LAKE COUNTY, INDIANA

CODE OF ORDINANCES

VOLUME I

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§ 10.01 TITLE OF CODE.

All ordinances of a permanent and general nature of the county, as revised, codified, rearranged, renumbered, and consolidated into component codes, titles, chapters, and sections, shall be known and designated as the "Lake County Code," for which designation "Code of Ordinances," "Codified Ordinances," or "Code" may be substituted. Code title, chapter, and section headings do not constitute any part of the law as contained in the code.

§ 10.02 INTERPRETATION.

Unless otherwise provided herein, or by law or implication required, the same rules of construction, definition, and application shall govern the interpretation of this code as those governing the interpretation of state law.

§ 10.03 APPLICATION TO FUTURE ORDINANCES.

All provisions of Title I compatible with future legislation shall apply to ordinances hereafter adopted amending or supplementing this code unless otherwise specifically provided.

§ 10.04 CONSTRUCTION OF CODE.

(A) This code is a codification of previously existing laws, amendments thereto, and newly enacted laws. Any previously existing law or amendment thereto reenacted by this code shall continue in operation and effect, as if it had not been repealed by this code. All rules and regulations adopted under laws reenacted in this code shall remain in full force and effect unless repealed or amended subsequent to the enactment of this code.

(B) Any appropriation repealed and reenacted by this code is continued only for the period designated in the original enactment of that appropriation.

(C) The numerical order and position of sections in this code does not resolve a conflict between two or more sections.

(D) Any irreconcilable conflict between sections shall be resolved by reference to the dates that the sections were originally enacted. The section most recently enacted supersedes any conflicting section or division.

(E) All references within a section of this code to any section of previously existing laws refer to the numbers in the original enactment.

(F) (1) The numerical designations and descriptive headings assigned to the various titles, chapters, subchapters, or sections of this code, as originally enacted or as added by amendment, are not law, and may be altered by the compilers of this or any subsequent codification, in any official publication, to more clearly indicate its content. These descriptive headings are for organizational purposes only and do not affect the meaning, application, or construction of the law they precede.

(2) Each note following a section of this code is for reference purposes only and is not a part of the section.

(G) All references to any section of this code refer to all subsequent amendments to that section, unless otherwise provided.
(I.C. 1-1-1-5)

§ 10.05 RULES OF INTERPRETATION; DEFINITIONS.

(A) *Rules of interpretation.* This code shall be construed by the following rules unless the construction is plainly repugnant to the legislative intent or context of the provision.

(1) Words and phrases shall be taken in their plain, ordinary, and usual sense. Technical words and phrases having a peculiar and appropriate meaning in law shall be understood according to their technical import.

(2) Words imputing joint authority to three or more persons shall be construed as imputing authority to a majority of the persons, unless otherwise declared in the section giving the authority.

(3) Where a section requires an act to be done which, by law, an agent or deputy may perform in addition to the principal, the performance of the act by an authorized deputy or agent is valid.

(4) Words denoting the masculine gender shall be deemed to include the feminine and neuter genders; words in the singular shall include the plural, and words in the plural shall include the singular; the use of a verb in the present tense shall include the future, if applicable.

(B) *Definitions.* For the purpose of this code of ordinances, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BOARD OF COMMISSIONERS. The Board of Commissioners of Lake County.

CLERK. The Clerk of the county.

COUNCIL. The County Council of Lake County, Indiana.

HIGHWAY. Includes bridges, roads, and streets, unless otherwise expressly provided.

MONTH. One calendar month.

PERSON. Extends to and includes person, persons, firm, corporation, copartnership, trustee, lessee, receiver, and bodies politic. Whenever used in any clause prescribing and imposing a penalty, the terms ***PERSON*** or ***WHOEVER*** as applied to any unincorporated entity shall mean the partners or members thereof, and as applied to corporations, the officers or agents thereof.

PRECEDING and ***FOLLOWING.*** When referring to sections or divisions in this code, refer to the sections or divisions next following or next preceding that in which the words occur, unless some other section is designated.

WRITTEN and ***IN WRITING.*** Include printing, lithographing, or other modes of representing words and letters. Where the written signature of a person is required, the terms mean the proper handwriting of the person, or the person's mark.

YEAR. One calendar year, unless otherwise expressly provided.
(I.C. 1-1-4-5)

§ 10.06 SEVERABILITY.

(A) If any section of this code now enacted or subsequently amended or its application to any person or circumstances is held invalid, the invalidity does not affect other sections that can be given effect without the invalid section or application.

(B) Except in the case of a section or amendment to this code containing a nonseverability provision, each division or part of every section is severable. If any portion or application of a section is held invalid, the invalidity does not affect the remainder of the section unless:

(1) The remainder is so essentially and inseparably connected with and so dependent upon the invalid provision or application that it cannot be presumed that the remainder would have been enacted without the invalid provision or application; or

(2) The remainder is incomplete and incapable of being executed in accordance with the legislative intent without the invalid provision or application.

(C) This section applies to every section of this code regardless of whether a section was enacted before or after the passage of this code.

(D) The repeal of a statute stating that the provisions of an act are severable as provided in division (B) of this section does not affect the operation of division (B) with respect to that act.
(I.C. 1-1-1-8)

§ 10.07 REFERENCE TO OTHER SECTIONS.

Whenever in one section reference is made to another section hereof, the reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered unless the subject matter is changed or materially altered by the amendment or revision.

§ 10.08 REFERENCE TO OFFICES; NAME DESIGNATIONS.

(A) *Reference to offices*. Reference to a public office or officer shall be deemed to apply to any office, officer, or employee of this municipality exercising the powers, duties, or functions contemplated in the provision, irrespective of any transfer of functions or change in the official title of the functionary.

(B) *Name designations*. Whenever any ordinance or resolution of the Council refers to any board, bureau, commission, division, department, officer, agency, authority, or instrumentality of any government, and that name designation is incorrectly stated; or at the time of the effective date of that ordinance or subsequent thereto, the rights, powers, duties, or liabilities placed with that entity are or were transferred to a different entity; then the named board, bureau, commission, department, division, officer, agency, authority, or instrumentality, whether correctly named in the ordinance at its effective date or not, means that correctly named entity, or the entity to which the duties, liabilities, powers, and rights were transferred.
(I.C. 1-1-6-1)

§ 10.09 ERRORS AND OMISSIONS.

If a manifest error is discovered, consisting of the misspelling of any words; the omission of any word or words necessary to express the intention of the provisions affected; the use of a word or words to which no meaning can be attached; or the use of a word or words when another word or words was clearly intended to express the intent, the spelling shall be corrected and the word or words supplied, omitted, or substituted as will conform with the manifest intention, and the provisions shall have the same effect as though the correct words were contained in the text as originally published. No alteration shall be made or permitted if any question exists regarding the nature or extent of the error.

§ 10.10 REASONABLE TIME.

(A) In all cases where an ordinance requires an act to be done in a reasonable time or requires reasonable notice to be given, reasonable time or notice shall be deemed to mean the time which is necessary for a prompt performance of the act or the giving of the notice.

(B) The time within which an act is to be done, as herein provided, shall be computed by excluding the first day and including the last. If the last day be a Saturday, Sunday, or a state holiday, it shall be excluded.

§ 10.11 REPEAL OR MODIFICATION OF CODE SECTION.

When a section of this code is repealed which repealed a former section or law adopted prior to the enactment of this code, the former section or law is not revived unless it so expressly provides. The repeal of any section shall not extinguish or release any penalty, forfeiture, or liability incurred under the section, unless the repealing section so expressly provides. The section shall be treated as still remaining in force for the purposes of sustaining any proper action or prosecution for the enforcement of the penalty, forfeiture, or liability.
(I.C. 1-1-5-1)

§ 10.12 LIMITATION PERIODS.

The running of any period of limitations or any requirement of notice contained in any law, whether applicable to civil causes or proceedings, or to the prosecution of offenses, or for the recovery of penalties and forfeitures, contained in a law repealed and reenacted by this code, shall not be affected by the repeal and reenactment; but all suits, proceedings, and prosecutions for causes arising or acts committed prior to the effective date of this code may be commenced and prosecuted with the same effect as if this code had not been enacted.
Statutory reference:
Periods of limitation, see I.C. 1-1-1-7

§ 10.13 ORDINANCES UNAFFECTED.

All ordinances of a temporary or special nature and all other ordinances pertaining to subjects not embraced in this code shall remain in full force and effect unless herein repealed expressly or by necessary implication.

§ 10.14 ORDINANCES WHICH AMEND OR SUPPLEMENT CODE.

(A) If the legislative body shall desire to amend any existing chapter or section of this code, the chapter or section shall be specifically repealed and a new chapter or section, containing the desired amendment, substituted in its place.

(B) Any ordinance which is proposed to add to the existing code a new chapter or section shall indicate, with reference to the arrangement of this code, the proper number of the chapter or section. In addition to an indication thereof as may appear in the

text of the proposed ordinance, a caption or title shall be shown in concise form above the ordinance.

§ 10.15 SECTION HISTORIES; STATUTORY REFERENCES.

(A) As histories for the code sections, the specific number and passage date of the original ordinance, and amending ordinances, if any, are listed following the text of the code section. Example:
(Ord. 10, passed 5-13-1960; Ord. 15, passed 1-1-1970; Ord. 20, passed 1-1-1980; Ord. 25, passed 1-1-1985)

(B) (1) If a statutory cite is included in the history, this indicates that the text of the section reads substantially the same as the statute. Example:
(I.C. 36-5-2-2)

(2) If a statutory cite is set forth as a "statutory reference" following the text of the section, this indicates that the reader should refer to that statute for further information. Example:

§ 39.01 PUBLIC RECORDS AVAILABLE.

This municipality shall make available to any person for inspection or copying all public records, unless otherwise exempted by state law.
Statutory reference:
Inspection of public records, see I.C. 5-14-3-1 et seq.

(C) If a section of this code is derived from the previous code of ordinances of the city published in a prior year and subsequently amended, the previous code section number shall be indicated in the history by "(Prior Code, § ___)."

§ 10.16 PRESERVATION OF PENALTIES, OFFENSES, RIGHTS, AND LIABILITIES.

All offenses committed under laws in force prior to the effective date of this code shall be prosecuted and remain punishable as provided by those laws. This code does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this code. The liabilities, proceedings, and rights are continued; punishments, penalties, or forfeitures shall be enforced and imposed as if this code had not been enacted. In particular, any agreement granting permission to utilize highway rights-of-way, contracts entered into or franchises granted, the acceptance, establishment, or vacation of any highway, and the election of corporate officers shall remain valid in all respects, as if this code had not been enacted.

§ 10.99 GENERAL PENALTY.

(A) Any person, firm, or corporation who violates any provision of this code for which another penalty is not specifically provided shall, upon conviction, be subject to the following:

(1) A fine not exceeding $2,500 for the first violation; and

(2) A fine not exceeding $7,500 for second and subsequent violations, except for violations of ordinances regulating traffic and parking.

(B) A separate violation shall be deemed committed upon each day during which a violation occurs or continues.
Statutory reference:
Authority, see I.C. 36-1-3-8(a)(10)

TITLE III: ADMINISTRATION

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Cross-reference:

Miscellaneous employee and officer information, see Ch. 39

Statutory reference:

Board of County Commissioners, see I.C. 36-2-2-1 et seq.

§ 30.01 COMMISSIONERS TO BE ELECTED BY VOTERS OF THE WHOLE COUNTY.

Under the law of this state, the members of the Board of County Commissioners are elected by the residents of each of the Commissioner's districts of the county by the voters of the whole county.
(Prior Code, § 30.01) (Ord. passed 2-6-1950)

Statutory reference:

Election procedures, see I.C. 36-2-2-3 through 36-2-2-5

§ 30.02 TRANSACTION OF BUSINESS PERMITTED ONLY IN REGULAR OR SPECIAL SESSIONS.

The Board of Commissioners can only function and transact county business when in regular or special session for that purpose, and no one member of the Board has any right or authority to bind or obligate the county in any matter except his or her participation in the deliberations of the Board while in session.
(Prior Code, § 30.02) (Ord. passed 2-6-1950)

§ 30.03 COUNTY EMPLOYEES TO BE UNDER CONTROL OF THE BOARD.

(A) No district shall be recognized as constituting a territory for individual action on behalf of any individual Commissioner. The Board of County Commissioners shall act upon all matters provided by law to be looked after and attended to by the Board by the entire Board of Commissioners at its regular or special meetings. All employees, help, aid, and assistance shall be under the direct control of the Board of County Commissioners.

(B) No appointment or employment shall be made or recognized by the Board of Commissioners or placed upon the payroll of any institution or agency of the county, until the appointee or employee shall have submitted an application for the position to the Board of Commissioners for approval or disapproval.
(Prior Code, § 30.03) (Ord. passed 2-6-1950)

Statutory reference:

County employees, see I.C. 36-2-2-13

§ 30.04 CENTRALIZED PERSONNEL SELECTION AND PURCHASING.

The Board of Commissioners does establish and administer centralized personnel selection and centralized purchasing in accordance with I.C. 36-2-3.5-4(c)(3).
(Prior Code, § 30.04) (Ord. passed 9-7-1982)

§ 30.05 COMMISSIONERS AUTHORIZED TO PERFORM REAL ESTATE SALES WITHOUT LICENSED AUCTIONEER.

The Lake County Board of Commissioners are granted the authority under I.C. 36-1-3-1 *et seq.*, Home Rule, to conduct an auction of real property as provided in I.C. 36-1-11-1 *et seq.*, Dispose of Real Property, without a licensed auctioneer.
(Ord. 1240B, passed 6-10-2003)

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§ 31.001 ESTABLISHED.

For provisions concerning the Animal Control Board, see Chapter 90 of this code of ordinances.

PUBLIC TRANSPORTATION

§ 31.015 PUBLIC TRANSPORTATION AUTHORITY.

There is hereby established, pursuant to I.C. 36-9-3-1 *et seq.*, an authority to be known as the Northwest Indiana Public Transportation Authority.
(Prior Code, § 31.030) (Ord. 30, passed 6-30-1975)

§ 31.016 COMMUTER TRANSPORTATION DISTRICT.

Lake County is hereby declared to be a member of a Commuter Transportation District, pursuant to the authority granted by state law.
(Prior Code, § 31.031) (Ord. 13, passed 5-9-1977)

PUBLIC WORKS DEPARTMENT

§ 31.030 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BOARD. The Board of Commissioners of Lake County.

