

AMENDMENT OF WORDS OF PENALTY IN ALL
HENDRICKS COUNTY ORDINANCES FROM "MISDEMEANOR"
TO "INFRACTION"

FILED

AND

ADMINISTRATIVE PROCEDURE FOR ENFORCEMENT
OF HEALTH ORDINANCES

FEB 13 1989

Mary Jane Lusk
AUDITOR HENDRICKS COUNTY

1. WHEREAS, Ind. Code S36-1-4-11 of the Acts of General Assembly of the State of Indiana, as amended, granted certain powers to the Boards of County Commissioners, relative to the adoption of ordinances; and
2. WHEREAS, the Hendricks County Board of Commissioners held a public hearing pursuant to the legislative procedure established under Ind Code S36-2-4 seq; and
3. WHEREAS, the penalty statute for the State of Indiana being Ind. Code S34-4-32-1, et.seq. mandates that violations of County ordinances is an "infraction"; and
4. WHEREAS, some of the County ordinances were enacted prior to the passage of the penalty statute for the State of Indiana and the penalty provision in said county ordinances are inappropriately designated as "misdemeanors" instead of "infractions."
5. WHEREAS, it is the intent of this ordinances to amend all Hendricks County ordinances which have a penalty provision of "misdemeanors" to state that the violation of the Hendricks County Ordinance is an "infraction".
6. WHEREAS, the Board of County Commissioners, after having a public hearing found: the uniform enforcement of all Hendricks

1989

County Health Department Ordinances, except the Hendricks County Food Establishment Ordinance, as amended, is necessary.

7. THEREFORE, be it Ordained by the Board of County Commissioners of Hendricks County that the provisions of this ordinance are effective within Hendricks County.

8. Section One. Amendment of Hendricks County Ordinance. All Hendricks County ordinances whose penalty provision are in appropriately designated as a "misdemeanor", be, and are hereby amended to designated the violation as an "infraction".

9. Section Two. Administrative Enforcement of Hendricks County Health Ordinances. Whenever the Health Officer or an agent designated by the Health Officer determines that there are reasonable grounds to believe that there has been a violation of any provision of the Hendricks County Health Department Ordinances in effect, as amended, except the Hendricks County Food Establishment Ordinance, as amended, the Health Officer or his agent shall give notice of such alleged violation to the person or persons responsible, and to any known representative of such person, as hereinafter provided. Such notice:

(a) Be put in writing.

(b) Included a statement of the reasons why it is being issued.

(c) Allow a reasonable time for the performance of any act it requires.

(d) Be served upon the owner or his representative, or the occupant as the case may require, provided that such notice shall be deemed to be properly served upon such owner or representative

or upon such occupant, if a copy thereof is served upon him personally, or if a copy thereof is sent by registered mail to his last known address as provided for tax purposes in the Hendricks County Auditor's Office, or if a copy thereof is posted in a conspicuous place in or about the building affected by the notice, or if he is served with such notice by any other method authorized or required under the laws of this State.

(e) Such notice must contain an outline of remedial action which, if taken, will effect compliance with the provisions of the ordinance.

10. Section Three. Penalties. Any person or legal entity found to be violating any provisions of this ordinance shall be served by the Health Officer or an agent designated by the Health Officer with a written order stating the nature of the violation and providing a time limit for satisfactory correction thereof. Any person who shall continue any violation of this ordinance beyond the time limit provided for in this Ordinance shall be guilty of an infraction. Upon conviction, by a court of competent jurisdiction, the violator shall be punished as a Class "C" infraction for the first offense be a fine of not more than Five Hundred Dollars (\$500.00) plus cost; for the second offense as a Class "B" infraction by a fine of not more than One Thousand Dollars (\$1,000.00) plus cost; and for the third and each subsequent offense as a Class "A" infraction by a fine of not more than One Thousand Five Hundred Dollars (\$1,500.00). Each day after the expiration of the time limit for abating unsanitary

conditions and completing improvements to abate such conditions as ordered by the Health Officer or his agent shall constitute a distinct and separate offense.

In addition to said penalties contained herein, any violators of any Hendricks County Health Ordinance, may be enjoined from continuing to violate the ordinance by a court of law.

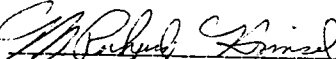
11. Section Four. Unconstitutionality Clause. Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason the remainder of said ordinance shall be not affected thereby.

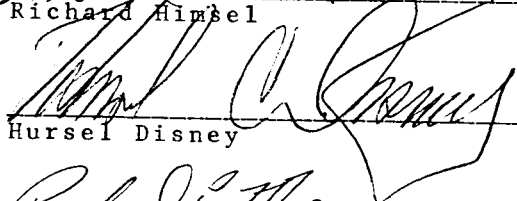
12. Section Five. Repeal and Date of Effect.


A. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed, and this ordinance shall be in full force and effect from and after its passage, approval by the Commissioners and publication as required by law.

B. Passed and adopted by the Commissioners of Hendricks County, State of Indiana, on the 6th day of February, 1989.

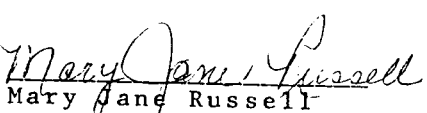
BOARD OF COMMISSIONERS


Richard Himbel


Hurssel Disney


Richard Meyers

ATTESTED BY:


Mary Jane Russell
County Auditor

AMENDMENT OF WORDS OF PENALTY IN ALL HENDRICKS COUNTY
ORDINANCES FROM "INFRACTION" TO "VIOLATION"

WHEREAS, Indiana Code 36-1-4-11 of the Acts of General Assembly of the State of Indiana, as amended, granted certain powers to the Boards of County Commissioners, relative to the adoption of ordinances; and

WHEREAS, the Hendricks County Board of Commissioners held a public hearing pursuant to the legislative procedure established under Indiana Code 36-2-4 seq; and

WHEREAS, the penalty statute for the State of Indiana being Indiana Code 34-4-32-1, et. seq. mandates that violations of County ordinances shall be brought in the name of the municipal corporation; and

WHEREAS, the County ordinances penalty provisions inappropriately designated as "infractions" instead of "violations"; and

WHEREAS, it is the intent of this ordinance to amend all Hendricks County ordinances which have a penalty provision of "infractions" to state that the violation of the Hendricks County Ordinance is a "violation"; and

WHEREAS, the Board of County Commissioners, after having a public hearing found: the uniform enforcement of all Hendricks County as amended, is necessary.

THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Hendricks County, Indiana that the provisions of this ordinance are effective within Hendricks County as follows:

1. Amendment of Hendricks County Ordinances. All Hendricks County ordinances whose penalty provisions are inappropriately designated as an "infraction", be and are hereby amended to be designated "violation" of said ordinance.

2. Penalties. Any person or legal entity found to be violating any provisions of this ordinance or any prior ordinances of the Board of Commissioners shall be cited for said "violation" into a Court having jurisdiction. Upon conviction, by a court of competent jurisdiction, the violator shall be punished by a fine of no more than Two Thousand Five Hundred Dollars (\$2,500.00), including any court cost imposed. If such violation is continued, each day's violation shall be a separate offense.

3. Unconstitutionality Clause. Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

4. Repeal and Date of Effect.

A) All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed, and this ordinance shall be in full force and effect from and after its passage, approval by the Commissioners and publication as required by law.

B) Passed and adopted by the Commissioners of Hendricks County, State of Indiana, on the 19th day of February, 1997.

