expressed as a decimal fraction of the total energy purchased for the same year.

RIDER: WPCTF (WHOLESALE POWER COST TRACKING FACTOR)

(Applicable to rates for customers in the following service classes: Residential, Commercial, General Power, Municipal, Large Power, and Large Power to MasterGuard).

The Wholesale Power Cost Tracking Factor Rider shall be expressed in cents per kWh and adjusted

at the Town's discretion based on changes in the Town's cost of purchased power. The base cost of power included in the wholesale rates amounts to \$0.041585 per kWh sold. The base cost of power shall be used as the basis for determining changes made by the Town in the WPCTF. The WPCTF Rate Adjustment applicable to the above listed Rate Schedules shall be \$0.000000 per kWh used per month, based upon the base cost of power noted above.

RIDER: MISO (MIDWEST INDEPENDENT TRANSMISSION SYSTEM OPERATOR)

(Applicable to rates for customers in the following service classes: Residential, Commercial, General Power, Municipal, Large Power, and Large Power to MasterGuard).

The monthly MISO Rider shall be expressed in cents per kWh and shall be the same as that most recently billed Veedersburg Municipal Electric Utility by the Town's wholesale power supplier. Such MISO Factor shall be divided by one minus the total energy losses of the Electric Utility for the preceding calendar year expressed as a decimal fraction of the total energy purchased for the same year.

MISCELLANEOUS AND NON-RECURRING CHARGES APPLICABLE TO ALL RATE SCHEDULES

1. TERMS OF PAYMENT

Bills for service will be rendered monthly at intervals of approximately thirty days and will be based on the charges set forth in the rate schedules and are payable to the Utility Office.

All bills are rendered as “net” bills which will be subject to a late payment charge of 10% of the net bill when not paid by the due date shown on the bill.

Failure to receive a bill shall not entitle Customer to pay the net bill after the designated date has passed. Upon request, Utility will inform Customer of the approximate date on which Customer should receive the bill each month and, if the bill is lost, Utility will issue a duplicate.

2. NON-SUFFICIENT FUNDS CHECK CHARGE

When Utility is required to reprocess a check rendered for payment of a Customer's bill due to non-sufficient funds, a \$20.00 charge shall be assessed.

3. RECONNECTION CHARGE

When Utility has discontinued service for nonpayment of a bill, temporary removal of meters, changes in service, or for any other cause, Utility reserves the right to charge Customer an amount for reconnection commensurate with the cost of such reconnection.

4. **CONDITIONS OF SERVICE**

Service shall be provided based upon the Town's "General Terms and Conditions for Electric Service" as established by ordinance of the Town Council. The "General Terms and Conditions for Electric Service" are on file and available for inspection at the Town Utility office.

Miscellaneous Attachments:

- +/-

 Letter from Steptoe & Johnson, LLP, to Federal Energy Regulatory Commission, 3/6/2008 - Page 1
- +/-

 Letter to Federal Energy Regulatory Commission, 3/6/2008 - Page 2
- +/-

 Letter to Federal Energy Regulatory Commission, 3/6/2008 - Page 3
- +/-

 Letter to Federal Energy Regulatory Commission, 3/6/2008 - Page 4
- +/-

 Letter to Federal Energy Regulatory Commission, 3/6/2008 - Page 5
- +/-

 Letter to Federal Energy Regulatory Commission, 3/6/2008 - Page 6
- +/-

 Letter to Federal Energy Regulatory Commission, 3/6/2008 - Page 7
- +/-

 Letter to Federal Energy Regulatory Commission, 3/6/2008 - Page 8
- +/-

 Letter of Consent Signed by Veedersburg Town Council, 11/1/2007 - Page 1
- +/-

 Letter of Consent Signed by Veedersburg Town Council, 11/1/2007 - Page 2

VOID

ORDINANCE NO. 1-09

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #1-09: Amending Salary Ordinance 8-08 (4/14/2009)

ORDINANCE NO. 3-09

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #3-09: Salary for 2010 (--/--/2009)

ORDINANCE NO. 8-10

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #8-10: Salary for 2011 (--/--/2010)

ORDINANCE NO. 11-11

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #11-11: Salary for 2012 (11/22/2011) - Page 1





(VOID) #11-11: Salary for 2012 (11/22/2011) - Page 2

Salary Ordinance-#06-12

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:


 (VOID) #06-12: Salary for 2013 (9/25/2012) - Page 1


 (VOID) #06-12: Salary for 2013 (9/25/2012) - Page 2

Salary Ordinance #09-12

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #09-12: Salary for 2013 (12/11/2012) - Page 1

 (VOID) #09-12: Salary for 2013 (12/11/2012) - Page 2

Salary Ordinance #02-13

Amends [Salary Ordinance #09-12](#)

Editor's Note: This ordinance is void - it has been replaced by a newer salary ordinance.