DEPARTMENT. The Lake County Public Works Department established under this chapter.
(Prior Code, § 31.040) (Ord. 1013A, passed 9-3-1985)

§ 31.031 PUBLIC WORKS DEPARTMENT; CREATION; BUDGET AND SALARIES.

(A) A County Public Works Department is established in the county. The personnel are employees of the county, and the Administrator, with the approval of the Board, shall assign their duties according to law.

(B) The expenses of the County Public Works Department are a part of the Board's budget. The Board may recommend the number and salary of the personnel, but the county fiscal body shall determine the budget and salaries.

(C) The county shall furnish to the Department the supplies, equipment and other items needed for the performance of the Department's purpose.
(Prior Code, § 31.041) (Ord. 1013A, passed 9-3-1985)

§ 31.032 ADMINISTRATOR; CLASSIFICATION OF POSITIONS.

(A) The Administrator, with the approval of the Board, shall establish a classification of positions for the County Public Works Department employees. For each position established, the Administrator, with the approval of the Board, shall set reasonable standards of qualifications and fix the prerequisites of training, education, and experience.

(B) The Administrator, with approval of the Board, has the authority to set standards, policies and procedures, rules, and regulations in prescribing conduct, performance, and duties required of personnel.
(Prior Code, § 31.042) (Ord. 1013A, passed 9-3-1985)

ROAD REVIEW COMMISSION

§ 31.045 PETITION TO VACATE.

The procedure for filing a petition to vacate pursuant to I.C. 36-7-3-12 and I.C. 36-7-3-16 as follows:

(A) Persons who:

(1) Are interested in any lots or parts of lots; and

(2) Want to vacate all or part of a public way or public place, or platted easement in or contiguous to those lots or parts of lots; may file a petition for vacation with the County Auditor or the County Council. The petition forms shall be supplied by the County Auditor.

(B) The petition shall:

(1) State the general purpose and circumstances of the case;

(2) Give the names and addresses of all owners of land that abuts the property proposed to be vacated;

(3) Include an exact legal description and staked survey certified by a land surveyor registered in the state;

(4) Include recommendations or objections from all utility companies including but not limited to electric, gas, telephone, and water, concerning the vacation of the public way or place, or platted easement which is the subject of the petition;

(5) Include recommendations or objections from the following: County Surveyor, County Highway Department, and the County Planning and Building Department concerning land use, drainage, alignment and continuation of streets in relation to neighboring properties and subdivisions as affected by the real estate which is the subject of the petition for vacation of a public way or place; and

(6) Include exhibits, material, and information described in this subchapter and required by the County Auditor.

(C) The County Council shall, pursuant to I.C. 5-14-1.5 *et seq.*, hold a hearing on the petition within 30 days after it is received. The County Auditor shall give notice of the petition and of the time and place of the hearing:

(1) In the manner prescribed in I.C. 5-3-1; and

(2) By certified mail to each owner of land that abuts the property proposed to be vacated. The petitioner shall pay the expense of providing this notice.

(D) After the public hearing, held pursuant to I.C. 5-14-1.5 *et seq.*, on the petition, the County Council may, by ordinance, vacate the public way or public place. The County Auditor shall enter the property for taxation and furnish a copy of each vacation ordinance to the County Recorder for recording. The cost of recording shall be paid by the petitioner.

(E) Within 30 days after the adoption of a vacation ordinance, any aggrieved person may appeal the ordinance to the County Circuit Court. The Court shall try the matter de novo and may award damages.

(F) A remonstrance may be filed pursuant to I.C. 36-7-3-13.

(Prior Code, § 31.050) (Ord. 1015E-1, passed 4-9-1991)

§ 31.046 LAKE COUNTY ROAD REVIEW COMMISSION.

(A) A commission known as the Road Review Commission shall be established and shall consist of a member of the County Planning Commission, the County Surveyor's Office, and the County Highway Department.

(B) Upon enactment of this section, the directors of each department shall appoint a member of their department to the Commission, which shall then meet to establish rules and regulations consistent with the purposes of this section. Thereafter, the Road Review Commission shall meet whenever necessary to discuss findings on proposed vacations.

(C) The purpose of the Road Review Commission shall be to examine and make written findings to the County Council with regard to real estate subject to all petitions for a request for vacation of a public way or places. The findings shall indicate whether the Road Review Commission forwards a favorable, unfavorable, or no recommendation to the County Council.

(D) It shall be the responsibility of the County Auditor of the County Council to notify all appointed members of the Road Review Commission no later than 21 days prior to the scheduled hearing by the County Council.

(E) In addition to the written findings required in division (C) above, the following written comments shall be submitted to the County Council:

(1) Recommendations or objections from all utility companies concerning the vacation of the public way or place which is the subject of the petition;

(2) Recommendations or objections from the County Highway Department, County Surveyor's Office, and the County Planning and Building Department, concerning land use, drainage, alignment, and continuation of streets in relation to neighboring properties and subdivisions as affected by the real estate which is the subject of the petition for vacation of a public way or place and whether the proposed vacation would be in direct conflict with the County Master Plan; and

(3) Any other documents to support the findings of the Road Review Commission.

(F) All written findings made to the County Council shall be submitted to all members of the County Council, the Administrative Assistant to the County Council, and the attorney for the County Council at least three days prior to the public hearing required by I.C. 36-7-3-12 and 36-7-3-16.
(Prior Code, § 31.051) (Ord. 1015E, passed 11-12-1985; Ord. 1015E-1, passed 4-9-1991)

ECONOMIC DEVELOPMENT COMMISSION

§ 31.070 ESTABLISHED.

There is established pursuant to the authority of Acts 1981, Pub. Law No. 309, § 31, as codified in I.C. 36-7-12-1 *et seq.*, and all amendments, revisions and supplements thereto, and Acts of 1985, Pub. Law No. 20-1985, § 14, as codified in I.C. 36-7-11.9-1 *et seq.*, and all amendments, revisions and supplements thereto a Department of Economic Development, which shall be under the control of a commission known as the Lake County Development Commission. The Department of Economic Development shall be staffed and administered by the County Community Development Department. The Department of Economic Development shall be entitled to exercise all of the rights, powers, privileges and immunities accorded to the Department by the acts, amendments, revisions, and supplements thereto.
(Prior Code, § 31.055) (Ord. 1021A, passed 5-13-1986)

§ 31.071 APPOINTMENT OF MEMBERS.

(A) The members of the County Economic Development Commission shall be appointed by the County Executive, the Board of Commissioners.

(B) The selection of the members of the County Economic Development Commission shall be as follows:

(1) One of the members shall be selected by the County Executive, the Board of Commissioners;

(2) One shall be nominated by the County Fiscal Body, the County Council; and

(3) One shall be nominated by the fiscal body of the most populous municipality located in the county, the Common Council of Gary, Indiana.
(Prior Code, § 31.056) (Ord. 1021A, passed 5-13-1986)

§ 31.072 TERMS OF COMMISSIONERS.

The Economic Development Commissioners shall take office upon their appointment, and their terms run from February 1, after their original appointment, for a period of:

(A) Three years, if selected by the County Executive;

(B) Two years, if nominated by the County Council; and

(C) One year, if nominated by the Common Council of Gary, Indiana.
(Prior Code, § 31.057) (Ord. 1021A, passed 5-13-1986)

§ 31.073 SELECTION; NOMINATION.

(A) After the adoption of this subchapter establishing a Department of Economic Development, the County Auditor shall promptly notify the County Board of Commissioners, the County Council and the Common Council of Gary, Indiana, that they are required to make the selections and nominations required by this chapter.

(B) The County Executive, the County Board of Commissioners, shall make the selections of the one member of the Commission that he or she is required to select within 15 days after receiving the notice.

(C) The County Council and the Common Council shall make their nomination of the members of the Commission that the County Executive is required to select within 15 days after receiving the notice.

(D) Each selectee and nominee shall be appointed by the County Executive, the County Board of Commissioners within ten days after the County Executive receives the nominations required to be made by the county and Council and the Common Council of Gary, Indiana.

(E) At the expiration of the respective terms of each of the original Economic Development Commissioners, their respective successors shall be selected and nominated, before the expiration of the term, in the same manner as the original Commissioner, and each succeeding Commissioner shall serve for a term of four years. A Commissioner shall hold over after the expiration of his or her term until his or her successor is appointed and has qualified.

(F) If either the County Council or the Common Council of Gary, Indiana, fails to make a nomination within the time specified by divisions (A) through (E) of this section, the County Executive, the County Board of Commissioners, may select and appoint a person without a nomination.

(G) If a person appointed as an Economic Development Commissioner fails to take the oath of office required by § 31.074 within ten days after notice of his or her appointment is mailed to him or her, or if any Commissioner, after qualifying, dies, resigns, vacates his or her office, or is removed from office, a new Commissioner shall be appointed to fill the vacancy in the same manner as the Commissioner in respect to whom the vacancy occurs was appointed. A Commissioner appointed under this section shall serve for the remainder of the vacated term.
(Prior Code, § 31.058) (Ord. 1021A, passed 5-13-1986)

§ 31.074 OATH OF OFFICE; CERTIFICATE.

Before beginning his or her duties, each Economic Development Commissioner shall take and subscribe an oath of office in the usual form, to be

endorsed upon the certificate of his or her appointment. The certificate shall be promptly filed with the County Auditor.
(Prior Code, § 31.059) (Ord. 1021A, passed 5-13-1986)

§ 31.075 MEETINGS.

(A) The Economic Development Commission shall meet within 30 days after its original appointments, at a time and place designated by the County Executive, the County Board of Commissioners for the purpose of organization and shall meet to reorganize in February of each succeeding year.

(B) At the meeting required by division (A) above, the Economic Development Commission shall elect one of its members as President, one as Vice-President, and one as secretary. Each officer shall serve from the date of his or her election until January 31, after his or her election, and until his or her successor is elected and qualified.

(C) The Economic Development Commission may adopt the bylaws, rules and regulations that it considers necessary, subject to approval by fiscal body. Regular or special meetings shall be held at times and upon notice fixed by the Commission, either by resolution or in accordance with the bylaws, rules and regulations adopted.

(D) A majority of the members of the County Development Commission shall constitute a quorum.

(E) Actions of the County Economic Development Commission must be approved by a majority of the members of the Commission.

(F) The records of the County Economic Development Commission are public records.
(Prior Code, § 31.060) (Ord. 1021A, passed 5-13-1986)

§ 31.076 REMOVAL OF COMMISSIONER; REVIEW.

A County Economic Development Commissioner may be removed from office for neglect of duty, incompetency, inability to perform his or her duties, or any other good cause, by the County Executive, the County Board of Commissioners, or the Lake County Council or the Common Council of Gary, Indiana, that selected or nominated him or her. The Commissioner removed may obtain judicial review of the removal by filing a complaint in the County Circuit or Superior Court, and the burden of proof is upon the County Executive, the County Board of Commissioners, or the County Council or the Common Council of Gary, Indiana, that removed the Commissioner. The cause shall be placed on the advanced calendar and be tried as other civil causes are tried by the court, without a jury. The court's judgment may be appealed in the same manner as any civil action.
(Prior Code, § 31.061) (Ord. 1021A, passed 5-13-1986)

§ 31.077 REIMBURSEMENT; ALLOWANCE.

An Economic Development Commissioner is not entitled to any salary, but is entitled to:

(A) Reimbursement for expenses necessarily occurred in the performance of his or her duty; and

(B) A per diem allowance for each day he or she attends a Commission meeting if that allowance:

(1) Does not exceed the per diem allowance for members of the Indiana General Assembly; and

(2) Is authorized by the County Council.
(Prior Code, § 31.062) (Ord. 1021A, passed 5-13-1986)

§ 31.078 PECUNIARY INTEREST.

(A) A County Economic Development Commissioner shall disclose any pecuniary interest in any employment, financing agreement, or other contract made under this chapter before any action by the Commission on it, and shall not vote on any such matter.

(B) Notwithstanding any other law, a member of the County Council may not have a pecuniary interest in any employment, financing agreement, or other contract made under this chapter, if he or she discloses his or her pecuniary interest before any action of the County Council on it and does not vote on any such matter.

(C) If any property in which an Economic Development Commissioner or member of either the County Council or member of the Board of Commissioners, or the Common Council of Gary, Indiana, has a pecuniary interest in property required for the purposes of this chapter, that property may be acquired, but only by gift or condemnation.
(Prior Code, § 31.063) (Ord. 1021A, passed 5-13-1986)

§ 31.079 INVESTIGATION OF JOB OPPORTUNITIES.

(A) The County Economic Development Commission shall investigate, study, and survey the need for additional job opportunities, industrial diversification, and pollution control facilities in the county and shall recommend action to improve or promote job opportunities, industrial diversification, and availability of pollution control facilities in the county.

(B) As part of the investigation, the County Development Commission may participate in the financing of business appraisals and financing feasibility studies of the possible purchase of business with operations in the county by the employees of that operation through an Employee Stock Ownership Plan (ESOP). The employees must agree to repay the Commissioner's contribution to the cost of the study if such a purchase is successful.
(Prior Code, § 31.064) (Ord. 1021A, passed 5-13-1986; Ord. 1021A-1, passed 2-14-1989)

§ 31.080 STATUTORY LAW.

The County Economic Development Commission shall exercise and enjoy the rights and powers and assume the duties and obligations conferred and imposed by I.C. 36-7-12-1 *et seq.*, Acts of 1981, Pub. Law No. 309, § 31, and all amendments, revisions and supplements thereto and I.C. 36-7-11.9-1 *et seq.*, Pub. Law No. 20-1985, § 14, and all amendments, revision, and supplements thereto and shall have the right to exercise all powers set forth therein.
(Prior Code, § 31.065) (Ord. 1021A, passed 5-13-1986)

§ 31.081 FUNDS ESTABLISHED.

(A) There is established and created an Economic Development Program and a County Revolving Loan Fund that is to be administered by the County Development Department.

(B) The word ***DEPARTMENT*** shall mean the County Community Development Department.

(C) The Economic Development Program and County Revolving Loan Fund shall be utilized to financially assist developing businesses and industries.
(Prior Code, § 31.066) (Ord. 1021A, passed 5-13-1986)

§ 31.082 STATE AND FEDERAL REQUIREMENTS.

The Department shall adhere strictly to any requirements of any state or federal agencies which have jurisdiction over the source of the funds being

loaned. State or federal requirements shall not be modified or waived without authorization from the state or federal agency having jurisdiction.
(Prior Code, § 31.067) (Ord. 1021A, passed 5-13-1986)

§ 31.083 REVOLVING LOAN FUND.

(A) The County Auditor, in accordance with State Board of Accounts procedures and regulations, shall establish a County Revolving Loan Fund and account for the receipt and disbursement of funds for the Economic Development Program.