ENTERED FOR RECORD Book _____ Page _____

DATE: _____

~~BONNIE L. MORPHEW~~, RECORDER

Joy Bradley

BOARD OF COMMISSIONERS

Richard P. Myers

RICHARD P. MYERS

Murcel C. Disney

MURSEL C. DISNEY

John D. Clampitt

JOHN D. CLAMPITT

A SPECIAL ORDINANCE CONCERNING THE COUNTY CORRECTIONS FUND

WHEREAS, SEA 395, (1986) AN ACT to amend the Indiana Code concerning corrections, added I.C. 11-12-6 to the Indiana Code to provide for the establishment and funding of a county corrections fund; and

WHEREAS, I.C. 11-12-6-6 provides that a county legislative body may annually adopt an ordinance to elect to receive deposits from the State Department of Correction and to establish a county corrections fund; and

WHEREAS, the Hendricks County Board of Commissioners will hold a public hearing on Monday, March 13, 1989 at 2:00 P.M. in the Commissioners' Room on the third floor of the Courthouse, and

WHEREAS, the county corrections fund may be used only for funding the operation of the county jail, jail programs, or other local correctional facilities; and

WHEREAS, the county legislative body may elect to receive deposits at either Level 1, Level 2, or Level 3 funding; and

WHEREAS, Level 3 is the most appropriate level of participation for Hendricks County; therefore;

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY:

SECTION 1. Hendricks County Board of Commissioners hereby elect to receive deposits from the Department of Correction in accordance with I.C. 11-12-6.

SECTION 2. Hendricks County Board of Commissioners hereby elect to receive such deposits at Level 3 funding.

SECTION 3. There is hereby created a "county corrections fund", to be administered by the Hendricks County Council. The fund shall consist of deposits received from the Department of Correction in accordance with I.C. 11-12-6.

SECTION 4. The County Corrections fund may be used only for funding the operation of the county jail, jail programs, or other local correctional facilities. Any money remaining in a county corrections fund at the end of the year does not revert to any other fund but remains in the county corrections fund.

SECTION 5. This ordinance shall be in full force and effect upon passage.

DATED March 13, 1989

M. Richard Himself

Richard P. Myers
Richard P. Myers

Hursel C. Disney
Hursel C. Disney

HENDRICKS COUNTY COMMISSIONERS

ATTEST: Mary Jane Russell
Mary Jane Russell
Hendricks County Auditor

ORDINANCE NO. 1089-7
HENDRICKS COUNTY PLANNING AND BUILDING DEPARTMENT AUTHORITY TO
ISSUE IMPROVEMENT LOCATION PERMITS AND PROVIDE
BUILDING INSPECTIONS IN THE TOWN OF AMO, INDIANA

WHEREAS, The Town of Amo needs assistance in the issuing of building permits and in providing building inspections for new construction, remodeling and additions to existing structures; and

WHEREAS, Section 36-7-4-802(a) of the Indiana Code allows a municipality to designate, by ordinance, the official or employee of the municipality or county who may issue improvement location permits within the jurisdictions of the advisory plan commission; and

WHEREAS, The Town Board of Trustees of Amo has by ordinance designated the Hendricks County Planning and Building Department as the agency to issue improvement location permits within the jurisdiction of Amo.

NOW THEREFORE, BE IT ORDAINED THAT:

Section 1: The Board of Hendricks County Commissioners do hereby empower and authorize the Hendricks County Planning and Building Department to exercise and enforce within the boundaries of the Town of Amo the same powers as may be exercised by them in the unincorporated area of the County pursuant to issuing improvement location permits (IC 36-7-4-800). These powers include:

1. The issuing and inspections of improvement location permits pursuant to Hendricks County Ordinance No. 1987-13.
2. The enforcement of provisions of the Unsafe Building Ordinance, Hendricks County Ordinance No. 1987-12.

Section 2: All improvement location permits issued by the County within the Town of Amo will be subject to and required to pay the prescribed fees equal to those levied by the Hendricks County Plan Commission for the unincorporated area of the County.

Section 3: Applications for an improvement location permits will be made to the Hendricks County Planning Commission. However, before the Improvement Location Permit is issued, the Board of Trustees of the Town of Amo must approve the Improvement Location Permit application.

Section 4: The provisions of this ordinance are effective until such time as they are amended or repealed by the Hendricks County Board of Commissioners or until such time as the Board of Trustees of the Town of Amo serves written notice to the Hendricks County Board of Commissioners that they no longer want the County to issue improvement location permits within the Town of Amo.

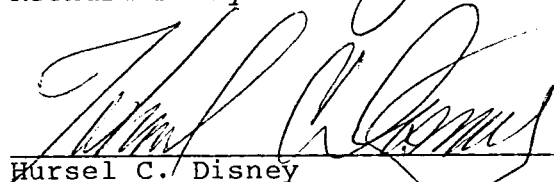
This Ordinance shall be in full effect from and after its passage and approved according to law.

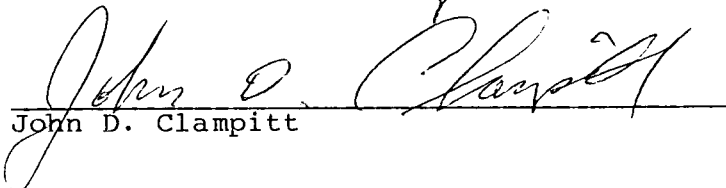
If any section, clause, paragraph, provision, or portion of this amendment shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, paragraph, provision, or portion of this amendment.

Passed and approved by the Board of Commissioners of Hendricks County, Indiana, this 1 day of May, 1989.

BOARD OF COMMISSIONERS


Richard P. Myers


Hursel C. Disney


John D. Clampitt

ATTEST:


Marthalyn Pearcy
Secretary

ORDINANCE NO. 1989-9
HENDRICKS COUNTY PLANNING COMMISSION
PLANNING AUTHORITY IN THE TOWN OF STILESVILLE, INDIANA

WHEREAS, The Town of Stilesville needs assistance in comprehensive planning, zoning enforcement, and issuing building permits and does not have the staff or financial resources to provide these services; and

WHEREAS, Section 36-7-4-410 of the Indiana Code permits any municipality located in a county having an advisory plan commission to designate, by ordinance, that county plan commission as the municipal plan commission; and

WHEREAS, The Town Board of Trustees of Stilesville has by ordinance designated the Hendricks County Plan Commission as the municipal plan commission for the Town of Stilesville.

NOW, THEREFORE, BE IT ORDAINED THAT:

Section 1: The Board of Hendricks County Commissioners do hereby empower and authorize the Hendricks County Planning Commission to exercise and enforce within the boundaries of the Town of Stilesville the same planning powers and duties as may be exercised by them in the unincorporated area of the county pursuant to Indiana Code 36-7-4-400. These powers and duties include:

- a. The development and implementation of a comprehensive development plan;
- b. The adoption, amendment, and enforcement of a zoning ordinance and zoning regulations;
- c. The adoption, amendment, and enforcement of a subdivision control ordinance and regulations for the platting or replatting of subdivided land;
- d. The provision for any required permits for location of buildings, structures, or uses, and the imposition and collection, for the benefit of the county, of any applicable permit fees or other related fees as may from time to time be fixed and assessed from persons in the unincorporated area.
- e. The development of public ways, thoroughfares and streets.
- f. The laying out and development of public ways and services to platted and unplatted lands.