An ordinance fixing the salaries of the officials and employees of the Town of Veedersburg, Fountain County, Indiana for the year 2013 with certain exceptions and repealing all other salary ordinances and amendments heretofore made.

SECTION 1

Be it ordained by the Town Council of Veedersburg, Indiana that the salaries and wages of the following officials and employees respectfully of said Town be and same are set out:

Town Council Members	\$5040.00 per year
Town Clerk-Treasurer	9040.00 per year
Collector of Lights, Water, Sewer	31210.00 per year
Town Marshal	39083.00 per year
Deputy Marshal with academy	37000.00 per year
Part-time Deputy Marshal	18.00 per hour
Part-time Deputy Marshal	18.00 per hour
Water, Sewer, Street Supt.	20.22 per hour
Electric Supt.	68734.00 per year
Electric Lineman	
After 1 st year apprenticeship	19.21 per hour
After 2 nd year apprenticeship	21.27 per hour
After 3 rd year apprenticeship	23.33 per hour
After 4 th year apprenticeship	26.42 per hour
Starting Apprentice Lineman	18.70 per hour
Starting Laborer	13.64 per hour
Laborer after 90 days	15.67 per hour
Laborer with Grade DSS or WT2 Certification	16.17 per hour
Laborer with Grade DSS and WT2 Certification	16.67 per hour
Wastewater Treatment Operator	15.87 per hour
Class One License	18.62 per hour
Plant Supt – (Class Two License)	20.22 per hour
Summer help – 1 st year	9.65 per hour
Summer help – Subsequent years	11.00 per hour
Office Full-time	15.67 per hour

Office Part-time	11.01 per hour
Electrical Engineer	37.15 per hour
Pool Manager	440.00 per week
Lifeguards after one season	7.65 per hour
Starting Lifeguards	7.40 per hour
Summer Help	9.65 per hour
Animal Control	63.00 per week

Non supervisory employees requested in writing by the town to perform supervisory duties will receive \$2.00 per hour premium

If a fulltime employee is enrolled and contributes to the 457 plan, the town will make a matching contribution of up to \$20.00 per week into a 401 A plan for the employee

This ordinance shall be in effect from February 28, 2013 through and including Dec. 31, 2013.

Troy Finley

Keith K. Smith

Teresa K. Cooper

Attest: Kathy J. Pugh


Date 2/26/13

Clerk/Treasurer

Ordinance #01-2014

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #01-2014: Salary Ordinance for 2014 (1/14/2014) - Page 1

 (VOID) #01-2014: Salary Ordinance for 2014 (1/14/2014) - Page 2

Ordinance #02-2014

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #02-2014: Amending Salary Ordinance for 2014 (2/11/2014) - Page 1



(VOID) #02-2014: Amending Salary Ordinance for 2014 (2/11/2014) - Page 2

**AN ORDINANCE AMENDING
ORDINANCE NO. 4-06**

**AN ORDINANCE OF THE TOWN COUNCIL OF
THE TOWN OF VEEDERSBURG, INDIANA,
REGARDING AMENDING SCHEDULE OF CHARGES FOR
ELECTRIC UTILITY SERVICES**

WHEREAS, the Town of Veedersburg, Indiana (the “Town”), owns and operates a municipal electric utility (the “Electric Utility”), and collects rates and charges for the electric utility services rendered by the Electric Utility, and

WHEREAS, the existing charges for outside lighting services do not produce sufficient revenues to pay all the necessary expenses incident to such services; and

WHEREAS, it is necessary to increase existing charges for outdoor lighting services in order to provide sufficient funds to meet such financial requirements of the Electric Utility and to maintain the Electric Utility property in a sound physical and financial condition to render adequate and efficient service; and

WHEREAS, the Town, acting through its Town Council, adopted Ordinance 2-83 on September 1, 1983, pursuant to IC 8-1.5-3-9.1, removing the Electric Utility from jurisdiction of the Indiana Utility Regulatory Commission for purposes of approval of rates and charges and the issuance of stocks, bonds, notes, or other evidences of indebtedness; and

WHEREAS, this Town Council has the power, authority and responsibility to approve new schedule charges without publication of notice for a public hearing;

WHEREAS, a public meeting on July 22, 2014 about the changes in [outdoor lighting charges](#) was held and any interested persons were afforded the opportunity to be heard concerning the proposed charges.