(B) The County Revolving Loan Fund may receive money from state or federal programs for the purpose of the Economic Development Program, or monies received through the repayment of loans made in accordance with state and federal loans and this subchapter. Any monies collected in such manner shall be received and disbursed through the County Revolving Loan Fund. The County Revolving Loan Fund may also receive and disburse monies from other sources. The County Revolving Loan Fund may consist of one or more funds for the purpose of fostering economic development.

(C) Monies shall be disbursed in accordance with all federal and state guidelines, requirements and regulations for the use of each funding source.

(D) The County Board of Commissioners is designated as the approving authority for authorized disbursements from the County Revolving Loan Fund and shall sign and submit claims to the County Auditor.

(E) The monies received by the County Council Revolving Loan Fund shall be deposited and invested in an interest bearing account. However, in the event the County Economic Development Commission and the Economic Development Program are terminated by federal or state law, or by local ordinance, the monies in the Fund or interest bearing account shall revert to a separate and distinct fund to be used for capital expenditures within the county, and to be appropriated by the County Council.
(Prior Code, § 31.068)

§ 31.084 ACCOUNTING.

Accounting for the County Revolving Loan Fund shall be made separately for each approved application and shall be made separately for each source of funds receipted into the County Revolving Loan Fund. The Department shall make summaries of the accounting an integral part of its annual report to the Board of Commissioners.
(Prior Code, § 31.069) (Ord. 1021A, passed 5-13-1986; Ord. 1021A, passed 10-13-1987)

DEPARTMENT OF COMMUNITY SERVICE

§ 31.095 ESTABLISHED.

The County Department of Community Service is hereby established.
(Prior Code, § 31.075) (Ord. 1028C, passed 12-9-1986)

§ 31.096 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ADMINISTRATOR. The department head of the County Department of Community Service.

COMMUNITY SERVICE. The activity assigned to a community service participant.

COMMUNITY SERVICE PARTICIPANT. A person assigned to the County Department of Community Service to perform work without compensation in the community of the county from any unit of government within the county.

COUNCIL. The County Council of Lake County, Indiana.

DEPARTMENT. The Lake County Community Service Department.
(Prior Code, § 31.076) (Ord. 1028C, passed 12-9-1986)

§ 31.097 ADMINISTRATOR.

(A) The Council, within 30 days of the passage of this subchapter, shall appoint an Administrator to oversee the operations of the Department. The Administrator serves for a term of one year with the term being renewable at the option of the Council.

(B) The Administrator must be qualified by knowledge and experience in matters pertaining to the operation of a community service department as defined by this subchapter. The Administrator serves at the discretion of the Council and may be removed before the expiration of his or her term.

(C) The Administrator shall establish a classification of positions and hire all employees to fill the positions. He or she shall set reasonable prerequisites for holding the position, and set standards of conduct to govern the performance of duties assigned to the Department personnel.

(D) The Administrator shall establish all rules, regulations, and procedures necessary to place and supervise the community service participant assigned to perform community service for the period of time ordered by the court having jurisdiction of the community service participant.

(E) Every Common Council member shall reside in the district from which elected and represents and the member at-large shall be a resident of the city.

(F) The districts established herein shall be revised as necessary in 1992 and every ten years thereafter to keep the districts contiguous, compact, and contain as nearly as is possible, equal population.

(G) After passage, the Clerk-Treasurer of the city shall send a certified copy of this chapter to the county election boards as required by law.
(Prior Code, § 31.077) (Ord. 5-82, passed 4-12-1982; Ord. 1028C, passed 12-9-1986)

§ 31.098 BUDGETS; SALARIES.

The Administrator shall prepare an annual budget for the Department and submit the budget pursuant to I.C. 36-2-5-1 through 36-2-5-14.
(Prior Code, § 31.078) (Ord. 1028C, passed 12-9-1986)

HEALTH DEPARTMENT

§ 31.110 ESTABLISHED.

(A) Pursuant to I.C. 16-20-2-2, the County Health Department is established and, pursuant to I.C. 16-20-2-3 and 16-20-2-4, a seven-member local Board of Health shall be named to manage the County Health Department, no more than four members of which may be from the same political party.

(B) Pursuant to I.C. 16-20-2-6, the County Board of Commissioners, the County Executive, shall appoint the seven members of the Board.

(C) Pursuant to I.C. 16-20-2-5, the members of the Board shall be selected as follows:

(1) Four persons knowledgeable in public health, at least two of whom are licensed physicians. The other two appointees may be:

(a) A registered nurse licensed under I.C. 25-23;

(b) A registered pharmacist licensed under I.C. 25-26;

(c) A dentist licensed under I.C. 25-14;

(d) A hospital administrator;

(e) A social worker;

(f) An attorney with expertise in health matters;

(g) A school superintendent;

(h) A veterinarian licensed under I.C. 15-5-1.1;

(i) A professional engineer registered under I.C. 25-31; or

(j) An environmental scientist.

(2) Two representatives of the general public;

(3) One representative of either division (C)(1) or (2).

(D) Pursuant to I.C. 16-20-2-9, the members of the Board may receive compensation for the performance of their duties as determined by the County Council.
(Prior Code, § 31.085) (Ord. 1098A, passed 1-14-1992; Ord. 104D, passed 6-9-1992)

§ 31.111 PURPOSE; DUTIES.

Pursuant to I.C. 16-19-3-21, the County Health Department shall operate to provide health services to the citizens of the county not served by a city or other municipality, maintaining its own full-time health department.
(Prior Code, § 31.086) (Ord. 1098A, passed 1-14-1992; Ord. 104D, passed 6-9-1992)

§ 31.112 FUNDING.

(A) Pursuant to I.C. 16-20-2-17, the County Council shall annually assess a levy on the assessed valuation of taxable property for the maintenance of the County Health Department.

(B) The taxes shall be paid into the County Treasury and placed in a special fund to be known as the County Health Department Fund which shall be used only for the purposes provided by this subchapter and by law, and shall be drawn by the proper offices of the county upon the properly authenticated vouchers of the County Health Department.

(C) The County Council shall appropriate from the County Department Fund money necessary to maintain the County Health Department.

(D) The tax levy provided for in this subchapter and by state law may not be made upon property within the corporate limits of any city maintaining its own full-time health department.
(Prior Code, § 31.087) (Ord. 1098A, passed 1-14-1992; Ord. 104D, passed 6-9-1992)

DATA PROCESSING AGENCY

§ 31.125 TITLE OF SUBCHAPTER.

This subchapter shall be known and may be cited as the Lake County Data Processing Chapter, replacing Ord. 990D and its amendments, which is hereby repealed.
(Prior Code, § 31.090) (Ord. 1164A, passed 2-11-1997)

§ 31.126 DEFINITIONS.

(A) For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BOARD. The Lake County Data Processing Agency Board.

BOARD OF COMMISSIONERS. The Lake County Board of Commissioners.

COUNCIL. The Lake County Council.

DIRECTOR. The Director of the Lake County Data Processing Agency.

LAW. U.S. Constitution, Indiana Constitution.

(B) The definitions in I.C. 36-1-2 shall apply unless otherwise defined.
(Prior Code, § 31.091) (Ord. 1164A, passed 2-11-1997)

§ 31.127 BOARD ESTABLISHED.

There is established a Lake County Government Agency known as the Lake County Data Processing Agency, which shall be administered by a Board known as the Lake County Data Processing Agency Board.
(Prior Code, § 31.092) (Ord. 1164A, passed 2-11-1997)

§ 31.128 ORGANIZATION OF BOARD.

(A) *Composition*. The Board shall consist of 14 members appointed by the County Council and shall include the following:

(1) The County Auditor or his or her nominated representative;

(2) The County Treasurer or his or her nominated representative;

(3) A member of the County Board of Commissioners or its nominated representative;

(4) The County Recorder or his or her nominated representative;

(5) The County Surveyor or his or her nominated representative;

(6) The County Prosecutor or his or her nominated representative;

(7) The County Clerk or his or her nominated representative;

(8) The County Sheriff or his or her nominated representative;

(9) The Administrative Assistant to the County Council or his or her nominated representative;

(10) Two members of the County Council or their nominated representative;

(11) A Lake Superior Court Judge or the Lake Circuit Court Judge or their nominated representative;

(12) The County Assessor or his or her nominated representative; and

(13) The County Coroner or his or her nominated representative.

(B) *Terms*. Upon adoption of this subchapter, the Clerk of the County Council shall promptly notify the bodies required to make a nomination under this subchapter. The respective bodies shall have five days after receipt of the notice to select a nominee, and the County Council shall then at its next regularly scheduled or special meeting appoint the nominees selected. If a body fails to select a nominee within the time specified, the County Council may select and appoint a person without a nomination. Upon establishment of the Board, all terms shall be for one year. A member whose term expires may be appointed to serve for the remainder of the term. After establishment of the initial Board, all nominations must be received by the County Council prior to the expiration of that Board member's term. If the nomination is not made prior to the expiration of the term, the County Council may select and appoint a person without nomination.

(C) *Removal*. The County Council may remove a member from the Board for good cause by mailing a notice of removal to the member's residence. A member who is removed may not appeal the removal to a court, or administrative body.

(D) *Meetings*. Upon initial appointment, the Board shall have a meeting within ten days for the purpose of organization. The Board shall elect, from its members, a chairperson, and a vice-chairperson, who shall be the presiding officer during the absence of the chairperson, and a secretary. The members serving in those offices shall perform duties pertaining to the offices. A majority of the Board constitutes a quorum and the concurrence of a majority of the Board is necessary to authorize any action. At the initial meeting, the Board may fix the time and place for holding regular meetings. The Board shall have at least one regular meeting each month. The minutes of the Board meetings shall be kept, and all records required by law to be maintained are public records and shall be filed in the Board's office.

(E) *Special meetings*. Special meetings of the Board may be called by the Chairperson, Vice-Chairperson, or by two members of the Board upon written request to the secretary. The secretary shall send to all Board members, at least 72 hours before the special meeting, a written notice fixing the time and the place of the meeting, and the matters to be covered. All meetings of the Board shall be called and conducted in accordance with the Indiana Open Door Law, I.C. 5-14-1.5.

(F) *Voting*. Every member shall have one vote. Voting by proxy shall be allowed. Any member of the Board shall be allowed to nominate a proxy for the purpose of attending and voting at the Board meetings. Such nominating member shall not forfeit his or her right to vote as a member of the Board for the remainder of the member's term of office.
(Prior Code, § 31.093) (Ord. 1164A, passed 2-11-1997)

§ 31.129 BOARD; POWERS AND DUTIES.

(A) *Powers of Board*. The Board shall:

(1) Oversee the operation and management of the county data processing agency, develop and furnish both a short term and long term county data processing plan budget to the County Council for approval and report to the County Council the progress of the plan and budget on a regular basis.

(2) Appoint and employ legal and administrative personnel necessary to carry out its functions, and prescribe the duties of a director and such employees or contractors that are necessary for administrative personnel necessary to carry out its functions, and prescribe the duties of a director and such employees or contractors that are necessary for the discharge of the duties of the Board consistent with the positions, salaries, contracts, and compensation fixed by the Council.

(3) Adopt such rules and regulations for the administration of the Agency, as are consistent with this subchapter and all state and federal law.

(4) Review the status of all major projects under implementation, and shall continuously monitor the quality and timeliness of the county's operations, and shall control, with consent of the County Council, new application projects by approving, modifying, deferring, or rejecting project proposals.

(5) Establish a special committee within the Lake County Data Processing Agency to review and study all new application development and capital projects which are submitted to the Board for consideration and approval.

(a) The special committee shall be called the Technical Committee.

(b) The special committee shall consist of five members appointed as follows.

1. The Lake County Council shall appoint two members.

2. The Board of Commissioners shall appoint one member.

3. The data processing vendor to Lake County shall appoint one member.

4. The Lake County Data Processing Board shall appoint one member.

(c) The members of the special committee shall have an engineering or computer information background.

(d) The duties of the special committee shall be determined by the Board, which shall include the review and study of all new application development and capital projects submitted to the Board, after which the committee shall make recommendations to the Board.

(6) Review all recommendations made by the Technical Committee, requests and contracts for data processing management contractors; requests and contracts for computer equipment and software rental, lease or acquisition; and requests for the sharing of either data or systems with any other agency of state, local or federal government or with any non-governmental entity, for recommendation to the Lake County Council for approval.

(7) Ensure that all monies, gifts, grants, and contributions from any public and private source are accounted for in accordance with state and federal laws.

(8) Do whatever is necessary to comply with state and federal laws in the operation and management of the agency.

(9) Provide a recommendation, when requested, to the Council for or against proposed funding requests for computer hardware or software purchases, leases or services, which recommendation shall include the extent to which the proposal is consistent with the goals of coordinated data processing operations, integration or services, operational security and economy; and whether the requesting office, department, or agency is in substantial compliance or has certified in writing that it is in compliance with the county computer usage policy.

(B) *Duties of the Board.* The Board may:

(1) Create from existing agency personnel any additional groups or committees it deems necessary to allow it to carry out its responsibilities under this chapter;

(2) Conduct such studies and reviews as it deems necessary to provide high quality, cost effective data processing within county government, with adequate protections of the individual citizen's interest in personal privacy, and may recommend to the County Council any necessary changes in data processing within the county government;

(3) Accept and use gifts, grants, and contributions from any public or private source, under terms and conditions that the bureau consider necessary and desirable;

(4) Sue and be sued;

(5) Require financial or other reports from any individual, partnership or corporation that receives funds, or assistance from the agency; and

(6) Recommend to the Board of Commissioners of Lake County contract agreements, or programs which they would desire the Board of Commissioners to consider for approval.

(C) *Funding/contract request procedure.*

(1) All departments, agencies, or individuals are required to submit any funding requests or contracts to the Data Board for review and recommendation prior to action by the Data Board, Lake County Commissioners, or Lake County Council.

(2) All funding requests or contracts shall:

(a) Be reduced to writing and provided to the Data Board, Lake County Commissioners, or Lake County Council in a timely fashion;

(b) Include information how the request or proposals advances the goals set by the Lake County Data Board ordinance; and

(c) Include information how the requesting parry is in compliance with the Lake county government computer usage policy.