Section 2: In accordance with Indiana Code 36-7-4-410(b) residents of the Town of Stilesville are eligible to be appointed citizen members of the Hendricks County Advisory Plan Commission.

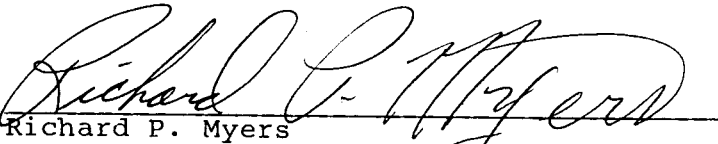
Section 3: The provisions of this ordinance are effective until such time as they are amended or repealed by the Hendricks County Board of Commissioners or until such time as the Board of Trustees of the Town of Stilesville serves written notice to the Hendricks County Board of Commissioners that they no longer want the County to exercise and enforce planning powers within the Town.

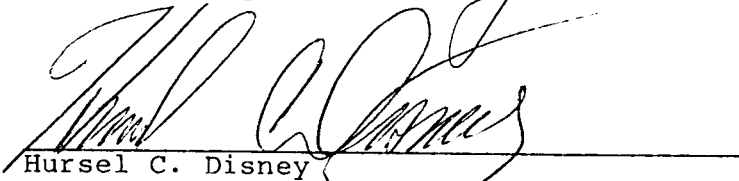
This Ordinance shall be in full effect from and after its passage and approved according to law.

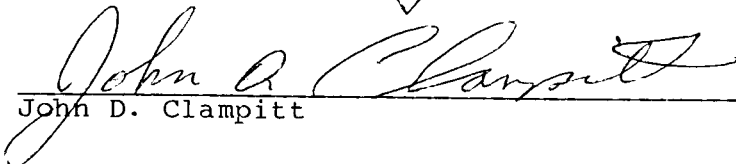
If any section, clause, paragraph, provision, or portion of this amendment shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, paragraph, provision, or portion of this amendment.

Passed and approved by the Board of Commissioners of Hendricks County, Indiana, this 1 day of May, 1989.

BOARD OF COMMISSIONERS


Richard P. Myers


Hursel C. Disney


John D. Clampitt

ATTEST:


Marthalyne Pearcy
Secretary

1989-9

AN ORDINANCE AMENDING THE HENDRICKS COUNTY ZONING ORDINANCE BY DISPERSING SEXUALLY ORIENTED BUSINESSES AND LIMITING THEM TO THE "GB" GENERAL BUSINESS ZONING DISTRICT; AS SPECIAL EXCEPTIONS AND PROVIDING FOR REGULATION OF SEXUALLY ORIENTED BUSINESSES.

WHEREAS, there are sexually oriented businesses in Hendricks County that require special supervision from the public safety agencies of the county in order to protect and preserve the health, safety, and welfare of the patrons of such businesses as well as the citizens of the County; and

WHEREAS, the County Commissioners find that sexually oriented businesses are frequently used for unlawful sexual activities, including prostitution and sexual liaisons of a casual nature; and

WHEREAS, the concern over sexually transmitted diseases is a legitimate health concern of the County which demands reasonable regulation of sexually oriented businesses in order to protect the health and well-being of the citizens; and

WHEREAS, issuing permits is a legitimate and reasonable means of accountability to ensure that operators of sexually oriented businesses comply with reasonable regulations and to ensure that operators do not knowingly allow their establishments to be used as places of illegal sexual activity or solicitation; and

WHEREAS, there is convincing documented evidence that sexually oriented businesses, because of their very nature, have a deleterious effect on both the existing businesses around them and the surrounding residential areas adjacent to them, causing increased crime and the downgrading of property values; and

WHEREAS, it is recognized that sexually oriented businesses, due to their very nature, have serious objectionable operation characteristics, particularly when they are located in close proximity to each other, thereby contributing to urban blight and downgrading the quality of life in the adjacent area; and

WHEREAS, the County Commissioners desire to minimize and

control these adverse effects and thereby protect the health, safety, and welfare of the citizenry; protect the citizens from increased crime; preserve the quality of life; preserve the property values and character of surrounding neighborhoods and deter the spread of urban blight; and

WHEREAS, it is not the intent of this ordinance to suppress any speech activities protected by the First Amendment, but to enact a content neutral ordinance which addresses the secondary effects of sexually oriented businesses; and

WHEREAS, it is not the intent of the County Commissioners to condone or legitimize the distribution of obscene materials. The Commissioners expect and encourage state and county law enforcement officials to enforce state obscenity statutes against any such illegal activities in Hendricks County.

NOW, THEREFORE, Pursuant to the authority granted by the Constitution and the General Assembly of the State of Indiana, BE IT ENACTED BY THE COUNTY COMMISSIONERS OF HENDRICKS COUNTY, INDIANA.

SECTION I.

PURPOSE AND INTENT

It is the purpose of this ordinance to regulate sexually oriented businesses to promote the health, safety, morals, and general welfare of the citizens of the County, and to establish reasonable and uniform regulations to prevent the continued deleterious location and concentration of sexually oriented businesses within the County. The provisions of this ordinance have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent nor effect of this ordinance to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this ordinance to condone or legitimize the distribution of obscene material.

SECTION II.

DEFINITIONS.

(1) ADULT ARCADE means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas."

(2) ADULT BOOKSTORE or ADULT VIDEO STORE means a commercial establishment which, as one of its principal business purposes, offers for sale or rental for any form of consideration any one or more of the following:

(A) books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representations which depict or describe "specified sexual activities" or "specified anatomical areas"; or

(B) instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities."

A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical areas" and still be categorized as an ADULT BOOKSTORE or ADULT VIDEO STORE. Such other business purposes will not serve to exempt such commercial establishment from being categorized as an ADULT BOOKSTORE or ADULT VIDEO STORE so long as one of its principal business purposes is the offering for sale or rental for consideration the specified materials which depict or describe "specified sexual activities" or "specified anatomical areas."

(3) ADULT CABARET means a nightclub, bar, restaurant, or similar commercial establishment which features:

(A) persons who appear in a state of nudity; or

(B) live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or

(C) files, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

(4) ADULT MOTEL means a hotel, motel or similar commercial establishment which:

(A) offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; and has a sign visible from the public right of way which advertises the availability of this adult type of photographic reproductions; or

(B) offers a sleeping room for rent for a period of time that is less than 10 hours; or

(C) allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than 10 hours.

(5) ADULT MOTION PICTURE THEATER means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

(6) ADULT THEATER means a theater, concert hall, auditorium, or similar commercial establishment which features persons who appear in a state of nudity or live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities."

(7) ESCORT means a person who, for consideration, agrees or offers to act as a companion, guide, or date for another person,

or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

(8) ESCORT AGENCY means a person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes, for a fee, tip, or other consideration.

(9) ESTABLISHMENT means and includes any of the following:

(A) the opening or commencement of any sexually oriented business as a new business;

(B) the conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business;

(C) the additions of any sexually oriented business to any other existing sexually oriented business; or

(D) the relocation of any sexually oriented business.

(10) PERMITTEE means a person in whose name a permit to operate a sexually oriented business has been issued, as well as the individual listed as an applicant on the application for a permit.

(11) NUDE MODEL STUDIO means any place where a person who appears in a state of nudity or displays "specified anatomical areas" is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration.

(12) NUDITY or a STATE OF NUDITY means the appearance of a human bare buttock, anus, male genitals, female genitals, or female breast.

