

**ORDINANCE NO. 2011 – 04**

**TOWN OF CLOVERDALE**

**REVISION OF NUISANCE ORDINANCE**

WHEREAS the town of Cloverdale, Indiana has determined that a revision of the existing ordinances dealing with abatement of nuisances can be improved and the process streamlined;

WHEREAS the Town Council of the Town of Cloverdale, Indiana desires to revise and update its Ordinance for the abatement of nuisances replace and supersede certain sections of the Town Code by this Ordinance.

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

**Section 1. Modifying Section 6-46 to read as follows:**

Section 6-46 Inspection of Premises

For the purpose of carrying the provisions of this Article into effect, it is the duty of all officers and employees of the Town to report the existence of the nuisance to either the Town Marshal or the Town Building Inspector. For the purpose of this Article, the Town Marshal, Town Building Inspector or any other personnel designated by the Town Council, shall be permitted to visit or enter into or on any building, log, grounds, or premises within the Town to ascertain and discover any such nuisances and to make examination thereof.

**Section 2. Modifying Section 6-47 to read as follows:**

Section 6-47

- (a) Any person may complain to the Town Council, Town Clerk/Treasurer, Town Marshal or Town Building Inspector of a nuisance. The Town Marshal or Town Building Inspector shall investigate each nuisance complaint and make a preliminary determination of whether a nuisance exists.
- (b) If a preliminary determination is that a nuisance does exist, the Town Building Inspector shall issue a notice to abate the nuisance to the owner record of the property. A notice may also be given to any occupier of the property who may also be responsible for the nuisance. The notice shall contain information about the nuisance, and a direction to abate the nuisance within a fixed period of time which shall not be less than 10 days. Failure to abate the nuisance within the time specified shall be a violation of the ordinance.

**Section 3.** All Ordinances or parts of Ordinances in conflicts herewith are repealed upon the effective date of this Ordinance. Violations issued under the Prior Ordinance shall remain enforceable for violations that occur prior to the effective date of this Ordinance. The invalidity of any section, clause, sentence or provision of this Ordinance which can be given effect without such invalid part or parts. This Ordinance does not obviate or eliminate the necessity of complying with any other applicable federal, state or local laws, rules and regulations governing the matters regulated by this Ordinance.

**Section 4.** This Ordinance is effective upon publication.

**PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF CLOVERDALE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2011.**

**TOWN COUNCIL  
TOWN OF CLOVERDALE, INDIANA**

By \_\_\_\_\_  
**President**

By \_\_\_\_\_  
**Vice President**

By \_\_\_\_\_  
**Member**

By \_\_\_\_\_  
**Member**

By \_\_\_\_\_  
**Member**

**ATTEST:**

\_\_\_\_\_  
**Clerk Treasurer**