(3) It shall be the responsibility of the department, agency or individual seeking approval by the Lake County Council or Lake County Commissioners of any such request or contract, including the approval of claims for expenditures within the budget of that submission a copy of the written recommendation of the Data Board.
(Prior Code, § 31.094) (Ord. 1164A, passed 2-11-1997; Ord. 1164A-1, passed 5-13-1997; Ord. 1164A-3, passed 4-13-2004; Ord. 1164A-4, passed 4-12-2005)

Cross-reference:

Human Resources Manual, see Ch. 32, App. A

§ 31.130 LAKE COUNTY BOARD OF COMMISSIONERS/LAKE COUNTY COUNCIL.

(A) *Board of Commissioners*. The Board of Commissioners of the county shall have the power to negotiate contracts on behalf of the Agency and Board, subject to the approval of the Lake County Council.

(B) *Lake County Council.*

(1) The Lake County Council shall refer to the Data Board for recommendation all requests for approval of funding for computer or technology hardware or software purchase, leases, or service which the Board shall provide to the Council pursuant to § 31.129.

(2) When considering a request for funding under §§ 31.129 and 31.130, the Council shall require that the requesting agency or department is in substantial compliance, or has certified in writing to the Data Board that it is in substantial compliance with the computer usage policy in effect for Lake County.
(Prior Code, § 31.095) (Ord. 1164A, passed 2-11-1997; Ord. 1164A-3, passed 4-13-2004)

§ 31.131 DIRECTOR, DUTIES OF.

Under the supervision of the Board and the County Council, the Director shall:

(A) Propose annually a plan for the operation of the Department;

(B) Administer the plan as approved by the Board;

(C) Supervise the general administration of the Department and its employees;

(D) Develop and maintain policy and administrative procedures and shall distribute the operational rules to the employees;

(E) Annually submit to the Board a data processing resource inventory to include all data processing hardware, software, technical personnel, and data processing contracts;

(F) Be responsible for the custody and preservation of all records;

(G) Subject to the approval of the Board, appoint and remove agency's employees according to the standards and qualifications fixed by the Board;

(H) Prepare and present to the Board an annual report;

(I) Perform such other duties as the Board may direct; and

(J) Be an employee of Lake County, whose salary shall be fixed pursuant to I.C. 36-2-5-3; and shall work closely with the vendor supplying data processing services to Lake County.
(Prior Code, § 31.096) (Ord. 1164A, passed 2-11-1997; Ord. 1164A-2, passed 10-14-1997)

§ 31.132 BUDGET.

The Board shall adopt a budget annually which shall contain an estimate of the amount of money which will be needed by the Board and the Agency during the coming fiscal year to cover the expenses and obligations incurred and to be incurred. The budget shall be prepared, filed, and funded in the same manner and form and at the same time as the budgets and estimates of other county offices, departments, and agencies.
(Prior Code, § 31.097) (Ord. 1164A, passed 2-11-1997)

DEPARTMENT OF WEIGHTS AND MEASURES

§ 31.145 FEES.

(A) All weighing devices, including but not limited to scales, except petroleum measuring devices, shall cost $12 for approval, and if condemned and retested, $24 additional. Petroleum measuring devices shall cost $6 for approval, and if condemned and retested, $12 additional.

(B) Any and all governmental units shall be exempt from any and all fees established by this section. ***GOVERNMENTAL UNITS*** are defined as county, city, townships, and state and federal departments and/or agencies, and schools.

(C) The inspections pursuant to this section shall be made at least once a year, pursuant to a schedule of the County Department of Weights and Measures. The inspection shall be made on all commercial measuring and weighing devices used in the county outside of Hammond, East Chicago, and Gary, Indiana.

(D) After the inspection is made, and the seal is obtained pursuant to division (C) of this section, the County Department of Weights and Measures may randomly check the various devices, at its discretion, without cost to the user.

(E) All records concerning inspections under this section shall be reviewed annually by the County Prosecuting Attorney's Office.

(F) All inspections made, and fees due, under this section shall be paid pursuant to the rules and regulations of the County Department of Weights and Measures. The County Department of Weights and Measures may file suit to collect unpaid fees, and shall be awarded reasonable attorney fees incurred in the collection of the fees.
(Prior Code, § 31.105) (Ord. 992F, passed 2-14-1984; Ord. 992F, passed 12-11-1984)

BOARD OF TAX ADJUSTMENT ABOLISHED

§ 31.155 BOARD OF TAX ADJUSTMENT ABOLISHED.

The Lake County Board of Tax Adjustment has been abolished pursuant to I.C. 6-1.1-29-9(a).
(Prior Code, § 31.110) (Ord. 1023A, passed 7-8-1986)

JAIL OVERSIGHT COMMITTEE

§ 31.165 ESTABLISHMENT, ACTIONS AND PURPOSE.

(A) There is hereby established a Lake County Jail Oversight Committee.

(B) The actions of the Committee shall be advisory in nature except where the action is

authorized by either Lake County Council Ordinance, an order of the Lake Superior Court Criminal or County Divisions or an order of the Indiana Department of Corrections.

(C) The purposes of the Committee shall be to:

(1) Develop a program to implement a county-wide approach to safely maintain the Lake County Jail inmate population;

(2) Coordinate the existing programs used by criminal justice agencies both pre-trial and post-trial to increase utilization of the programs by the courts in order to reduce the length of confinement for appropriate inmates;

(3) Make recommendations for policy, program selection, and guidelines, to be used by the criminal justice agencies; and

(4) Establish policy for the implementation of a criminal justice management information system on the composition of the jail population and make the information available to all county-wide criminal justice agencies on a daily basis.
(Prior Code, § 31.120) (Ord. 1134A, passed 9-6-1994; Ord. 1230A, passed 8-13-2002; Ord. 1230A-1, passed 10-8-2002; Ord. 1268A, passed 10-11-2005; Ord. 1387B, passed 8-11-2015)

§ 31.166 COMPOSITION AND MEETINGS.

(A) The Committee shall consist of the following voting members or their respective designated voting representatives:

(1) One member of the Board of County Commissioners, appointed by the Lake County Board of Commissioners;

(2) Two members of the County Council, appointed by the Lake County Council;

(3) Lake County Sheriff;

(4) Warden of the Lake County Jail;

(5) Lake County Clerk;

(6) Lake County Prosecutor;

(7) Chief Judge, Lake Superior Court, Criminal Division, or one of the Criminal Division Judges selected by the Criminal Division Judges;

(8) Chief Judge, Lake Superior Court, County Division, or one of the County Division Judges selected by the County Division Judges;

(9) Two City Court Judges, selected by the City Court Judges of Lake County, Indiana;

(10) Director, Lake County Community Corrections; and

(11) Director of Lake County Data Processing.

(B) All members shall be appointed within 30 days of the adoption of this subchapter. In the event a position is vacated, the appointing entity shall appoint the replacement within 30 days of notice.

(C) Within 30 days of appointment of its members the Committee shall meet and select a chairman, vice-chairman and secretary, establish rules and implement procedures to carry out its business. Neither the Lake County Sheriff, the Warden of the Lake County Jail, nor the Director of the Lake County Community Corrections are eligible to serve as chair-person, vice-chairperson or secretary because of their direct supervisory control over inmates. The Committee shall meet on a monthly basis on a date and place determined by the Committee. Minutes of the meeting shall be maintained by the secretary.

(D) A quorum is seven members and a majority of vote of those present is necessary for official action.
(Prior Code, § 31.121) (Ord. 1134A, passed 9-6-1994; Ord. 1230A, passed 8-13-2002; Ord. 1230A-1, passed 10-8-2002; Ord. 1230A-2, passed 12-9-2003; Ord. 1268A, passed 10-11-2005; Ord. 1387B, passed 8-11-2015)

§ 31.167 ADOPTION OF ORDINANCE.

Adoption of this subchapter hereby repeals and replaces Ord. 1268A, the Ordinance Establishing the Jail Oversight Committee.
(Prior Code, § 31.122) (Ord. 1134A, passed 9-6-1994; Ord. 1230A, passed 8-13-2002; Ord. 1230A-1, passed 10-8-2002; Ord. 1230A-2, passed 12-9-2003; Ord. 1268A, passed 10-11-2005; Ord. 1387B, passed 8-11-2015)

Editor's note:

Ord. 1230A was passed vetoed by the Commissioners. The County Council overrode the Commissioners' veto on 8-13-2002.

GRANT OVERSIGHT COMMITTEE

§ 31.180 ESTABLISHED.

There is hereby established a committee known as the Lake County Council Grant Oversight Committee, which will review for recommendation to the Council, all grants which require County Council approval, or an appropriation by the County Council.
(Prior Code, § 31.130) (Ord. 1176A, passed 2-10-1998)

§ 31.181 MEMBERSHIP.

The Committee shall consist of three members of the Lake County Council, to be appointed by the President of the Lake County Council at the regular meeting held each January for reorganization, for the term of one year.
(Prior Code, § 31.131) (Ord. 1176A, passed 2-10-1998)

§ 31.182 MEETINGS.

The Committee shall hold a meeting prior to any meeting where the full County Council considers taking action with respect to a grant. It shall be the responsibility of the requesting officeholder, department, agency, or other entity to supply the members of the Committee with a full copy of the grant, and documentation showing the grant's financial impact on the county.
(Prior Code, § 31.132) (Ord. 1176A, passed 2-10-1998)

CRIMINAL DIVISION PUBLIC DEFENDER BOARD

§ 31.195 ESTABLISHED.

The Lake County Criminal Division Public Defender Board is hereby established for the purpose of providing legal representation to indigent defendants in criminal and extradition cases in the Superior Court of Lake County, Criminal Division.
(Prior Code, § 31.140) (Ord. 1181A, passed 7-7-1998)

§ 31.196 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BOARD. The Lake County Criminal Division Public Defender Board created by this subchapter.

INDIGENT DEFENDANT. A person who requests legal representation and is determined by the court to be entitled to legal representation at public expense.

LEGAL REPRESENTATION. The services of an attorney provided to a defendant in a matter originating or pending in the Superior Court of Lake County, Criminal Division.
(Prior Code, § 31.141) (Ord. 1181A, passed 7-7-1998)

§ 31.197 MEMBERSHIP AND APPOINTMENT.

(A) The Board shall consist of five members: one member appointed by the Lake County Council: one member elected by the Lake County Board of Commissioners; one member elected by those attorneys serving as public defenders or deputy public defenders in the Superior Court of Lake County, Criminal Division; and two members appointed by a majority vote of the Judges of the Superior Court of Lake County, Criminal Division. No more than two of the three Board members appointed by the judges may belong to the same political party. All Board members should be persons who have demonstrated an interest in high quality legal representation of indigent persons.

(B) After the initial term of each member, appointments shall be for terms of three years. Members of the Board shall serve until their successor is appointed. An appointment to fill a vacancy shall be made by the authority who appointed the vacating member and shall be for the remainder of the unexpired term.

(C) Except for the Board member appointed by the Lake County Council, and the Lake County Board of Commissioners, no Board members may hold any elected or salaried public office or an office in a political party or organization. No Board member may be an employee of the state or of a political subdivision of the state.

(D) Board members shall serve without pay but may receive reimbursement for expenses incurred in connection with the member's duties if approved by the Board.

(E) Three members of the Board shall constitute a quorum. Decisions of the Board shall be approved by a majority of members present.

(F) The Board shall meet at least quarterly, or upon call of the Chair or any three members of the Board.

(G) The Board shall elect its chair by a majority vote of its members.
(Prior Code, § 31.142) (Ord. 1181A, passed 7-7-1998; Ord. 1181A-1, passed 12-15-1998)

§ 31.198 POWERS AND DUTIES.

The Board shall have the following powers and duties:

(A) To prepare a comprehensive plan for providing legal representation to defendants in the Superior Court of Lake County, Criminal Division in accordance with the standards for indigent defense services adopted by the Indiana Public Defender Commission. The plan shall, at a minimum, provide for:

(1) Legal representation to an indigent defendant at the earliest possible time;

(2) Legal representation to an indigent defendant by the same attorney or attorneys throughout the pendency of a case whenever possible; and

(3) Professional development, continuing legal education, and malpractice insurance for public defenders.

(B) To establish policies and procedures for the provision of competent legal representation for defendants with cases in the Superior Court of Lake County, Criminal Division;

(C) To establish guidelines and procedures for the determination of indigence and for the appropriate reimbursement of the costs of representation;

(D) To recommend an annual operating budget for public defender services in the Superior Court of Lake County, Criminal Division, and to monitor the expenditures of the funds for the services; and

(E) To prepare and submit an annual report to the Lake County Council, the Board of Commissioners, the Superior Court of Lake County,

Criminal Division, and the general public on the provision of public defender services under this subchapter.
(Prior Code, § 31.143) (Ord. 1181A, passed 7-7-1998)

§ 31.199 CONTINUITY OF REPRESENTATION.

If the comprehensive plan recommended by the Board and adopted by the Indiana Public Defender Commission establishes a public defender's office, then employment as deputy public defenders shall be offered first to those serving as public defenders in the Superior Court of Lake County, Criminal Division, at the time the comprehensive plan takes effect.
(Prior Code, § 31.144) (Ord. 1181A, passed 7-7-1998)

§ 31.200 AUTHORITY OF JUDGES.

Nothing in this subchapter shall be deemed to abridge the authority of any judge from appointing counsel for a person entitled to representation at public expense under the Constitutions and laws of the United States and the State of Indiana.
(Prior Code, § 31.145) (Ord. 1181A, passed 7-7-1998)

§ 31.201 CONFLICTS DIVISION/PAYMENT OF ATTORNEYS.

A rate of $60 per hour shall be paid to attorneys approved to represent indigent defendants who cannot be represented by a public defender appointed by the Criminal Division Public Defender's Board.
(Prior Code, § 31.146) (Ord. 1181A, passed 7-7-1998; Ord. 1181A-2, passed 5-8-2001; Ord. 1181A-3, passed 10-16-2001)

LAW LIBRARY BOARD

§ 31.215 BOARD MEMBERS.

(A) The Law Library Board is hereby established and shall consist of the following nine members, or their representatives:

(1) Chief Judge of the Superior Court of Lake County;

(2) Senior Judge of the Superior Court of Lake County - Civil Division;

(3) Senior Judge of the Superior Court of Lake County - Criminal Division;

(4) Senior Judge of the Superior Court of Lake County - Juvenile Division;

(5) Senior Judge of the Superior Court of Lake County - County Division;

(6) Judge of the Lake Circuit Court;

(7) The Lake County Council;

(8) The Lake County Board of Commissioners; and

(9) Lake County Bar Association.

(B) The Director of the Library Service of Indiana University, Northwest and the Central Law Librarian, if any, shall serve as ex-officio members of the Board.

(C) Board members may send proxies, who shall be authorized to vote on matters before the Board.