(13) PERSON means an individual, proprietorship, partnership, corporation, association, or other legal entity.

(14) SEMI-NUDE means a state of dress in which clothing covers no more than the genitals, pubic regions, and areolae of the female breast, as well as portions of the body covered by supporting straps or devices.

(15) SEXUAL ENCOUNTER CENTER means a business or commercial enterprise that, as one of its primary business purposes, offers

for any form of consideration:

(A) physical contact in the form of wrestling or tumbling between persons of the opposite sex;

(B) activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or semi-nude.

(16) SEXUALLY ORIENTED BUSINESS means an adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude model studio, or sexual encounter center.

(17) SPECIFIED ANATOMICAL AREAS means the male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals.

(18) SPECIFIED SEXUAL ACTIVITIES means and includes any of the following:

(A) the fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts;

(B) sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;

(C) masturbation, actual or simulated; or

(D) excretory functions as part of or in connection with any of the activities set forth in (A) through (C) above.

(19) SUBSTANTIAL ENLARGEMENT of a sexually oriented business means the increase in floor areas occupied by the business by more than 25 percent, as the floor areas exist on October 14, 1989.

(20) TRANSFER OF OWNERSHIP OR CONTROL of a sexually oriented business means and includes any of the following:

(A) the sale, lease, or sublease of the business;

(B) the transfer of securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means; or

(C) the establishment of a trust, gift, or other similar legal device which transfers the ownership or control of the business, except for transfer by bequest or other operation of

law upon the death of the person possessing the ownership or control.

SECTION III

CLASSIFICATION.

Sexually oriented businesses are classified as follows:

- (1) adult arcades;
- (2) adult bookstore or adult video store;
- (3) adult cabarets;
- (4) adult motels;
- (5) adult motion picture theaters;
- (6) adult theaters;
- (7) escort agencies;
- (8) nude model studios; and
- (9) sexual encounter centers.

SECTION IV

PERMIT

(a) A person commits a violation of this ordinance if he operates a sexually oriented business without a valid permit issued by the county for the particular type of business.

(b) An application for a permit must be made on a form provided by the Hendricks County Building Commissioner. The application must be accompanied by a sketch or diagram showing the configuration of the premises, including a statement of total floor space occupied by the business. The sketch or diagram need not be professionally prepared, but must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six inches.

(c) The applicant must be qualified according to the provisions of this chapter and the premises must be inspected and found to be in compliance with the law by the health department, fire department, and Building Commissioner.

The permittee shall, within thirty (30) days after the issuance of the permit referred to herein, deliver to the Building Commissioner a list containing the names and addresses of all employees. The permittee shall update the list within thirty (30) days of any change or addition of employees. Said

list, or update, shall be signed, under oath, by the permittee.

(d) If a person who wishes to operate a sexually oriented business is an individual, he must sign the application for a permit as applicant. If a person who wishes to operate a sexually oriented business is other than an individual, each individual who has a 10 percent or greater interest in the business must sign the application for a permit as applicant.

(e) The fact that a person possesses other types of state or county permits does not exempt him from the requirement of obtaining a sexually oriented business permit.

SECTION V.

ISSUANCE OF PERMIT

The Hendricks County Building Commissioners shall approve the issuance of a permit to an applicant within thirty (30) days after receipt of an application unless he finds one or more of the following to be true.

(1) An applicant is under 18 years of age.

(2) An applicant or an applicant's spouse is overdue in his payment to the county of taxes, fees, fines, or penalties assessed against him or imposed upon him in relation to a sexually oriented business.

(3) An applicant has failed to provide information reasonably necessary for issuance of the permit or has falsely answered a question or request for information on the application form.

(4) An applicant is residing with a person who has been denied a permit by the County to operate a sexually oriented business within the preceding twelve (12) months, or residing with a person whose permit to operate a sexually oriented business has been revoked within the preceding twelve (12) months.

(5) The premises to be used for the sexually oriented business have not been approved by the health department, fire department, and the Building Commissioner as being in compliance with applicable laws and ordinances.

(6) The permit fee required by this ordinance has not been

paid.

(7) An applicant of the proposed establishment is in violation of or is not in compliance with any of the provisions of this ordinance.

(8) The permit, if granted, shall state on its face the name of the person or persons to whom it is granted, the expiration date, and the address of the sexually oriented business. The permit shall be posted in a conspicuous place at or near the entrance to the sexually oriented business so that it may be easily read at any time.

SECTION VI.

FEEES.

(a) The annual fee for a sexually oriented business permit is Twelve Hundred (\$1,200.00) Dollars.

SECTION VII.

INSPECTION

(a) An applicant, or permittee shall permit representatives of the Hendricks County Sheriff's Department, Indiana and/or Hendricks County Health Department, and any local Fire Department, Hendricks County Building Commissioner, or other County departments or agencies to inspect the premises of a sexually oriented business for the purpose of insuring compliance with the law, at any time it is occupied or open for business.

(b) A person who operates a sexually oriented business or his agent or employee commits a violation of this ordinance if he refuses to permit such lawful inspection of the premises at any time it is occupied or open for business.

SECTION VIII.

EXPIRATION OF PERMIT

(a) Each permit shall expire one year from the date of issuance and may be renewed only by making application as provided in Section V. Application for renewal should be made at least thirty (30) days before the expiration date, and when made less than thirty (30) days before the expiration date, the expiration of the permit will not be affected.

(b) When the Hendricks County Building Commissioner denies

renewal of a permit, the applicant shall not be issued a permit for one year from the date of denial. If, subsequent to denial, the Hendricks County Building Commissioner finds that the basis for denial of a renewal permit has been corrected or abated, the applicant may be granted a permit if at least ninety (90) days have elapsed since the date denial became final.

SECTION IX

SUSPENSION.

The Hendricks County Building Commissioner shall suspend a permit for a period not to exceed thirty (30) days if he determines that a permittee or an employee of a permittee has:

- (1) violated or is not in compliance with any section of this ordinance;
- (2) engaged in excessive use of alcoholic beverages while on the sexually oriented business premises;
- (3) refused to allow an inspection of the sexually oriented business premises as authorized by this chapter;
- (4) knowingly permitted gambling by any person on the sexually oriented business premises.

SECTION X.

REVOCATION.

(a) The Hendricks County Building Commissioner shall revoke a permit if a cause of suspension in Section IX occurs and the permit has been suspended within the preceeding twelve (12) months.

(b) The Hendricks County Building Commissioner shall revoke a permit if he determines that:

- (1) a permittee gave false or misleading information in the material submitted to the Planning and Building Department during the application process;
- (2) a permittee or an employee has knowingly allowed possession, use, or sale of controlled substances on the premises;
- (3) a permittee or an employee has knowingly allowed prostitution on the premises;

(4) a permittee or an employee has knowingly operated the sexually oriented business during a period of time when the permittee's permit was suspended;

(5) a permittee or an employee has knowingly allowed any act of sexual intercourse, sodomy, oral copulation, masturbation, or other sexual conduct to occur in or on the permitted premises;

(6) a permittee is delinquent in payment to the County or State for any taxes or fees past due.

(c) When the Hendricks County Building Commissioner revokes a permit, the revocation shall continue for one (1) year, and the permittee shall not be issued a sexually oriented permit for one (1) year from the date revocation became effective. If, subsequent to revocation, the Hendricks County Building Commissioner finds that the basis for the revocation has been corrected or abated, the applicant may be granted a permit if at least ninety (90) days have elapsed since the date the revocation became effective.

