

CHAPTER 22  
ORDINANCE VIOLATIONS BUREAU

Article 1. Establishment of Ordinance Violations Bureau.

Sec. 22-101. The Corporation establishes an ordinance violations bureau under Indiana Code § 33-36-2-1.

Sec. 22-102. The Treasurer is designated as the violations clerk.

Sec. 22-103. The Corporation or county clerk may accept payment of civil penalties for ordinance violation citations.

*[Gen.Ord. 3-2004 Passed 8/24/04 Effective Date 9/1/04]*

Article 2. Right to Trial for Ordinance Violation Citations.

Sec. 22-201. A person issued an ordinance violation citation is entitled to a trial before a court as provided by law.

Sec. 22-202. If a person issued an ordinance violation citation wants to exercise the right to trial, the person shall enter a written denial with the Corporation.

*[Gen.Ord. 3-2004 Passed 8/24/04 Effective Date 9/1/04]*

Article 3. Payment of Civil Penalties for Citations.

Sec. 22-301. Payment of civil penalties for ordinance violation citations may be made by cash, credit card, certified check, or money order, made payable to "The Health and Hospital Corporation of Marion County". Payment of civil penalties may be made in person or by mail. Payment by mail shall not be in cash.

*[Gen.Ord. 12-2023 Passed 1/8/24 Effective Date 3/15/24]*

Article 4. Citations.

Sec. 22-401. Schedule of Violations.

(a) The Health Officer may issue a citation for a violation of The Code. Pursuant to Indiana Code § 33-36-2-3, the maximum civil penalty is two hundred fifty dollars (\$250).

(b) The Health Officer may issue a citation for a violation of Indiana Code § 16-42-5 and 410 IAC 7 pursuant to Indiana Code § 16-42-5-28(g)(2) and apply the schedule of civil penalties in 410 IAC 7-23.

*[Gen.Ord. 12-2023 Passed 1/8/24 Effective Date 3/15/24]*

Sec. 22-402. The citation shall contain:

- (a) Date of violation,
- (b) Name of responsible person,
- (c) Address of violation,
- (d) Section number of violation,

- (e) Nature of violation,
- (f) Civil penalty amount,
- (g) Instructions for paying civil penalty,
- (h) Notice of right to trial, and
- (i) Name and phone number of the Health Officer issuing citation.

Sec. 22-403. The Corporation may file a civil lawsuit when the person issued a citation fails to pay the civil penalty within ten (10) days.

*[Gen.Ord. 6-2006 Passed 6/20/06 Effective Date 7/1/06]*

Sec. 22-404. The Corporation may, in addition, file a civil action in accordance with Indiana Code § 16-22-8-31, Indiana Code § 16-42-5-28(h), Indiana Code § 34-28-5-1(b), and Indiana Code § 36-1-6-4.

*[Gen.Ord. 12-2023 Passed 1/8/24 Effective Date 3/15/24]*

Sec. 22-405. In proceedings before a court for ordinance violations, the Corporation has the burden of proving the violation by a preponderance of the evidence.

*[Gen.Ord. 6-2006 Passed 6/20/06 Effective Date 7/1/06]*

Sec. 22-406. A person adjudged to have violated an ordinance shall be liable for court costs. Costs shall not be assessed against the Corporation.

*[Gen.Ord. 6-2006 Passed 6/20/06 Effective Date 7/1/06]*