(D) The Chief Judge of the Superior Court of Lake County, or a member of the Board designated by the Chief Judge, shall serve as the Board's chairperson. The Chief Judge shall also designate a member of the Board to serve as the Board's Vice Chairperson. The Board may also establish and

appoint any subcommittees necessary for the administration of the Board's duties, and adopt rules and regulations for the administration of the Board.
(Prior Code, § 31.155) (Ord. 1186A, passed 12-15-1998; Ord. 1186A-1, passed 6-8-1999)

§ 31.216 DUTIES.

The duties of the Board shall include, but are not limited to the following.

(A) The Board shall designate an individual to act as central administrator and controller for all county-funded law book transactions and the purchase of all law books for judges and county officials.

(B) The Board shall oversee all law book related purchases.

(C) The Board shall oversee the operation and maintenance of the courthouse library facilities and any Lake County Central Law Library.

(D) The Board shall approve and forward budget and purchase recommendations as well as requests for transfers and additional appropriations for law book related purchases and expenses either to the Lake County Board of Commissioners or the Lake County Council where appropriate by law.
(Prior Code, § 31.156) (Ord. 1186A, passed 12-15-1998)

§ 31.217 LAW BOOK RELATED PURCHASES.

This subchapter shall not apply to law book related purchases for the Lake County Prosecutor's Office. Purchases for the Lake County Prosecutor's Office shall be made by the Lake County Prosecutor or his or her representative, independent of the Lake County Law Library Board.
(Prior Code, § 31.157) (Ord. 1186A-1, passed 6-8-1999)

SEWER DEPARTMENT AND SEWER BOARD

§ 31.245 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BOARD. The Lake County Sewer Board.

BOARD OF COMMISSIONERS. The Board of Commissioners of the County of Lake.

COUNCIL. The Lake County Council.

DEPARTMENT. The Lake County Sewer Department established under this subchapter.
(Ord. 1204C, passed 6-13-2000)

§ 31.246 BOARD ESTABLISHED.

There is established a Lake County Agency known as the Lake County Sewer Department, which shall be administered by a board known as the Lake County Sewer Board.
(Ord. 1204C, passed 6-13-2000)

§ 31.247 ORGANIZATION OF BOARD.

The Board shall consist of three members appointed as follows:

(A) One member of the Board of Commissioners or its nominated representative;

(B) One member of the Council or its nominated representative; and

(C) One taxpayer appointed by the Council with approval of the Board of Commissioners.
(Ord. 1204C, passed 6-13-2000)

§ 31.248 LAKE COUNTY SEWER DEPARTMENT: CREATION AND MODE OF OPERATION.

(A) A Lake County Sewer Department is established in Lake County.

(B) The Department shall be operated either by a contract with a vendor selected by the Board and approved by the county executive or through employees of the Department in a budget approved by the Council.
(Ord. 1204C, passed 6-13-2000)

§ 31.249 BUDGET.

(A) The personnel are employees of the county, and the Administrator, with the approval of the Board, shall assign their duties according to law.

(B) The expenses of the Lake County Sewer Department are a part of the Board's budget. The Board may recommend the number and salary of the personnel, but the county fiscal body shall determine the number of employees, the budget and any salaries.

(C) The county shall furnish to the Department the supplies, equipment and other items needed for the performance of the Department's purpose or shall contract for these items.

(D) The sewer expenses of the Department shall be paid out of any service fees, and ad valorem property taxes if any are levied.
(Ord. 1204C, passed 6-13-2000)

§ 31.250 ADMINISTRATOR; CLASSIFICATION OF POSITIONS.

(A) The Administrator, with the approval of the Board, shall establish, a classification of positions for Lake County Sewer Department employees. For each position established, the Administrator, with the approval of the Board, shall set reasonable standards of qualifications and fix the prerequisites of training, education, and experience.

(B) The Administrator, with approval of the Board, has the authority to set standards, policies, and procedures, rules and regulations in prescribing conduct, performance and duties required of Department personnel.

(C) The Sewer Department shall be administered by a contract consultant or employee who has the required license for facility operation issued by the state and federal governments.
(Ord. 1204C, passed 6-13-2000)

§ 31.251 POWERS OF THE BOARD.

The Board shall oversee the operation and management of the Lake County Sewer Department, develop and furnish both a short-term and long-term Lake County Sewer Department budget to the Council for approval and report to the Council the progress of the plan and budget on a regular basis.
(Ord. 1204C, passed 6-13-2000)

REGIONAL TRANSPORTATION AUTHORITY COMMITTEE

§ 31.265 PURPOSE.

The purpose of the Regional Transportation Authority Committee (Committee) shall be to recommend to the Lake County Council, and the appointing authorities (§ 31.266(B)) a plan to organize, establish, and finance a public transportation

system operating within the boundaries of Lake County, Indiana. The Committee's plan shall include information for acquiring, improving, operating, maintaining, financing, and generally supporting the public transportation system.
(Ord. 1203A, passed 5-9-2000)

§ 31.266 REGIONAL TRANSPORTATION AUTHORITY COMMITTEE.

(A) *Formation of the Committee.* The Committee shall be appointed within 30 days of the adoption of Ord. 1203A, and shall serve at the pleasure of each appointing entity. The first meeting of the Committee shall be at the call of the Lake County Council. The President of Lake County Council shall preside over the first meeting until the officers of the Committee have been elected. At the first meeting, the Committee shall elect its members a President, Vice-President, who shall perform the duties of the President during the absence of disability of the President; Secretary; Treasurer and any other officers the Committee determines are necessary to function.

(B) *Membership of the Committee.* The Committee shall consist of 16 members as follows:

(1) Three members appointed by the executive of a municipality with a population of more than 110,000, but less than 120,000;

(2) Two members appointed by the executive of a municipality with a population of more than 75,000, but less than 90,000;

(3) One member jointly appointed by the executives of:

(a) A municipality with a population of more than 5,150, but less than 5,200; and

(b) A municipality with a population of more than 33,850, but less than 33,900.

(4) One member who is jointly appointed by the fiscal body of the following municipalities:

(a) A municipality with a population of more than 17,800, but less than 18,000;

(b) A municipality with a population of more than 23,500, but less than 24,000; and

(c) Municipality with a population of more than 19,940, but less than 20,000.

(5) One member who is jointly approved by the fiscal body of the following municipalities:

(a) A municipality with a population of more than 4,500, but less than 5,000;

(b) A municipality with a population of more than 19,900, but less than 19,940; and

(c) A municipality with a population of more than 10,000, but less than 11,000.

(6) One member who is jointly appointed by the following:

(a) The executive of a municipality with a population of more than 17,700, but less than 17,750;

(b) The fiscal body of a town with a population of more than 8,800, but less than 9,500;

(c) The fiscal body of a town with a population of more than 6,400, but less than 7,000;

(d) The fiscal body of a town with a population of more than 300, but less than 400; and

(e) The fiscal body of a town with a population of more than 1,150, but less than 1,500.

(7) One member appointed by the fiscal body of a municipality with a population of more than 26,500 but less than 28,000;

(8) One member who is jointly appointed by the following individuals or entities representing municipalities:

(a) The executive of a municipality having a population of more than 21,500, but less than 23,000;

(b) The executive of a municipality having a population of more than 13,500, but less than 14,500; and

(c) The fiscal body of the municipality having a population of more than 1,500, but less than 2,500.

(9) Three members appointed by the fiscal body of Lake County;

(10) One member appointed by the county executive of Lake County; and

(11) One member of a labor organization representing employees of the Authority who provide publication transportation services within the geographic jurisdiction of the Authority. The labor organization shall appoint the member. If more than one labor organization represents the employees of the authority, each organization shall submit one name to the Governor, and the Governor shall appoint the member from the list of names submitted by the organizations.

(C) *Time of appointment and term limits*. An appointment to the Committee must be made not later than 30 days after the adoption of the ordinance establishing the Committee, or for purposes of reappointment, 30 days after a scheduled reappointment is due. If the appointing authority fails to make the appointment, the appointment shall be made by the Lake County Council. The term of office for a member to the Committee is 18 months. Committee members may be reappointed for successive terms. Members of the Committee originally appointed pursuant to Ord. 1203A need not be reappointed for the initial 18-month term.

(D) *Organization*. The first meeting of the Committee shall be at the call of the Lake County Council. The President of the Lake County Council shall preside over the first meeting until the officers of the Committee have been elected. At the first meeting, the Committee shall elect its officers pursuant to this subchapter.

(E) *Voting*. An affirmative vote of a majority of the Committee is necessary for action to be taken. A vacancy in membership does not impair the right of a quorum to exercise all rights and perform all duties of the Committee.

(F) *Compensation*. Committee members shall not receive compensation for their work on the Committee. However, members of the Committee are entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties.

(G) *Powers and duties of the Committee*.

(1) Exercise the executive and legislative powers of the Committee as provided by this subchapter;

(2) Determine the level and kind of public transportation services that should be provided by a Regional Transportation Authority;

(3) Determine an annual budget for the level and kind of public transportation services that should be provided by a Regional Transportation Authority;

(4) Determine the source of financing for public transportation services that should be provided by a public transportation authority;

(5) Receive grants, gifts, donations, bequests and public trusts, agree to conditions and terms accompanying them, and bind the Committee to carry them out;

(6) Receive federal, state, and county aid with regard to furthering the purpose of the subchapter;

(7) Suggest a schedule of reasonable charges and rents from all users of facilities and services within the jurisdiction of the Regional Transportation Authority;

(8) Employee the personnel necessary to carry out the duties, functions and powers of the Committee;

(9) Adopt rules governing the duties of the Committee's officers, employees, and personnel and the internal management of the affairs of the Committee;

(10) Fix the compensation of various officers and employees of a Regional Transportation Authority within limitations of the total personnel services' budget;

(11) Negotiate contracts for personal services, materials, supplies or equipment with regard to the purpose of this subchapter;

(12) Enter into agreements with other persons or entities for the purpose of participating in transportation planning activities; and

(13) Do all other acts necessary or reasonably incidental to carrying out the purpose of the subchapter.
(Ord. 1203A, passed 5-9-2000; Ord. 1203A-1, passed 10-10-2000)

§ 31.267 ORGANIZATIONAL EXPENSES.

The Committee shall not incur expenses exceeding $150,000 in carrying out its purpose under this subchapter. At least 50% of its total expenditures shall be provided by federal or state grants, and county funds. The balance of the total expenses shall be provided by the appointing authorities § 31.266(B) on a pro-rata basis based on the number of appointments they have on the Committee. The appointing authorities, excluding Lake County Council and Lake County Board of Commissioners, may substitute in kind services for actual grants, gifts, or appropriation of funds.
(Ord. 1203A, passed 5-9-2000)

§ 31.268 CITIZENS ADVISORY COUNCIL.

(A) *Membership*. The Committee shall establish a Citizens Advisory Council consisting of eleven members as follows:

(1) Three members appointed by the executive of a municipality with a population of more than 110,000, but less than 120,000, located in Lake County, Indiana;

(2) Two members appointed by the executive of a municipality of more than 75,000, but less than 90,000, located in Lake County, Indiana;

(3) One member appointed by the executive of a municipality with a population of more than 33,850, but less than 33,900, located in Lake County, Indiana;

(4) One member selected from a list of citizens submitted by community-based organizations which advocate for public transportation by the fiscal body of Lake County;

(5) One member selected from a list of citizens submitted by community-based organizations which advocate for public transportation by the county executive of Lake County;

(6) One member who is jointly appointed by the following individuals or entities representing municipalities that are located in Lake County:

(a) The executive of a municipality having a population of more than 21,500, but less than 23,000;

(b) The executive of a municipality having a population of more than 13,500, but less than 14,500; and

(c) The fiscal body of a municipality having a population of more than 1,500, but less than 2,500.

(7) One member who is jointly appointed by the following:

(a) The executive of a municipality with a population of more than 17,700, but less than 17,750, located in Lake County, Indiana;

(b) The fiscal body of a town with a population of more than 8,800, but less than 9,500, located in Lake County, Indiana;

(c) The fiscal body of a town with a population of more than 6,400, but less than 7,000, and located in Lake County, Indiana;

(d) The fiscal body of a town with a population of more than 300, but less than 400, in Lake County, Indiana; and

(e) The fiscal body of a town with a population of more than 1,150, but less than 1,500, in Lake County, Indiana.

(8) One member who is jointly appointed by the fiscal body of the following municipalities located in Lake County, Indiana:

(a) A municipality with a population of more than 17,800, but less than 18,000;

(b) A municipality with a population of more than 23,500, but less than 24,000; and

(c) A municipality with a population of more than 19,940, but less than 24,000.

(B) *Qualifications*. A member of the Citizens Advisory Council must live in the geographic area represented by the appointing entity and may not be an elected official or a public employee of the appointing entity. A member of the Council may serve an 18-month term and be reappointed to multiple terms. The members shall be appointed not later than 30 days after the first meeting of the Committee. The Citizens Advisory Council shall meet at least once every six months, or at the call of the Committee. The Council shall review and make recommendations to the Committee on the plan, proposed route, and time schedule changes of a transportation system, the budget for a transportation system and the hiring of a director for a Regional Transportation System. Members of the Citizen Advisory Council appointed under this subchapter need not be reappointed for the initial 18-month term.
(Ord. 1203A, passed 5-9-2000; Ord. 1203A-1, passed 10-10-2000)

§ 31.269 MISCELLANEOUS.

(A) *Statutory powers and duties of the Lake County Council and Lake County Board of Commissioners*. Nothing in this subchapter shall preempt the rights, responsibilities, and duties of the Lake County Council with respect to its legislative and fiscal powers or of the Lake County Board of Commissioners with respect to its executive powers, as provided by law.

(B) *Severability*. Any section of this subchapter, found to be unconstitutional or void for any other reason shall not affect the ability of the Lake County Council, Lake County Board of Commissioners, the Committee or Citizens Advisory Council, to perform their responsibilities and duties under the remaining sections of this subchapter.

(C) *Duration*. The Committee shall remain in authority to complete the purpose of this subchapter until Ord. 1203A, passed 5-9-2000, is rescinded by the Lake County Council.
(Ord. 1203A, passed 5-9-2000; Ord. 1203A-1, passed 10-10-2000)

PUBLIC SAFETY COMMUNICATIONS COMMISSION AND DEPARTMENT

§ 31.300 PURPOSE.

(A) This subchapter establishes the oversight body and administrative entity to operate two or less PSAPs before January 1, 2015.

(B) A Lake County Public Safety Communications Commission (Commission) is hereby established as the oversight body for the consolidated 911 dispatch function and interoperable communications system.