SECTION XI.

TRANSFER OF PERMIT

A permittee shall not transfer his permit to another, nor shall a permittee operate a sexually oriented business under the authority of a permit at any place other than the address designated in the application.

SECTION XII.

LOCATION OF SEXUALLY ORIENTED BUSINESSES.

(a) The Hendricks County Zoning Ordinance is hereby amended by creating an additional Special Exception classification to be designated "Adult Entertainment".

(b) A person commits a violation of this Ordinance if he owns real estate upon which a sexually oriented business is located or operates or causes to be operated a sexually oriented business without a Special Exception permit. All sexually oriented businesses shall be permitted only as Special Exceptions.

(c) A person commits a violation of this ordinance if he owns real estate upon which a sexually oriented business is located or operates or causes to be operated a sexually oriented business within 1,000 feet of:

- (1) a church;
- (2) a public or private elementary or secondary school;
- (3) a boundary of any residential district;
- (4) a public park adjacent to any residential district;
- (5) the property line of a lot devoted to residential use.

(d) A person commits a violation of this ordinance if he owns real estate upon which a sexually oriented business is located, causes or permits the operation, establishment, substantial enlargement, or transfer of ownership or control of a sexually oriented business within 1,000 feet of another sexually oriented business.

(e) A person commits a violation of this ordinance if he owns real estate upon which a sexually oriented business is located, causes or permits the operation, establishment, or maintenance of more than one sexually oriented business in the same building, structure, or portion thereof, or the increase of floor areas of any sexually oriented business in any building, structure, or portion thereof containing another sexually oriented business.

(f) For the purpose of this ordinance, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a church or public or private elementary or secondary school, or to the nearest boundary of an affected public park, residential district, or residential lot.

(g) For purposes of Subsection (d) of this section, the distance between any two sexually oriented businesses shall be measured in a straight line, without regard to intervening

structures or objects, from the closest exterior wall of the structure in which each business is located.

(h) Any sexually oriented business lawfully operating on _____, 19____, that is in violation of Subsection (a) through (g) of this section shall be deemed a nonconforming use. The nonconforming use will be permitted to continue for a period not to exceed one hundred eighty (180) days, unless sooner terminated for any reason or voluntarily discontinued for a period of thirty (30) days or more. Such nonconforming uses shall not be increased, enlarged, extended or altered except that the use may be changed to a conforming use. If two or more sexually oriented businesses are within 1,000 feet of one another and otherwise in a permissible location, the sexually oriented business which was first established and continually operating at a particular location is the conforming use and the later-established business(es) is nonconforming.

(i) A sexually oriented business lawfully operating as a conforming use is not rendered a nonconforming use by the location, subsequent to the grant or renewal of the sexually oriented business permit, of a church, public or private elementary or secondary school, public park, residential district, or a residential lot within 1,000 feet of a sexually oriented business. This provision applies only to the renewal of a valid permit, and does not apply when an application for a permit is submitted after a permit has expired or has been revoked.

SECTION XIII.

ADDITIONAL REGULATIONS FOR ADULT MOTELS.

(a) Evidence that a sleeping room in a hotel, motel, or a similar commercial establishment has been rented and vacated two or more times in a period of time that is less than ten (10) hours creates a rebuttable presumption that the establishment is an adult motel as that term is defined in this chapter.

(b) A person commits a violation if, as the person in control of a sleeping room in a hotel, motel, or similar commercial establishment that does not have a sexually oriented

permit, he rents or subrents a sleeping room to a person and, within ten (10) hours from the time the sleeping room is rented, he rents or subrents the same sleeping room again.

(c) For purposes of subsection (b) of this section, the terms "rent" or "subrent" mean the act of permitting a room to be occupied for any form of consideration.

SECTION XIV. REGULATIONS PERTAINING TO EXHIBITION OF
SEXUALLY EXPLICIT FILMS OR VIDEOS.

(a) A person who operates or causes to be operated a sexually oriented business, other than an adult motel, which exhibits on the premises in a viewing room, a film, video cassette, or other video reproduction which depicts specified sexual activities or specified anatomical areas, shall comply with the following requirements:

(1) Upon application for a sexually oriented permit, the application shall be accompanied by a diagram of the premises showing a plan thereof specifying the location of one or more manager's stations and the location of all overhead lighting fixtures and designating any portion of the premises in which patrons will not be permitted. A manager's station may not exceed thirty-two (32) square feet of floor area. The diagram shall also designate the place at which the permit will be conspicuously posted, if granted. A professionally prepared diagram in the nature of an engineer's or architect's blueprint shall not be required; however, each diagram should be oriented to the north or to some designated street or object and should be drawn to a designated scale or with marked dimensions sufficient to show the various internal dimensions of all areas of the interior of the premises to an accuracy of plus or minus six inches. The Hendricks County Building Commissioner may waive the foregoing diagram for renewal applications if the applicant adopts a diagram that was previously submitted and certifies that the configuration of the premises has not been altered since it was prepared.

(2) The application shall be sworn to be true and

correct by the applicant.

(3) No alteration in the configuration or location of a manager's station may be made without the prior approval of the sheriff or his designee.

(4) It is the duty of the owners and operators of the premises to ensure that at least one employee is on duty and situated in each manager's station at all times that any patron is present inside the premises.

(5) The interior of the premises shall be configured in such a manner that there is an unobstructed view from a manager's station of every area of the premises to which any patron is permitted access for any purpose excluding restrooms. Restrooms may not contain video reproduction equipment. If the premises has two or more manager's stations designated, then the interior of the premises shall be configured in such a manner that there is an unobstructed view of each area of the premises to which any patron is permitted access for any purpose from at least one of the manager's stations. The view required in this subsection must be by direct line of sight from the manager's station.

(6) It shall be the duty of the owners and operator, and it shall also be the duty of any agents and employees present in the premises to ensure that the view area specified in Subsection (5) remains unobstructed by any doors, walls, merchandise, display racks or other materials at all times and to ensure that no patron is permitted access to any area of the premises which has been designated as an area in which patrons will not be permitted in the application filed pursuant to Subsection (1) of this section.

(7) No viewing room may be occupied by more than one person at any time.

(8) The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access at an illumination of not less than one (1.0) footcandle as measured at the floor

level.

(9) It shall be the duty of the owners and operator and it shall also be the duty of any agents and employees present in the premises to ensure that the illumination described above is maintained at all times that any patron is present in the premises.

(b) A person having a duty under Subsection (1) through (9) of Subsection (a) above commits a violation if he knowingly fails to fulfill that duty.

SECTION XV.

EXEMPTIONS.

(a) It is a defense to prosecution under Sections V and XII that a person appearing in a state of nudity did so in a modeling class operated:

(1) by a school, licensed by the State of Indiana; a college, junior college, or university supported entirely or partly by taxation;

(2) by a private college or university which maintains and operates educational programs in which credits are transferrable to a college, junior college, or university supported entirely or partly by taxation; or

(3) in a structure:

(A) which has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing; and

(B) where in order to participate in a class a student must enroll at least three (3) days in advance of the class; and

(C) where no more than one nude model is on the premises at any one time.

SECTION XVI.

INJUNCTION.