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

1. The Town Council hereby approves that following scheduled for outdoor lighting services listed below and rendered by the Town of Veedersburg, Indiana, which charges shall replace the currently existing charges for the services listed below:

OUTDOOR (DUSK TO DAWN) LIGHTING SERVICES

1. **AVAILABILITY**

Available only for continuous year-round service for outdoor lighting to any residential, farm

commercial or industrial customer located adjacent to and electric distribution line of the Utility that is adequate and suitable for supplying the service requested.

2. **CHARACTER OF SERVICE**

Dusk-to-dawn outdoor lighting service using lamps available under this schedule.

3. **MONTLY RATE**

For each lamp, controlled by a photoelectric relay, including luminaire, one span of secondary conductor, and bracket not to exceed four feet:

A. **Lamp Only:**

<u>Type of Lamp</u>	<u>Per Month</u>	<u>Annually (in advance)</u>
7,000 lumens (100 watt hps)	11.00	121.00
20,000 lumens (400 watt mercury vapor)	14.00	154.00

B. **Lamp and Pole:**

<u>Type of Lamp</u>	<u>Per Month</u>	<u>Annually (in advance)</u>
7,000 lumens (100 watt hps)	11.60	127.60
20,000 lumens (400 watt mercury vapor)	14.90	163.90
400 watt directional	17.60	

When additional facilities not provided for in the above charges are installed by the Utility, customer will pay in advance of installation, the cost of such additional facilities which may be required to supply service from the nearest or most suitable existing pole of the Utility to the point designated by the customer for the installation of said lamp. The Utility, at its option, may permit the customer to pay for such additional facilities in equal monthly installments extending over a period not to exceed twelve (12) months. Existing customers needing a line buried shall be charged \$350. Customers needing temporary service shall be charged \$75.

SO ADOPTED this 22nd day of July , 2014.

TOWN COUNCIL OF THE TOWN OF
VEEDERSBURG, INDIANA

Teresa K. Cooper
President

Tim Shumaker

Stephen R. Cates

Troy Finley

Mark Rusk

ATTEST:

Kathy J. Pugh
Clerk-Treasurer

Ordinance Number: 08-2014

Editor's Note: This ordinance is void (expired). Photographs of the pages of this ordinance:



(VOID) #08-2014: Appropriations and Tax Rate for 2015 (9/23/2014) - Page 1



(VOID) #08-2014: Appropriations and Tax Rate for 2015 (9/23/2014) - Page 2

Salary Ordinance #09-2014

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

+/-

(VOID) #09-2014: Salary Ordinance for 2015 (9/23/2014) - Page 1

+/-

(VOID) #09-2014: Salary Ordinance for 2015 (9/23/2014) - Page 2

Salary Ordinance #06-2015

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #06-2015: Salary for 2015 (7/14/2015) - Page 1



(VOID) #06-2015: Salary for 2015 (7/14/2015) - Page 2

Salary Ordinance #10-2015

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

 (VOID) #10-2015: Salary for 2016 (9/22/2015) - Page 1

 (VOID) #10-2015: Salary for 2016 (9/22/2015) - Page 2

Ordinance Number: 09-2015

Editor's Note: Because this ordinance is adopted on a government form (Budget Form No. 4), it is provided here as digital images:



#09-2015: Appropriations and Tax Rates for 2016 (9/22/2015) - Page 1



#09-2015: Appropriations and Tax Rates for 2016 (9/22/2015) - Page 2

Salary Ordinance #02-2016

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:



(VOID) #02-2016: Salary for 2016 (2/23/2016) - Page 1



(VOID) #02-2016: Salary for 2016 (2/23/2016) - Page 2

Salary Ordinance # 10 -2016

An ordinance fixing the salaries of the officials and employees of the Town of Veedersburg, Fountain County, Indiana for the year 2017 with certain exceptions and repealing all other salary ordinances and amendments heretofore made.