(C) A Lake County Public Safety Communications Department (Department) is hereby established as the administrative entity to operate the consolidated 911 dispatch function for all of Lake County's fire, ambulance, and law enforcement agencies.
(Ord. 1362A, passed 7-9-2013)

§ 31.301 DEFINITIONS.

The following definitions apply throughout this subchapter.

COMMISSION. Refers to the Lake County Public Safety Communications Commission.

COUNTY COMMISSIONERS. Refers to the Lake County Board of Commissioners.

COUNTY COUNCIL. Refers to the Lake County Council.

CONSOLIDATED DISPATCH CENTER. Refers to centers at which the consolidated dispatch function takes place.

CONSOLIDATED DISPATCH FUNCTION. Refers to all of the functions involved with operating consolidated dispatch centers including public safety call taking and dispatching of appropriate public safety responders that currently are performed at 18 Public Safety Answering Points ("PSAPs") and any other function that is appropriate for accomplishing the Commission's purposes.

DEPARTMENT. The Lake County Public Safety Communications Department.

MUNICIPALITY. A city or town.

PUBLIC SAFETY AGENCY. Federal, state, or local governmental entity eligible to hold an authorization in a public safety radio service as set forth in 47 CFR 90 *et seq*.

SYSTEM. Refers to the communications system.
(Ord. 1362A, passed 7-9-2013)

§ 31.302 LAKE COUNTY PUBLIC SAFETY COMMUNICATIONS COMMISSION.

(A) The Commission is comprised of the following 21 voting members and one non-voting advisor:

(1) The Chief of Police, Chief of the Fire Department, or Emergency Management Director or Member of the City Council as appointed by the Mayors of Gary, Hammond, East Chicago, Crown Point, Hobart, Lake Station and Whiting (seven voting members).

(2) The Chief of Police, Chief of the Fire Department, Emergency Management Director or Member of the Town Council as appointed by the Town Council Presidents of Cedar Lake, Dyer, Griffith, Highland, Lowell, Merrillville, Munster, New Chicago, Schererville and St. John (ten voting members).

(3) Lake County Sheriff who serves by virtue of office (voting member).

(4) One member of the County Commissioners (voting member).

(5) One member of the Lake County Council (voting member).

(6) One member representing unincorporated Lake County appointed by the Lake County Board of Commissioners (voting member).

(7) Lake County Emergency Management Director who serves by virtue of office (non-voting advisor).

(8) If the Town of New Chicago, Town of Schneider or the Town of Winfield ever establish a police department then each of their town board presidents shall be entitled to appoint a Chief of Police or Chief of Fire Department to the Commission and said appointments shall be voting members.

(B) Pursuant to the Indiana Data and Communications Systems (IDACS) rules, a majority of the Commission's voting members shall represent criminal justice agencies.

(C) Effective January 1, 2015, members serve for a term of four years and may be reappointed for one additional four year term, subject to division (D) of this section.

(1) To effectuate the mandatory staggered four year terms, the voting members shall be divided into two groups as follows:

(a) Group A - The following cities and towns shall appoint members for a two year transitional term effective January 1, 2015 through December 31, 2016: One Member of the Lake County Commissioners; Cedar Lake; Crown Point; Dyer; East Chicago; Gary; Griffith; Hammond; Highland; and Hobart.

(b) Group B - The following cities and towns shall appoint members for a four year term effective January 1, 2015 through December 31, 2018: One member of the Lake County Council; one member representing unincorporated Lake County appointed by the Lake County Board of Commissioners; Lake Station; Lowell; Merrillville; Munster; New Chicago; Schererville; St. John; and Whiting.

(D) Appointments by each city and town for each term shall be determined as follows: Beginning with the first city and/or town set forth in Group A and Group B above, and continuing in alphabetical order, each city/town shall have the option to appoint either their police chief or a non-police chief (to include their fire chief, emergency management director, or city/town council member), not to exceed a total of seven non-police chiefs on the Lake County Public Safety Communications Commission at any time. Beginning each term, the option to appoint a non-police chief (to include their fire chief, emergency management director or city/town council member) shall be offered to the next alphabetical city/town in each Group, with Group A allowed a maximum of four non-police chief appointments and Group B allowed a maximum of three non-police chief appointments. All other cities/towns shall appoint their chief of police for the same term. At the beginning of the next four year term, this option shall be offered to the next city/town in alphabetical order in each Group following the city/town who made the last appointment for the prior term. New appointments by any city/town prior to the expiration of a membership term shall be the same type of appointment as the initial appointment, i.e. police chief or non-police chief.

(E) The members described in divisions (A)(4) and (A)(5) of this section shall be appointed by their respective governmental bodies.

(F) A member may designate a proxy in writing for a specific meeting. The designee for a member described in division (A)(1) or (A)(2) of this section must either be a law enforcement deputy with command responsibility or a person from the same department, office or council of the member if non-police.

(G) At the Commission's first meeting each calendar year, the members shall elect a chairman, vice chairman and secretary and such other officers that the Commission determines are necessary.

(H) A quorum is 11 of the 21 voting members. Each member has one vote. Decisions require 11 affirmative votes. If additional members are appointed by the Town of Schneider and/or the Town of Winfield pursuant to division (A)(8) of this section, then a quorum shall be 12 of the then 22 of 23 voting members. Decisions would then require 12 affirmative votes. If additional members are added as set forth in division (H) of this section, then the alphabetical list in division (D) of this section shall be modified to add the new towns and to allow eight non-police chiefs on the Lake County Public Safety Communications Commission at any time. This subchapter shall be in effect January 1, 2015.
(Ord. 1362A, passed 7-9-2013; Ord. 1362A-1, passed 9-10-2013; Ord. 1362A-2, passed 6-10-2014)

§ 31.303 LAKE COUNTY PUBLIC SAFETY COMMUNICATIONS COMMISSION RESPONSIBILITIES AND POWERS.

(A) The three primary responsibilities of the Commission are:

(1) Ensure that all of Lake County's 18 PSAPs enter into an interlocal agreement under I.C. 36-1-7 so that there are not more than two PSAPS after December 31, 2014.

(2) Consolidate the PSAPS with as little impact upon public safety as possible.

(3) Operate an efficient and responsive 911 system.

(B) The Commission shall make recommendations to the County Commissioners regarding:

(1) Financing, purchasing and contracting for the implementation of consolidated dispatch function that complies with state law.

(2) Contracting with consultants including architects, engineers, attorneys, auditors and others to assist in the financing, planning, development and implementation of the consolidated dispatch function.

(3) Acquiring personal or real property, or any interest therein, by lease or conveyance.

(4) Recommending persons for the Executive Director who shall be selected by the Board of Commissioners from the list of candidates.

(5) Owning, improving and constructing facilities on real property.

(6) Conveying, leasing, mortgaging or otherwise disposing of or encumbering personal or real property, or interests therein, or facilities on it.

(7) Assessing charges for using the consolidated dispatch center.

(8) Entering into and performing use and occupancy agreements concerning the consolidated 911 dispatch function.

(C) The Commission shall make recommendations to the County Council regarding:

(1) The Commission's annual budget required to operate the Department;

(2) The staff structure for the Department to be adopted by the Council in its fiscal capacity.

(3) The number of departmental employees, their compensation, and their benefits.

(D) The Commission's powers include:

(1) Operating and maintaining the consolidated dispatch function including: frequency planning, managing the licensing of frequencies with the Federal Communications Commission and anything else needed for the proper functioning of the consolidated dispatch center.

(2) Developing means of sharing information operationally and technologically to improve public safety.

(3) Developing a personnel system for employees of the Commission including staffing,

salary, benefits and standards for hiring, and disciplining employees.

(4) Accepting revenue from fees, gifts, devises, bequests, grants, loans, appropriations, revenue sharing, other financing and any other aid from any source.

(5) Creating committees to assist in carrying out its purposes.

(6) Establishing the procedures to be followed by the Department in its operations.
(Ord. 1362A, passed 7-9-2013)

§ 31.304 COMMISSION MEETINGS.

(A) At the first meeting each calendar year the Commission shall establish a schedule of that year's regular meetings. The Commission shall meet at least quarterly and more often if necessary.

(B) A special meeting of the Commission may be called by the chairman, vice-chairman, or secretary, or by three Commission members. At least six days written notice is required unless the meeting is called to deal with an emergency under I.C. 5-14-1.5-5. The written notice must include a specific statement of the meeting's purpose.
(Ord. 1362A, passed 7-9-2013)

§ 31.305 REPORTS.

(A) The Commission shall:

(1) Submit a report to the County Commissioners and to the County Council before February 1 each year on the prior year operations of the Department which is established under § 31.306.

(2) Recommend what is needed to improve the Department's operations to the County Commissioners and to the County Council before February 1 each year.

(B) The Commission shall provide the County Commissioners and the County Council any necessary documents to keep these two bodies informed.
(Ord. 1362A, passed 7-9-2013)

§ 31.306 LAKE COUNTY PUBLIC SAFETY COMMUNICATIONS DEPARTMENT RESPONSIBILITIES AND POWERS.

(A) A Lake County Public Safety Communications Department (Department) is hereby established as the administrative entity to operate the consolidated 911 dispatch function for all of Lake County's fire, ambulance, and law enforcement agencies.

(B) The personnel employed in the Department are employees of Lake County.

(C) The Executive Director appointed by the County Commissioners shall be the head of the 911 Department and is responsible for its operation.

(D) The Executive Director shall submit to the Commission a classification of positions in the Department which shall include the determination of reasonable standards of qualifications and fix the prerequisites of training, education, and experience.

(E) The Executive Director with approval of the 911 Commission has the authority to set standards, policies, procedures, rules, and regulations in prescribing conduct, performance, and duties required of the Department's employees.

(F) The Executive Director shall select employees to fill the staff positions in the Public Safety Communications Department established by the Lake County Council.

(G) The Executive Director shall assign the duties of the Department's employees in a manner that achieves the purpose for establishing the Department.

(H) The Executive Director shall ensure that the department and its operations meet all of the standards established for E911 interoperability.
(Ord. 1362A, passed 7-9-2013)

§ 31.307 EXECUTIVE BOARD.

(A) The 911 Commission shall have a five member 911 Executive Board consisting of the following:

(1) The Chairman of the 911 Commission.

(2) The Vice-Chairman of the 911 Commission.

(3) The County Commissioner who is serving on the 911 Commission.

(4) Two members of the 911 Commission selected by an affirmative vote of the majority of the total number of members serving on the Commission.

(B) The Executive Director of the 911 Department shall report to the Executive Board but shall be hired by the Lake County Board of Commissioners.

(C) If a vacancy occurs on the Executive Board, in one of its officer or at large positions, the 911 Commission shall immediately convene and elect a successor to the position that is vacant by an affirmative vote of the majority of the total number of members serving on the 911 Commission.

(D) If a vacancy occurs in the County Commissioner position on the Executive Board, the Lake County Board of Commissioners shall convene by special meeting and select a successor commissioner to the vacant position.

(E) The 911 Executive Board shall conduct the business of the 911 Commission, except that the 911 Commission shall have the sole authority for:

(1) The adoption and amendment of bylaws, rules, and procedures for the operation of the 911 Commission;

(2) The election of the 911 Chairman and Vice-Chairman; and

(3) The development of the budget to be submitted to the Lake County Council for approval.

(F) The 911 Executive Board shall meet regularly at least one time each month, unless otherwise determined by its members. The Executive Board shall notify the full membership of the 911 Commission of all its meetings with copies of its preliminary or final agendas and shall report all its actions and determinations to the full membership of the 911 Commission.

(G) A majority of members of the 911 Executive Board constitutes a quorum. An action of the Executive Board is official only if it is authorized by an affirmative vote of a majority of the total number of members serving on the Executive Board at a regular or properly called special meeting. The Executive Board shall advise the 911 Commission of its actions at the next scheduled Commission meeting pursuant to division (F) of this section.
(Ord. 1362A, passed 7-9-2013)

DOMESTIC VIOLENCE FATALITY REVIEW TEAM

§ 31.320 ESTABLISHED.

There is hereby created a Domestic Violence Fatality Review Team in Lake County, Indiana, pursuant to I.C. 12-18-8-1 *et seq*.
(Ord. 1337A, passed 7-20-2011)

§ 31.321 PURPOSE.

The Domestic Violence Fatality Review Team shall review deaths resulting from domestic violence in Lake County, Indiana, as authorized by I.C. 12-18-8-1 *et seq*. and to exercise all powers and duties authorized by law.
(Ord. 1337A, passed 7-20-2011)

§ 31.322 MEMBERSHIP.

(A) *required appointments*. Pursuant to I.C. 12-18-8-10, the Lake County Domestic Violence Fatality Review Team shall consist of the following eight members, appointed by the Lake County Council:

(1) A survivor of domestic violence;

(2) A domestic violence direct service provider agency;

(3) A representative of law enforcement from the area served by the Lake County Domestic Violence Fatality Review Team;

(4) The Prosecuting Attorney or his or her designed from Lake County, Indiana;

(5) An expert in the field of forensic pathology or coroner or deputy coroner;

(6) A medical practitioner with expertise in domestic violence;

(7) A Judge who hears civil or criminal cases; and

(8) An employee of a child protective services agency.

(B) *Additional appointments*. Pursuant to I.C. 12-18-8-11, the Lake County Domestic Violence Fatality Review Team may have the following additional members, appointed by the Lake County Council, with total team membership not to exceed 15:

(1) A member of the clergy;

(2) A representative from a Lake County Government Agency;

(3) A representative from the Lake County Health Department;

(4). A representative from the Lake County Bar Association;

(5) A defense attorney;

(6) An educator;

(7) A Lake County probation officer;

(8) A representative from the business community;

(9) A Lake County animal control officer;

(10) An attorney who represents victims of domestic violence;

(11) A provider of a batterer's intervention program.

(C) *Length of term.* The length of term of all appointments to the Lake County Domestic Violence Fatality Review Team shall be two years. A new member appointed to abolition which has been vacated shall complete the vacated term. A member appointed to a position may continue in that position past the appointment period until the new member is appointed to fill the position. The members shall serve without compensation.
(Ord. 1337A, passed 7-20-2011)

§ 31.323 CHAIRPERSON.

(A) Any member of a Lake County Domestic Violence Fatality Review Team may serve as chairperson. The chairperson shall be elected annually by the members of the Lake County Violence Fatality Review Team at the first meeting of the Fatality Review Team.

(B) The Lake County Domestic Violence Fatality Review Team shall meet at the call of the chairperson.

(C) The chairperson shall determine the agenda for each meeting.
(Ord. 1337A, passed 7-20-2011)

§ 31.324 JURISDICTION.