A person who owns real estate upon which a sexually oriented business is located, operates or causes to be operated a sexually oriented business without a valid permit or in violation of Section XII of this ordinance is subject to a suit for

injunction as well as prosecution for violations. Such violations shall be punishable by a fine of \$ 500.00 per violation. Each day that a violation is permitted to exist shall constitute a separate offense. Suit may be commenced by the Hendricks County Attorney or the Prosecuting Attorney of the 55th Judicial Circuit of Indiana.

SECTION XVII.

SEPARABILITY.

If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION XVIII.

EFFECTIVE DATE.

This ordinance shall be enforced from and after

Oct 16, 1989.

HENDRICKS COUNTY COMMISSIONERS

Richard P. Myers
Wend A. Grew
John A. Harpitt

Attest:

Marthelyn Kearney
Secretary

injunction as well as prosecution for violations. Such violations shall be punishable by a fine of \$ 500.00 per violation. Each day that a violation is permitted to exist shall constitute a separate offense. Suit may be commenced by the Hendricks County Attorney or the Prosecuting Attorney of the 55th Judicial Circuit of Indiana.

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EFFECTIVE DATE.

This ordinance shall be enforced from and after

Oct 16, 1989.

HENDRICKS COUNTY COMMISSIONERS

Richard P. Hertz
Wendell A. Grier
John A. Hensley

Attest:

Marthalyn Kearney

Secretary

ORDINANCE 1989 - 10

Hendricks County Plan Commission
Planning Authority in the Town of Coatesville, Indiana

WHEREAS, the Town of Coatesville needs assistance in comprehensive planning, zoning enforcement, and issuing building permits and does not have the staff or financial resources to provide these services;

WHEREAS, Section 36-7-4-410 of the Indiana Code permits any municipality located in a county having an advisory plan commission to designate, by ordinance, that county plan commission as the municipal plan commission;

WHEREAS, the Town Council of Trustees of Coatesville has by ordinance dated August 7, 1989, designated the Hendricks County Plan Commission as the municipal plan commission for the Town of Coatesville.

NOW, THEREFORE, BE IT ORDAINED THAT:

Section 1: The Board of Hendricks County Commissioners do hereby empower and authorize the Hendricks County Plan Commission to exercise and enforce within the boundaries of the Town of Coatesville the same planning powers and duties as may be exercised by them in the unincorporated area of the county pursuant to Indiana Code 36-7-4-400. These powers and duties include:

(a) The development and implementation of a comprehensive development plan;

(b) The adoption, amendment and enforcement of a zoning ordinance and zoning regulations;

(c) The adoption, amendment and enforcement of a subdivision control ordinance and regulations for the platting or replatting of subdivided land;

(d) The provision for any required permits for location of buildings, structures, or uses, and the imposition and collection, for the benefit of the county, of any applicable permit fees or other related fees as may from time to time be fixed and assessed from persons in the unincorporated area.

(e) The development of public ways, thoroughfares and streets.

(f) The laying out and development of public ways and services to platted and unplatted lands.

Section 2: In accordance with Indiana Code 36-7-4-410(b), residents of the Town of Coatesville are eligible to be appointed citizen members of the Hendricks County Advisory Plan Commission.

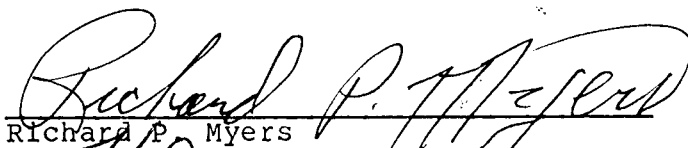
Section 3: The provisions of this ordinance are effective until such time as they are amended or repealed by the Hendricks County Board of Commissioners or until such time as the Town Council of the Town of Coatesville serves written notice to the Hendricks County Board of Commissioners that they no longer want the County to exercise and enforce planning powers within the Town.

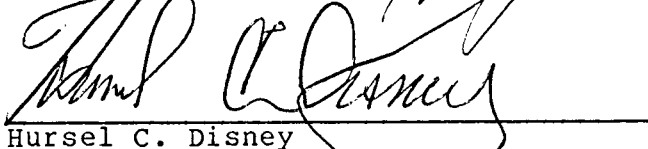
This Ordinance shall be in full effect from and after its passage and approved according to law.

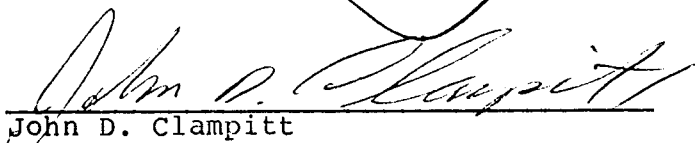
If any section, clause, paragraph, provision or portion of this amendment shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, paragraph, provision, or portion of this amendment.

Passed and approved by the Board of Commissioners of Hendricks County, Indiana, this 16 day of Oct, 1989.

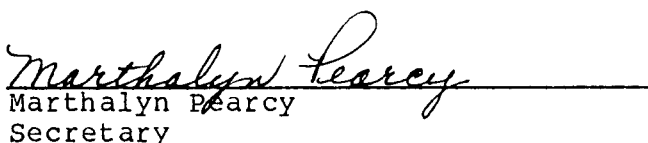
BOARD OF COMMISSIONERS


Richard P. Myers


Hursel C. Disney


John D. Clampitt

ATTEST:


Marthalyne Pearcy
Secretary

EMERGENCY APPROPRIATION ORDINANCE NO. 1989-1

Whereas, certain extraordinary emergencies have developed since the adoption of the existing budget, so that it is now necessary to appropriate more money than was appropriated in the annual budget; now, therefore, to meet such extraordinary emergencies:

Sec. 1. Be it ordained by the County Council of Hendricks County, Indiana, that for the expense of said municipal corporation the following additional sums of money are hereby appropriated and ordered set apart out of the several funds herein and for the purpose here specified, subject to the laws governing the same:

COUNTY REVENUE

		<u>REQUESTED</u>	<u>APPROVED</u>
Item 1	Salaries	\$79,368.00	\$79,368.00
	<u>TITLE 4-D</u>	79,367.00	79,367.00

Item 2	01-084-112 Dep. Prosecutor 4-D	398.00	398.00
Item 3	01-084-113 Administrator	390.00	390.00
Item 4	01-084-114 Secretary	390.00	390.00

CLERK

Item 5	01-101-111 Clerk	390.00	390.00
Item 6	01-101-112 Chief 1st Deputy	383.00	383.00
Item 7	01-101-113 First Deputy	383.00	383.00
Item 8	01-101-114 First Deputy	390.00	390.00
Item 9	01-101-115 First Deputy	382.00	382.00
Item 10	01-101-116 Second Deputy	390.00	390.00
Item 11	01-101-117 Second Deputy	390.00	390.00
Item 12	01-101-118 Second Deputy	390.00	390.00
Item 13	01-101-119 Second Deputy	390.00	390.00
Item 14	01-101-120 Second Deputy	390.00	390.00
Item 15	01-101-121 Clerk	390.00	390.00

AUDITOR

Item 16	01-102-111 Auditor	390.00	390.00
Item 17	01-102-112 First Deputy	383.00	383.00
Item 18	01-102-113 Clerk	390.00	390.00
Item 19	01-102-114 Clerk	390.00	390.00
Item 20	01-102-115 Clerk	390.00	390.00
Item 21	01-102-116 Clerk	390.00	390.00
Item 22	01-102-117 Clerk	390.00	390.00
Item 23	01-102-118 Draftsman	390.00	390.00
Item 24	01-102-119 Clerk	390.00	390.00

