

ORDINANCE NO. 2014-02

**AN ORDINANCE OF THE COMMON COUNCIL
OF THE CITY OF LEBANON, INDIANA,
AMENDING ORDINANCE NO. 06-07**

(PARKING DOWNTOWN LEBANON)

WHEREAS, the Indiana law provides that powers not specifically reserved for the State are delegated to the local government and may be regulated by a municipality [Home Rule], as delineated in I.C. 36-1-3; and

WHEREAS, I.C. 36-1-5 empowers and authorizes the City of Lebanon ("City") to revise, amend, restate, codify and compile existing ordinances and new ordinances not heretofore adopted or published and to incorporate such ordinances into code form; and

WHEREAS, the Common Council of the City of Lebanon, Indiana, desire to promulgate an amended ordinance to regulate and control parking in the downtown parking area of the City which is in the best interest of the citizens of the City of Lebanon, Indiana; and

WHEREAS, the Common Council ("Council") of the City of Lebanon, Indiana, desires to amend Ordinance No. 06-07 Section 6 to provide the following (bold type face shall be inserted into the existing code language deleted by strikethrough): "... This sum shall be paid to the Lebanon Clerk/Treasurer's Office within ~~five (5)~~ **ten (10)** calendar days of the date of the violation. In the event the payment is not made within ~~five (5)~~ **ten (10)** calendar days, ... the violator shall have the option of paying the sum of Fifty Dollars (\$50.00) within thirty (30) days of the violation, or ~~be summoned to appear in the Lebanon City Court~~ **the case will be referred to the City Attorney for prosecution** and if a violation is found, be subject to a fine of not less than Fifty Dollars (\$50.00) plus court costs.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Lebanon, Indiana, as follows:

1. The City of Lebanon, Indiana ("City") hereby amends Ordinance No. 06-07 Section 6. to state as follows (bold type face shall be inserted into the existing code language deleted by strikethrough): A. For each violation, pay a penal sum of Fifteen Dollars (\$15.00). This sum shall be paid to the Lebanon Clerk/Treasurer's Office within ~~five (5)~~ **ten (10)** calendar days of the date of the violation. In the event the payment is not made within ~~five (5)~~ **ten (10)** calendar days, the penal sum increases to Twenty-five Dollars (\$25.00) and the Lebanon Clerk/Treasurer's Office will forward a letter to the violator, giving them ten (10) calendar days from the date of the letter to pay said sum. In the event payment is not made, the violator shall have the option of paying the sum of Fifty Dollars (\$50.00) within thirty (30) days of the violation, or ~~be summoned to appear in the Lebanon City Court~~ **the case will be referred to the City Attorney for prosecution**

and if a violation is found, be subject to a fine of not less than Fifty Dollars (\$50.00) plus court costs.

2. This Ordinance shall be deemed published as provided for in Indiana law and the Clerk-Treasurer of the City shall keep and maintain two (2) copies of the Ordinance for public use and inspection.
3. This Ordinance shall be in full force and effect and the Code shall be presumptive evidence in all courts, forums and places of the ordinances, provisions, penalties and regulations contained therein, as provided in I.C. 36-1-5-5.

The effective date of this Ordinance shall be as mandated by Indiana law. Adopted by the Common Council of the City of Lebanon, Indiana, on this 24th day of FEBRUARY, 2014.

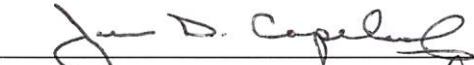
THE COMMON COUNCIL OF THE CITY OF
LEBANON, INDIANA



Harold "Huck" Lewis, Mayor



Keith Campbell




John Copeland



Mike Kincaid



Jeremy Lamar



Steve Large

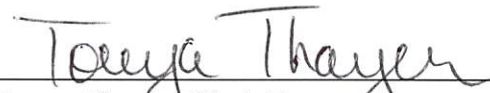


Lana Kruse



Preston Myers

ATTEST:



Tonya Thayer, Clerk-Treasurer