The Team shall review only those deaths in which the person who commits the act of domestic violence results in death:

(A) Is charged with a criminal offense that results in final judgment as defined by I.C. 12-18-8-4; or

(B) Is deceased.
(Ord. 1337A, passed 7-20-2011)

§ 31.325 POWERS AND DUTIES.

(A) The Lake County Domestic Violence Fatality Review Team shall do the following:

(1) Assist local agencies in identifying and reviewing a homicide or suicide that results from domestic violence;

(2) Develop recommendations for coordinated community prevention and intervention strategies to prevent future homicide or suicides resulting from domestic violence;

(3) Collect data described pursuant to I.C. 12-18-8-14 related to deaths resulting from domestic violence.

(4) The Lake County Domestic Violence Fatality Review Team will perform its duties in accordance with I.C. 12-18-8-1 *et seq.*, and/or any amendments or replacement for I.C. 12-18-8-1 *et seq.*

(B) The Lake County Domestic Violence Fatality Review Team may develop a protocol to assist a person who performs an autopsy in:

(1) Identifying a victim of domestic violence; and

(2) Preparing a written report identifying a person as the victim of domestic violence and describing the cause of death.

(C) The Lake County Domestic Fatality Review Team shall be operated in conjunction with:

(1) A local domestic violence shelter;

(2) A domestic violence program; or

(3) A domestic violence coordinated community response team.
(Ord. 1337A, passed 7-20-2011)

BORROWING COMMITTEE

§ 31.340 ESTABLISHMENT.

The Lake County Borrowing Committee (Committee) is hereby established to review written requests for proceeds from the Lake County Operating Fund, the Lake County Construction Fund, and the Lake County Reimbursement Fund and make a recommendation on each request to the County Council before an approval of the request and an appropriation can be made.
(Ord. 1357B, passed 2-12-2013)

§ 31.341 MEMBERSHIP.

The Committee shall consist of the following members:

(A) The County Auditor;

(B) The County Treasurer;

(C) One County Commissioner;

(D) Two County Council members appointed by the President of the County Council, only one from the same district of the Commissioner member.
(Ord. 1357B, passed 2-12-2013)

§ 31.342 CRITERIA FOR REQUESTS.

(A) The criteria to be applied to a written request shall include:

(1) That there is a need for the capital project or operating costs;

(2) That there is adequate funding in place, and that the request contains a sustainable plan which will allow the cost to be paid in 2014 and thereafter from general tax revenue;

(3) That the request from the Lake County Construction Fund must be for a capital improvement;

(4) That the request meet any additional criteria established by the Committee or by county ordinance.

(B) The Committee draft an application request form for both operating funds and capital funds which must be completed by the requesting party or entity before a request can be considered by the Committee.
(Ord. 1357B, passed 2-12-2013)

SCHOOL SAFETY COMMISSION

§ 31.350 CREATION.

Pursuant to I.C. 5-2-10.1-10, there is hereby established the Lake County School Safety Commission.
(Ord. 1365D, passed 10-8-2013)

§ 31.351 DEFINITIONS.

ADM. Refers to the average daily membership determined pursuant to I.C. 20-43-4-2.

CHARTER SCHOOL. Refers to a school as defined in I.C. 20-24-1-4.

COMMISSION. Refers to a county school safety commission as established by this subchapter and pursuant to I.C. 5-2-10.1-10 (I.C. 5-2-10.1-0.3).

COUNTY. Refers to Lake County, Indiana.

FUND. Refers to the Indiana Safe Schools Fund as established under I.C. 5-2-10.1 and I.C. 10-21-1 (I.C. 5-2-10.1-1).

INSTITUTE. Refers to the Indiana Criminal Justice Institute established under I.C. 5-2-6 (I.C. 5-2-10.1-1.5).

SAFETY PLAN. Refers to any school safety plan required by the Indiana State Board of Education (I.C. 5-2-10.1-1.7).

SCHOOL SAFETY SPECIALISTS. Refers to the designation by each school corporation in accordance with each school corporation's policy.

SCHOOL SAFE HAVEN PROGRAM. Refers to a school program established and operated by a school where the school must be open to students of the school before and after normal operating hours and where the program operates with a plan to reduce alcohol, tobacco or drug abuse; reduce violent behavior or promote educational progress (I.C. 5-2-10.1-8).
(Ord. 1365D, passed 10-8-2013)

§ 31.352 GENERAL SCOPE AND INTENT.

By the creation of a County School Safety Commission, Lake County shall have access to matching grants from Indiana School Safety Fund, pursuant to I.C. 10-21-1-2, and with the intent to

provide grants to school corporations and charter schools to establish programs under which a school corporation or a charter school (or a coalition of schools) may:

(A) Employ a school resource officer or enter into a contract or a memorandum of understanding with a:

(1) Local law enforcement agency;

(2) Private entity; or

(3) Nonprofit corporation;

to employ a school resource officer;

(B) Conduct a threat assessment of the buildings within a school corporation or operated by a charter school; or

(C) Purchase equipment and technology to:

(1) Restrict access to school property; or

(2) Expedite notification of first responders. (Ord. 1365D, passed 10-8-2013)

§ 31.353 MEMBERS; DUTIES.

(A) *Members of Lake County School Safety Commission*. In accordance with I.C. 5-2-10.1-10, there is created the Lake County School Safety Commission which shall consist of the following members:

(1) The school safety specialist for each school corporation located in whole or in part in Lake County.

(a) School corporation, and

(b) Charter school located in whole or in part in Lake County.

(2) The Judge of the Lake Superior Court, Juvenile Division in Lake County, Indiana or the Judge's designee.

(3) The Lake County Sheriff or the Sheriff's designee.

(4) The chief officer of every other law enforcement agency in Lake County, or the chief officer's designee.

(5) A representative of the juvenile probation system, appointed by the judge described under division (A)(2) of this section.

(6) Representatives of community agencies that work with children within Lake County.

(7) A representative of the Indiana State Police district that serves Lake County.

(8) A representative of the Prosecuting Attorneys Council of Indiana who specializes in the prosecution of juveniles.

(9) A representative of the parochial schools located in Lake County selected by the Lake County School Safety Commission.

(10) A representative of the private (non-parochial) schools located in Lake County selected by the Lake County School Safety Commission.

(11) Other appropriate individuals selected by the Lake County School Safety Commission.

(B) *Duties of Lake County School Safety Commission*.

(1) For the initial meeting only of the Commission, the school safety specialist of the school corporation having the largest ADM in the county as determined in the fall count of ADM in the school year ending in the current calendar year, shall convene the initial meeting.

(2) Thereafter, the members shall perform the following duties:

(a) Annually elect a chairperson. The chairperson shall be elected at the first meeting of each calendar year, except for the first year the Commission is in existence;

(b) Perform a cumulative analysis of school safety needs within the Lake County;

(c) Coordinate and make recommendations for the following:

1. Prevention of juvenile offenses and improving the reporting of juvenile offenses within the schools;

2. Proposals for identifying and assessing children who are at high risk of becoming juvenile offenders;

3. Methods to meet the educational needs of children who have been detained as juvenile offenders;

4. Methods to improve communications among agencies that work with children;

5. Methods to improve security and emergency preparedness;

6. Additional equipment or personnel that are necessary to carry out safety plans; and

7. Any other topic the Commission considers necessary to improve school safety within the school corporations, including public, charter, parochial or private schools, within the Committee's jurisdiction;

(d) Provide assistance to the school safety specialists on the Commission in developing requesting grants for safety plans;

(e) Provide assistance to the school safety specialists on the Commission in developing and requesting grants for the participating school corporations and charter schools in developing and requesting grants for school safe haven programs under I.C. 5-2-10.1-7; and

(f) Assist each participating school corporation, including public, charter, parochial or private school in carrying out its schools' safety plans.
(Ord. 1365D, passed 10-8-2013)

§ 31.354 APPROVAL FOR ACTIONS.

The affirmative votes of a majority of the voting members of the Commission are required for the Commission to take action on a measure.
(Ord. 1365D, passed 10-8-2013)

§ 31.355 RECEIPT OF SCHOOL SAFETY PLANS.

The Commission shall receive the school safety plans described in I.C. 20-26-18.2-2(c) for all schools and school corporations located in Lake County, including public, charter, parochial, and private. The Commission may share the school safety plans with law enforcement agencies.
(Ord. 1365D, passed 10-8-2013)

CHAPTER 32: EMPLOYMENT POLICIES

Section

Human Resources Manual

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Cross-reference:

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HUMAN RESOURCES MANUAL

§ 32.001 LAKE COUNTY HUMAN RESOURCES MANUAL.

(A) Lake County Ordinance No. 1077c and all amendments thereto are hereby revoked in their entirety.

(B) The Lake County Human Resources Manual attached hereto as Appendix A and incorporated herein in its entirety is now adopted as an ordinance of Lake County.

(C) This ordinance be incorporated into the Lake County Code of Ordinances in this chapter as Appendix A.

(Ord. 1285B, passed 3-13-2007; Ord. 1285B-2, passed 3-11-2008; Ord. 1285B-3, passed 3-11-2008; Ord. 1285B-4, passed 6-10-2008; Ord. 1285B-5, passed 8-12-2008; Ord. 1285B-6, passed 8-26-2008; Ord. 1285B-7, passed 9-9-2008; Ord. 1285B-8, passed 10-14-2008; Ord. 1285B-9, passed 5-12-2009; Ord. 1285B-10, passed 6-9-2009; Ord. 1285B-11, passed 1-12-2010; Ord. 1285B-12, passed 2-23-2010; Ord. 1285B-13, passed 7-13-2010; Ord. 1285B-14, passed 9-22-2010; Ord. 1285B-16, passed 5-15-2012; Ord. 1356C, passed 1-8-2013; Ord. 1356C-1, passed 9-9-2014; Ord. 1356C-2, passed 5-12-15; Ord. 1356C-3, passed 7-7-2015)

EMPLOYEE LIABILITY

§ 32.015 EMPLOYEE LIABILITY FOR DAMAGES PAID BY THE COUNTY.

(A) County employees who commit a negligent or intentional act:

(1) While under the influence of alcohol and/or controlled substances as defined by I.C. 9-30-5 *et seq.*; and

(2) While acting within the scope of their employment with the county, or covered by Lake County liability insurance, shall reimburse the county for any all damages paid by the county resulting from the employee's actions while the employee was under the influence of alcohol and/or controlled substances.

(B) Damages shall include, but not be limited to, bodily injury as well as property damage of both county and third-party property.
(Ord. 1235C, passed 1-14-2003)

COLLECTIVE BARGAINING UNITS

§ 32.025 GENERALLY.

The preamble of ordinance 1199B is incorporated by reference to this chapter.
(Ord. 1199B, passed 1-18-2000)

§ 32.026 RIGHTS OF COUNTY.

Nothing in this chapter shall be deemed in any way to limit or diminish the county's responsibility and authority to manage and direct on behalf of the citizens the operations and activities of county government to the full extent authorized or permitted by law. The responsibility and activity shall include but not be limited to:

(A) Direct the work of its employees;

(B) Establish policy;

(C) Hire, promote, demote, transfer, assign, and retain employees;

(D) Suspend or discharge its employees in accordance with applicable law;

(E) Maintain the efficiency of public operations;

(F) Relieve its employees from duties because of lack or work or other legitimate reason; and

(G) Take any action necessary to carry out the mission of the Department.
(Ord. 1199B, passed 1-18-2000)

§ 32.027 REPRESENTATION AND COLLECTIVE BARGAINING UNIT.

(A) Whenever a petition has been filed with the County Commissioners, the County Commissioners shall follow the procedures as outlined in this section:

(1) By an employees organization alleging that 30% of the full-time employees in an appropriate unit of county government wish to be represented for collective bargaining by an exclusive representative, or assert that the designated exclusive representative is no longer the representative of the majority of employees in the unit;

(2) By the county official or head of the unit of county government alleging that one or more employee's organizations have presented to it a claim to be recognized as the exclusive bargaining representative in an appropriate unit of county government; or

(3) By an employee or group of employees alleging that 30% of the full-time employees assert that the designated exclusive representative is no longer the representative of the majority of employees in the unit of county government.

(B) The County Commissioners shall investigate the petition, and if it has reasonable cause to believe a question of representation exists, it shall provide for an appropriate hearing within 30 days of the filing of the petition. If the County Commissioners find, upon the record of the hearing, a question of representation exists, it shall direct an election by secret ballot within 30 days and shall certify the results within ten days. An employees' organization will be certified as the collective bargaining unit if it received a majority of over 50% of the votes of the employees in the unit of county government eligible to vote. The County Commissioners may set aside the vote and declare a new vote if it determines a free and untrammeled election was not conducted because of unfair labor practices.

(C) In the event that more than one employee organization is seeking certification:

(1) Only those employees' organizations which have been designated by more than 10% of the full-time employees in the unit of county government eligible to vote shall be placed on the ballot;

(2) If, after an election, one of the employees' organizations did not receive a majority of over 50% of the votes, but all the employees' organizations on the ballot, in the aggregate, did receive over 50% of the votes, of the full-time employees in the unit of county government eligible to vote, a second election shall be held and only the employees' organization receiving the majority of the votes among all the employees' organizations shall remain on the ballot; and

(3) If after an election the employees' organizations, in the aggregate, did not receive over 50% of the votes, of the full-time employees in the unit of county government eligible to vote, no further election is required and no employees' organization shall be certified.

(D) An election shall not be held with any employees' organization or collective bargaining unit or with any subdivision thereof, with which a valid election has been held in the preceding 24-month period.

(E) In the event that at the adoption of this subchapter, the County Commissioners have recognized or certified an employee organization as the exclusive representative of a unit of county government, the existing collective bargaining agreement with the employee organization shall remain in effect, and there shall be no election during the term of the agreement.
(Ord. 1199B, passed 1-18-2000)

§ 32.028 BARGAINING UNIT.

(A) Such factors as community of interest, wages, hours and other working conditions of the employees involved, the history of the collective bargaining, and the desires of the employees shall be considered in determining the appropriate unit for the purpose of collective bargaining.

(B) In general, county employees without supervisory duties shall be included in a bargaining unit. County employees with supervisory duties, probationary employees, confidential employees, and all other employees shall not be included in the bargaining unit.