TREASURER

Item 25	01-103-111 Treasurer	390.00	390.00
Item 26	01-103-112 First Deputy	383.00	383.00
Item 27	01-103-113 Second Deputy	395.00	395.00
Item 28	01-103-114 Third Deputy	390.00	390.00
Item 29	01-103-115 Fourth Deputy	390.00	390.00
Item 30	01-103-116 Fifth Deputy	390.00	390.00
Item 31	01-103-117 Sixth Deputy	390.00	390.00

RECORDER

			<u>REQUESTED</u>	<u>APPROVED</u>
Item 32	01-104-111	Recorder	\$ 390.00	390.00
Item 33	01-104-112	First Deputy	390.00	390.00
Item 34	01-104-113	Clerk	390.00	390.00
Item 35	01-104-114	Clerk	390.00	390.00

SHERIFF

Item 36	01-105-111	Sheriff	390.00	390.00
Item 37	01-105-112	Deputies	9,750.00	9,750.00
Item 38	01-105-113	Clerical Asst's (3)	1,170.00	1,170.00

SURVEYOR

Item 39	01-106-111	Surveyor	390.00	390.00
Item 40	01-106- ¹¹³ 112	Deputy Surveyor	390.00	390.00
Item 41	01-106- ¹¹⁴ 113	Surveyor's Assistant	379.00	379.00
Item 42	01-106-115	Office Manager	390.00	390.00

CORONER

Item 43	01-107-111	Coroner	390.00	390.00
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PROSECUTING ATTORNEY

Item 44	01-108-112	Deputy Prosecutor	398.00	398.00
Item 45	01-108-113	Office Manager	383.00	383.00
Item 46	01-108-114	Secretary I	390.00	390.00
Item 47	01-108-115	Secretary II	382.00	382.00
Item 48	01-108-116	Investigator	401.00	401.00
Item 49	01-108-121	Secretary/Receptionist	390.00	390.00

ASSESSOR

Item 50	01-109-111	Assessor	380.00	380.00
Item 51	01-109-112	Deputy Assessor	383.00	383.00
Item 52	01-109-113	Clerk	390.00	390.00
Item 53	01-109-114	Clerk	390.00	390.00

CENTER TOWNSHIP ASSESSOR

Item 54	01-110-111	Center Township Assessor	390.00	390.00
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GUILFORD TOWNSHIP ASSESSOR

Item 55	01-111-111	Guilford Township Assessor	390.00	390.00
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LINCOLN TOWNSHIP ASSESSOR

Item 56	01-112-111	Lincoln Township Assessor	390.00	390.00
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WASHINGTON TOWNSHIP ASSESSOR

Item 57	01-113-111	Washington Township Assessor	392.00	392.00
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TOWNSHIP TRUSTEES

Item 58	01-114-111	Brown Township Trustee	390.00	390.00
Item 59	01-115-111	Clay Township Trustee	390.00	390.00
Item 60	01-116-111	Eel River Township Trustee	390.00	390.00
Item 61	01-117-111	Franklin Township Trustee	390.00	390.00
Item 62	01-118-111	Liberty Township Trustee	390.00	390.00
Item 63	01-119-111	Marion Township Trustee	390.00	390.00
Item 64	01-120-111	Middle Township Trustee	390.00	390.00
Item 65	01-121-111	Union Township Trustee	690.00	690.00

EXTENSION OFFICE

			<u>REQUESTED</u>	<u>APPROVED</u>
Item 66	01-130-111	Extension Agent	- 0 -	- 0 -
Item 67	01-130-112	Extension Agent Youth	- 0 -	- 0 -
Item 68	01-130-113	Extension Agent Home Ec	- 0 -	- 0 -
Item 69	01-130-115	Adm. Assistant	\$ 390.00	390.00
Item 70	01-130-116	Secretary	390.00	390.00

PLAN COMMISSION

Item 71	01-131-111	Director	390.00	390.00
Item 72	01-131-112	Chief Bldg. Inspector	390.00	390.00
Item 73	01-131-113	Asst. Bldg. Inspector	382.00	382.00
Item 74	01-131-114	Secretary (Bd. & Planning)	390.00	390.00
Item 75	01-131-117	Secretary Office	- 0 -	- 0 -
Item 76	01-131-118	Planner	392.00	392.00
Item 77	01-131-119	Secretary (Zoning)	390.00	390.00
Item 78	01-131-120	Bldg. Insp. II (Zoning)	401.00	401.00
Item 79	01-131-122	Secretary (Bldg.) (new)	390.00	390.00

VETERANS SERVICE OFFICER

Item 80	01-134-111	Veteran's Service Officer	392.00	392.00
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COMMISSIONERS

Item 81	01-135-111	Commissioners (Three)	1,170.00	1,170.00
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COURTHOUSE

Item 82	01-136-111	Court House Supt.	390.00	390.00
Item 83	01-136-112	Janitor	390.00	390.00
Item 84	01-136-113	Janitor	390.00	390.00

JAIL

Item 85	01-137-112	Matron	390.00	390.00
Item 86	01-137-113	Jail Officers (10 @ \$377 each)	3,770.00	3,770.00
		Corporals (3 @ \$437 ea)	1,311.00	1,311.00
		Sergeant	325.00	325.00
Item 87	01-137-114	Cooks (3 @ \$390 ea)	1,170.00	1,170.00
Item 88	01-137-115	Comm. Officers (6 @ \$379 ea)	2,274.00	2,274.00
Item 89	01-137-117	Maintenance Man	390.00	390.00

COUNTY HOME

Item 90	01-138-111	Administrator	388.00	388.00
Item 91	01-138-112	Adm. Assistant	390.00	390.00
Item 92	01-138-113	Attendants (3 @ \$390.67 ea)	1,172.00	1,172.00
Item 93	01-138-114	Clerical & Medical Asst.	390.00	390.00
Item 94	01-138-116	Cook	400.00	400.00
Item 95	01-138-117	Asst. Cook	390.00	390.00
Item 96	01-138-119	Activity Director	400.00	400.00
Item 97	01-138-122	QMA's (3 @ \$390 ea)	1,170.00	1,170.00

CIRCUIT COURT

			<u>REQUESTED</u>	<u>APPROVED</u>
Item 98	01-139-111	Judge	\$ 390.00	390.00
Item 99	01-139-112	Court Reporters (2 @ \$390 ea)	780.00	780.00
Item 100	01-139-113	Bailiff	390.00	390.00

SUPERIOR COURT I

Item 101	01-140-111	Judge	390.00	390.00
Item 102	01-140-112	Court Reporter	390.00	390.00
Item 103	01-140-113	2nd Court Reporter	390.00	390.00
Item 104	01-140-114	Bailiff	390.00	390.00

SUPERIOR COURT II

Item 105	01-141-111	Judge	390.00	390.00
Item 106	01-141-112	Court Reporters (2 @ \$390 ea)	780.00	780.00
Item 107	01-141-113	Bailiff	390.00	390.00
Item 108	01-141-114	Court Administrator	390.00	390.00
Item 109	01-141-115	Clerk	390.00	390.00

CIVIL DEFENSE

Item 110	01-142-111	Director	390.00	390.00
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ENGINEER