SECTION 1

Be it ordained by the Town Council of Veedersburg, Indiana that the salaries and wages of the following officials and employees of said Town be fixed as follows:

Town Council Members	\$5700.00 per year
Town Manager	
1 st Year	45000.00 per year
2 nd Year	49000.00 per year
3 rd Year	53000.00 per year
4 th Year	57000.00 per year
Town Clerk–Treasurer	10630.00 per year
Collector of Lights, Water, Sewer	36625.00 per year
Town Marshal	46120.00 per year
Deputy Marshal with academy	43120.00 per year
Student Resource Officer	42120.00 per year
Part—time Deputy Marshal	18.00 per hour
Part—time Deputy Marshal	17.00 per hour
Water, Sewer, Street Supt./Foreman	22.22 per hour
Electric Foreman	32.42 per hour
Electric Lineman/5 or more years experience	31.00 per hour
Electric Lineman	
After 1 st year apprenticeship	21.21 per hour
After 2 nd year apprenticeship	22.27 per hour
After 3 rd year apprenticeship	24.27 per hour
After 4 th year apprenticeship with certification	27.42 per hour
Starting Apprentice Lineman	20.20 per hour
Starting Laborer	15.50 per hour
Laborer after 90 days	17.67 per hour
Laborer with Grade DSS Certification	18.17 per hour
Laborer with WT2 Certification	18.67 per hour
Wastewater Treatment Operator	
Plant Supt/Foreman	22.22 per hour

Apprentice after 3000 hours	18.67 per hour
Apprentice after 4500 hours with Certification	19.17 per hour
Office Full-time	17.67 per hour
Office Part-time	12.01 per hour
Pool Manager	480.00 per week
Lifeguards after one season	7.65 per hour
Starting Lifeguards	7.40 per hour
Summer Help- 1 st year	10.00 per hour
Summer Help- Subsequent years	11.50 per hour

Non supervisory employees requested in writing by the town to perform supervisory duties will receive \$2.00 per hour premium.
If a fulltime employee is enrolled and contributes to the 457 plan, the town will make a matching contribution of up to \$20.00 per week into a 401 A plan for the employee.

This ordinance shall be in effect from Jan 1, 2017 through and including Dec. 31, 2017.

Teresa K. Cooper

Keith K. Smith

Mark Rusk

Troy Finley

Stephen R. Cates
Veedersburg Town Council

Attest: Kathy J. Pugh
Clerk/Treasurer

Date 09/27/16

Amended Salary Ordinance #06-2017

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

+/-

(VOID) #06-2017: Amended Salary Ordinance for 2017 (7/25/2017) - Page 1

+/-

(VOID) #06-2017: Amended Salary Ordinance for 2017 (7/25/2017) - Page 2

Editor's Note: As this ordinance is on State Form 55865 (7-15), it is represented here as digital images:

 #08-2017: Budget for 2018 (9/26/2017) - Page 1

 #08-2017: Budget for 2018 (9/26/2017) - Page 2

Salary Ordinance #09-2017

Editor's Note: This ordinance is Void.

Editor's Note: Photographs of the pages of this ordinance:

+/-

(VOID) #09-2017: Salary Ordinance for 2018 (9/26/2017) - Page 1

+/-

(VOID) #09-2017: Salary Ordinance for 2018 (9/26/2017) - Page 2

+/-

(VOID) #09-2017: Salary Ordinance for 2018 (9/26/2017) - Attachment (email), Page 1

+/-

(VOID) #09-2017: Salary Ordinance for 2018 (9/26/2017) - Attachment (email), Page 2

Editor's Note: Photographs of the pages of Section III, **Provisions Governing Agricultural Districts**, Ordinance No. 97-19, before replacement:

- +/- Section III, Ordinance 97-19, before replacement - Page 1
- +/- Section III, Ordinance 97-19, before replacement - Page 2
- +/- Section III, Ordinance 97-19, before replacement - Page 3
- +/- Section III, Ordinance 97-19, before replacement - Page 4
- +/- Section III, Ordinance 97-19, before replacement - Page 5
- +/- Section III, Ordinance 97-19, before replacement - Page 6
- +/- Section III, Ordinance 97-19, before replacement - Page 7