Item 111	01-143-111	Engineer	390.00	390.00
Item 112	01-143-112	Proj. Eng. Bridges	390.00	390.00
Item 113	01-143-113	Asst. Proj. Eng. Bridges	390.00	390.00
Item 114	01-143-114	Office Manager	390.00	390.00
Item 115	01-143-116	Eng. Tech. & Draftsman	390.00	390.00
Item 116	01-143-117	Asst. Pfoj. Eng. Hwy Safty	390.00	390.00
Item 117	01-143-118	Asst. Pfoj. Eng. Bldgs.	390.00	390.00
Item 118	01-143-119	Maintenance Supt.	390.00	390.00

ANIMAL CONTROL

Item 119	01-144-111	Animal Warden	383.00	383.00
Item 120	01-144-112	Asst. Animal Warden	400.00	400.00

WEIGHTS & MEASURES

Item 121	01-145-111	Inspector	333.00	333.00
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COMPUTER DEPARTMENT

Item 122	01-147-111	Systems Manager	377.00	377.00
Item 123	01-147-112	Systems Operator	398.00	398.00

COUNCIL

Item 124	01-149-111	Council Members (7 @ \$390 ea)	2,730.00	2,730.00
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CIRCUIT COURT PROBATION

Item 125	01-150-112	Director	360.00	360.00
Item 126	01-150-113	Probation Officer	360.00	360.00
Item 127	01-150-115	Probation Officer	360.00	360.00

SUPERIOR COURT PROBATION

			<u>REQUESTED</u>	<u>APPROVED</u>
Item 128	01-151-111	Director	\$ 285.00	285.00
Item 129	01-151-113	Probation Officer	330.00	330.00
Item 130	01-151-114	Probation Officer	330.00	330.00
Item 131	01-151-116	Probation Officer	330.00	330.00
Item 132	01-151-117	Probation Officer	330.00	330.00
Item 133	01-151-118	Secretary	390.00	390.00

MICROFILM

Item 134	01-152-112	Office Manager	379.00	379.00
Item 135	01-152-113	Clerk	390.00	390.00
Item 136	01-152-114	Clerk	390.00	390.00

SOIL & WATER CONS.

Item 137	01-155-111	Director	390.00	390.00
Item 138		Reg. Budget	4,830.00	4,830.00

Total Requested	\$79,368.00
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HIGHWAY

Item 139	02-201-111	Supervisor	390.00	390.00
Item 140	02-201-112	Asst. Supervisor	390.00	390.00
Item 141	02-201-113	Office Manager	390.00	390.00
Item 142	02-201-120	Garage Foreman	390.00	390.00

Total Requested	\$ 1,560.00
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HEALTH

Item 143	05-213-110	Deputy Health Officer	390.00	390.00
Item 144	05-213-112	Administrator	- 0 -	- 0 -
Item 145	05-213-113	Dep./Adm. Clerk	390.00	390.00
Item 146	05-213-115	Nurse's Director	390.00	390.00
Item 147	05-213-116	Sanitarian	384.00	384.00
Item 148	05-213-117	(Soc. Sec.) Clerk	390.00	390.00
Item 149	05-213-118	Clerk	390.00	390.00
Item 150	05-213-119	Clerk	390.00	390.00
Item 151	05-213-121	Sanitarian II	390.00	390.00
Item 152	05-213-122	Sanitarian III	390.00	390.00
Item 153	05-213-123	Sanitarian III	392.00	392.00
Item 154	05-213-150	Part Time Nurses	784.00	784.00

Total Requested	\$ 4,680.00
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HEALTH MAINTENANCE

Item 155	06-503-111	Sanitarian	3,222.00	3,222.00
Item 156	06-503-113	Clerk		
Item 157	06-503-190	FICA	150.00	150.00
Item 158	06-503-191	PERF	200.00	200.00
Item 159	06-503-193	Unemployment	50.00	50.00
Item 160	06-503-194	Worker Compensation	50.00	50.00
Item 161	06-503-201	Office Supplies	200.00	200.00
Item 162	06-503-305	Education	200.00	200.00
Item 163	06-503-330	Mileage	500.00	500.00
Item 164	06-503-377	Testing Equipment	2,000.00	2,000.00
Item 165	06-503-442	Furniture	650.00	650.00

Total Requested	\$ 7,222.00
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CUMULATIVE BRIDGE

			<u>REQUESTED</u>	<u>APPROVED</u>
Item 166	25-203-515	Bridge Inspections	\$15,000.00	15,000.00
<u>SUPERIOR COURT PROBATION USERS FEES</u>				
Item 167	16-317-111	Director	105.00	105.00
Item 168	16-317-112	Probation Officer	60.00	60.00
Item 169	16-317-113	Probation Officer	60.00	60.00
Item 170	16-317-114	Probation Officer	60.00	60.00
Item 171	16-317-116	Probation Officer	60.00	60.00
Item 172	16-317-118	Secretary	390.00	390.00
Total Requested			\$ 735.00	

<u>CIRCUIT COURT PROBATION USERS FEES</u>				
Item 173	16-319-111	Director	30.00	30.00
Item 174	16-319-112	Probation Officer	30.00	30.00
Item 175	16-319-113	Probation Secretary	30.00	30.00
Total Requested			\$ 90.00	

Adopted this 3rd day of January, 1989, by the following Aye and
Nay vote:

AYE

Richard G. Jumper

W. Hunt Palmer

Lundy H. Watson

Paul Walker

Barbara Jond

NAY

ATTEST: Ward James Russell
Secretary - COUNCIL

Tom J. Apple
President - Council

EMERGENCY APPROPRIATION ORDINANCE

Whereas, certain extraordinary emergencies have developed since the adoption of the existing budget, so that it is now necessary to appropriate more money than was appropriated in the annual budget; now, therefore, to meet such extraordinary emergencies:

Sec. 1. Be it ordained by the County Council of Hendricks County, Indiana, that for the expense of said municipal corporation the following additional sums of money are hereby appropriated and ordered set apart out of the several funds herein and for the purpose here specified, subject to the laws governing the same:

COUNTY REVENUE

Item 1	Salaries	REQUESTED \$ 79,322.00 <i>OK</i>	APPROVED <i>OK</i> \$ 79,322.00
	HIGHWAY	79,367.00	79,367.00
Item 2	Salaries	1,560.00	1,560.00

CUMULATIVE BRIDGE

Item 3	25-203-515 Bridge Inspections	15,000.00	15,000.00
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HEALTH

Item 4	Salaries	4,680.00	4,680.00
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HEALTH MAINTENANCE

Item 5	Salaries	1,222.00	1,222.00
Item 6	06-503-111 Sanitarian	2,000.00	2,000.00
Item 7	06-503-190 FICA	150.00	150.00
Item 8	06-503-191 PERF	200.00	200.00
Item 9	06-503-193 Unemployment	50.00	50.00
Item 10	06-503-194 Worker Compensation	50.00	50.00
Item 11	06-503-201 Office Supplies	200.00	200.00
Item 12	06-503-305 Education	200.00	200.00
Item 13	06-503-330 Mileage	500.00	500.00
Item 14	06-503-377 Testing Equipment	2,000.00	2,000.00
Item 15	06-503-442 Furniture	650.00	650.00
	Total	7,222.00	7,222.00

CIRCUIT COURT PROBATION USERS FEE

Item 16	Salaries	90.00	90.00
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SUPERIOR COURT PROBATION USERS FEES

Item 17	Salaries	735.00	735.00
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Adopted this 3rd day of January, 1989, by the following Aye and Nay vote:

AYE
Richard G. Surpin *thru 15*
W. Kent Palmer *thru 15*
Barbara Ford
Linda H. Watson

NAY

ATTEST: _____
 Secretary - Council

 President - Council