(1) ***SUPERVISORY DUTIES*** means the authority, in the interest of the county employer, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct other employees, or to adjust their grievances, or effectively to recommend the action, if in connection with the foregoing, the exercise of the authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

(2) ***CONFIDENTIAL EMPLOYEES*** means an employee whose unrestricted access to confidential personnel files or whose functional responsibilities or knowledge in connection with the issues involved in dealings between the employer and its employees would make his or her membership in an employee organization incompatible with his or her official duties.
(Ord. 1199B, passed 1-18-2000)

§ 32.029 UNFAIR LABOR PRACTICES.

(A) It shall be an unfair labor practice for a county employer to:

(1) Interfere with, restrain, or coerce employees in the exercise of the rights to form, join, or assist employee organizations, to participate in collective bargaining with employers through representatives of their own choosing and to engage in other legal activities, individually, or in concert, for the purpose of establishing, maintaining, or improving terms and conditions of employment;

(2) Dominate, interfere with or assist in the formation or administration of any employee's organization, or contribute financial or other support to it; provided a county employer shall not be prohibited from permitting employees to confer with him or her during working hours without loss of time or pay;

(3) Discriminate with regard to hiring or condition of employment to encourage or discourage membership in any employee's organization;

(4) Discharge or otherwise discriminate against an employee because he or she has filed a complaint, affidavit, petition or given any information or testimony under this subchapter;

(5) Refuse to bargain collectively in good faith with an exclusive representative, including a representative recognized under the circumstances of § 32.027; or

(6) Fail or refuse to comply with any provision of this subchapter.

(B) It shall be an unfair labor practice for an employee's organization or its agents to:

(1) Restrain or coerce employees in the exercise of the rights to form, join, or assist employee organizations to participate in collective bargaining with county employers through representatives of their own choosing and to engage in other legal activities, individually, or in concert, for the purpose of establishing, maintaining, or improving terms and conditions of employment.

(2) Restrain or coerce a county employer in the selection of his or her representative for the purpose of collective bargaining or the adjustment of grievances;

(3) Cause or attempt to cause an employer to discriminate against an employee in violation of division (A)(3) above;

(4) Refuse to bargain collectively in good faith with a county employer, if the employee's organization is the exclusive representative; or

(5) Fails to or refuses to comply with any provision of this subchapter.
(Ord. 1199B, passed 1-18-2000)

§ 32.030 ISSUES SUBJECT TO BARGAINING.

The employees' representative shall represent the employees in the bargaining unit with respect to bargaining on the following subjects only:

(A) Salary and pay schedules, including shift pay, overtime pay, holiday pay, clothing allowance, vacation schedules and accumulation, layoff procedures, grievance procedures, unscheduled duty pay, and the salary payable at each of the established steps of the step in grade pay;

(B) Group medical insurance, life insurance, and false arrest insurance, provided that the selection of insurance carriers shall not be a subject of bargaining. With respect to group insurance, the county shall not be obligated to bargain about any plan or benefit that would cause or result in the existence of more than one group insurance plan among county employees;

(C) With respect to grievance procedures, the county shall not be obligated to bargain about any procedure that would cause or result in the lessening

or abrogation of the statutory authority of other county ordinances pertaining to safety.
(Ord. 1199B, passed 1-18-2000)

§ 32.031 IMPASSE AND ADVISORY MEDIATION.

(A) In the event the parties are unable to develop a collective bargaining agreement pursuant to this subchapter, either party may declare an impasse has been reached and request advisory mediation. Upon such declaration and request, the parties shall as soon as possible request the Federal Mediation and Conciliation Service to assign a mediator or, in the alternative, the parties may request a list of five mediators from which each party shall alternate in striking names until only one name is left, which person shall be the mediator. The recommendation and action of the mediator shall be advisory only and shall have no binding authority or effect on any of the parties. Any costs shall be shared equally by the parties.

(B) The parties may mutually agree to any other method of selecting an advisory mediator provided the method is likely to result in the selection of an impartial and knowledgeable mediator.
(Ord. 1199B, passed 1-18-2000)

§ 32.032 STRIKES.

(A) It is unlawful for any county employee, public employee, organization, or any affiliate, including, but not limited to state or national affiliates, to take part in, assist, or advocate a strike, work stoppage, slowdowns, picketing or interference with or departures from the performance of duties against a county employer.

(B) Any county employer may, in an action at law, suit, or in equity or other property proceeding, take action against any public employee, organization, any affiliate thereof, or any person aiding or abetting in any action specified in division (A) above for redress of the unlawful act.

(C) Where any exclusive representative engages in any action specified in division (A) above or aids or abets therein, it shall lose its dues deduction privilege for one year.
(Ord. 1199B, passed 1-18-2000) Penalty, see § 32.999

§ 32.033 APPROVAL.

To be effective, collective bargaining agreements made pursuant to this subchapter shall require approval by the County Commissioners, County Council, or any other county department designated by the County Commissioners or County Council, and the Indiana State Board of Tax Commissioners, where provided by law.
(Ord. 1199B, passed 1-18-2000)

§ 32.034 COLLECTIVE BARGAINING AGREEMENT; PROVISIONS.

A collective bargaining agreement may not include provisions in conflict with:

(A) Any right or benefit established by federal or state law;

(B) County employer rights as defined in § 32.026; or

(C) County employee rights as defined in § 32.029(A)(1).
(Ord. 1199B, passed 1-18-2000)

§ 32.035 FEES DEDUCTED AND REMITTED.

The county shall, on receipt of the written authorization of an employee, deduct from the pay of that employee any fees designated or certified by the appropriate officer of an employees' organization, and shall remit those fees to the employees' organization. Provided, that if an exclusive representative has been designated, the employer may not entertain a written or oral authorization on behalf of any other

employees' organization from an employee in the bargaining unit. Provided, further, that any such assignment may be revoked on a 60-day written notice to the employer.
(Ord. 1199B, passed 1-18-2000)

§ 32.036 EXCLUSIVE MECHANISM FOR COLLECTIVE BARGAINING.

This subchapter provides the exclusive mechanism by which the county, the employees' organization, and the employees in the bargaining unit shall carry out collective bargaining. The county shall not attempt to deal directly with the employees in the bargaining unit in lieu of collective bargaining. Such an attempt shall be deemed an act of bad-faith bargaining. The employee's organization and the employees in the bargaining unit shall not attempt to deal directly county representatives except for those representatives designated by the county responsible for collective bargaining under this subchapter.
(Ord. 1199B, passed 1-18-2000)

§ 32.037 LAKE COUNTY BOARD OF COMMISSIONERS, NO PREEMPTION.

Nothing in this subchapter shall preempt the rights, responsibilities, and duties of the Lake County Board of Commissioners with respect to its executive powers as provided by law.
(Ord. 1199B, passed 1-18-2000)

§ 32.038 LAKE COUNTY COUNCIL, NO PREEMPTION.

Nothing in this subchapter shall preempt the rights, responsibilities, and duties of the Lake County Council with respect to its legislative and fiscal powers as provided by law.
(Ord. 1199B, passed 1-18-2000)

COMPUTER USAGE

§ 32.050 PURPOSE.

(A) The purpose of this policy is to ensure the proper use of the computer and telecommunications resources and services of Lake County by its employees, independent contractors and other computer users. All computer users have the responsibility to use Lake County's computer resources in a professional, ethical and lawful manner. This policy applies to all users of computer and telecommunication resources and services, wherever they are located within Lake County.

(B) The computers and computer accounts given to users are to assist them in the performance of their jobs and may be used only for business purposes. Users should not have an expectation of privacy in anything they create, store, send, or receive on Lake County's computer and telecommunications system. The computer and telecommunications system belongs to Lake County and may be used only for business purposes.
(Ord. 1204I, passed 6-27-2000; Ord. 1204I-2, passed 2-20-2007) Penalty, see § 32.999

§ 32.051 COMPUTER AND TELECOMMUNICATION RESOURCES.

Lake County's computer and telecommunications resources include, but are not limited to, the following: host computers, file servers, application servers, mail servers, fax servers, communications servers, work stations, stand-alone computers, lap tops, software, and internal or external computer and communications networks (including electronic data interchange networks, Internet, commercial on-line services, bulletin board systems, and e-mail systems) that are accessed directly or indirectly from Lake County's computer facilities.
(Ord. 1204I, passed 6-27-2000; Ord. 1204I-2, passed 2-20-2007)

§ 32.052 DEFINITION.

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

USERS. As used in this policy refers to all employees, independent contractors, and other persons or entities accessing or using Lake County's computer and telecommunications resource and services.
(Ord. 1204I, passed 6-27-2000; Ord. 1204I-2, passed 2-20-2007)

§ 32.053 RULES AND REGULATIONS.

(A) Lake County has the right, to monitor any and all aspects of its computer system, including but not limited to, monitoring sites visited by the user on the Internet, monitoring chat groups and news groups, reviewing material download or upload by users, and reviewing e-mail sent and received by users.

(B) Users are governed by the following provisions, which apply to all users of Lake County's computer and telecommunications resources and services.

(1) Users must comply with all software licenses and copyrights, and with all state, federal, and international laws governing intellectual property and on line activities.

(2) Fraudulent, harassing, embarrassing, sexually explicit, obscene, intimidating, defamatory, or other unlawful or inappropriate material may not be sent by e-mail or other forms of electronic communication (such as chat groups, bulletin boards, or news groups) or displayed on or stored in the Lake County computers. Users encountering or receiving the material should immediately report the incident to their supervisor.

(3) Without prior written permission, the computer and telecommunications resources and services of Lake County may not be used for the transmission or storage of commercial or personal advertisements, solicitations, promotions, (that is, viruses or self-replicating code) or any other unauthorized use.

(4) Content of all communications should be accurate. Users should use the same care in drafting e-mail and other electronic documents as they would for any other written communication. Anything created on the computer may, and likely will, be reviewed by others.

(5) Unless expressly authorized by the user's supervisor, sending receiving or otherwise disseminating proprietary data, or other confidential information of Lake County is expressly prohibited. Unauthorized dissemination of this information may result in substantial civil liability as well as serious criminal penalties.

(6) Unless expressly authorized by Lake County Data Processing, users are prohibited from:

(a) Installing software on individual computers or the network;

(b) Installing or using encryption software on any of Lake County's computers;

(c) Using passwords (other than network log in) or encryption keys that are unknown to their supervisors;

(d) Downloading software or data to or from any computer on the Lake County network;

(e) Placing any material, whether downloaded from the internet, other computers or networks, or installed from magnetic or optical media, into Lake County's computer system, which has not been scanned for viruses or other destructive programs by Lake County Data Processing or by IT personnel within the office or department who have been approved by the Lake County Data Board;

(f) Accessing any internet sites not needed by an employee to fulfill his or her job responsibilities;

(g) Accessing internet sites not submitted to Lake County Data Processing in writing by the elected official or department head responsible for the supervision of the user (provided however, that because of the unique nature of their responsibilities, prior disclosure and approval shall not be required of the Lake County Prosecuting Attorney or his or her staff, and compliance with division (6)(f) will be monitored within this office);

(h) Connecting any computer or laptop to the Lake County computer network that has not been checked for the latest virus software;

(i) Operating personal computers, servers or laptops that do not have the latest version of their operating system as well as the latest service packs and patches; and/or

(j) Bringing laptops into Lake County Government facilities which have not been scanned by Lake County Data Processing for viruses or other destructive software before connection to the Lake County Network. The Director of Data Processing may delegate this responsibility to existing qualified employees within a particular department if, in his or her discretion, adequate system protection will be advanced by doing so.

(7) Users should not alter or copy a file belonging to another user without first obtaining permission from the owner of the file. The ability to read, alter or copy a file belonging to another user does not imply permission to read, alter, or copy that file.

(8) Users are responsible for safeguarding their passwords for the computer system. Individual passwords should not be printed, stored on-line, or given to others. Users are responsible for all transactions made using their passwords. No user may access the computer system using another user's password or account. Users may not disguise their identities while using the computer system.

(9) Users waive any right to privacy in anything they create, store, send, or receive on Lake County's computers or the Internet. Users consent to personnel of Lake County accessing and reviewing all material users create, store, send, or receive on Lake County's computers on the Internet.

(10) Notwithstanding the above, this subchapter shall not apply to judges, magistrates, commissioners, and referees of the Lake Circuit Court and Lake Superior Courts and their support staff, including but not limited to, judges' secretaries and law clerks, with respect to private case notes and court records which are works in progress, or classified as confidential by Indiana Supreme Court Rule or court order. Works in progress shall include, but are not limited to, court orders, findings, and memorandums.

(11) Prosecuting Attorney and Public Defender. Notwithstanding division (B)(6)(g) or division (B)(9) above, nothing contained in this section shall be construed to require the disclosure by the attorneys or support staff of the Prosecuting Attorney or the Public Defender, or any information deemed confidential under state or federal law, any rule of the Indiana Supreme Court, or Order of any court of record, or to constitute or require waiver of attorney-client privilege or attorney work product privilege or to require disclosure of information in violation thereof.

(12) Users shall observe and comply with all other policies and guidelines of Lake County in addition to the policies set forth herein.

(13) Lake County is not responsible for the actions of individual users in using the equipment and resources that are subject of this policy.

(14) Lake County is not responsible for material viewed or downloaded by users from the Internet. Users are cautioned that the Internet is a worldwide network of computers that contains millions of pages of information. Many of these pages include offensive, sexually explicit, and inappropriate material. Users accessing the Internet do so at their own risk.

(C) Elected officials or department heads utilizing Lake County computer resources shall inform their staff of the requirements of this subchapter and shall take all steps necessary to assure compliance with the rules and regulations contained herein. It is the responsibility of the elected officials or department heads to assure compliance with the requirements of this subchapter to make sure computer operating systems are kept current, and that virus software is updated daily.

(D) Noncompliance with the requirements of this subchapter may place the computer resources of the county at risk. In the event that Lake County Data Processing determines the risk to exist, individual users or groups of users may be isolated from the system until the problem is resolved. Any dispute regarding the application or enforcement of this subchapter by Lake County Data Processing shall be appealed to the Lake County Data Board.
(Ord. 1204I, passed 6-27-2000; Ord. 1204I-1, passed 9-12-2000; Ord. 1204I-2, passed 2-20-2007; Ord. 1204I-3, passed 5-15-2012) Penalty, see § 32.999

§ 32.999 PENALTY.

(A) A violation of any provision of this chapter for which a penalty is not set out shall be subject to § 10.99.

(B) Compliance with §§ 32.050 through 32.053 by employees of Lake County, Indiana shall be considered a condition of employment. Violations of §§ 32.050 through 32.053 may result in disciplinary action, including possible immediate termination of employment, legal action and criminal liability. Users who violate §§ 32.050 through 32.053 may have their access to the Lake County computer network suspended or terminated. It shall be unlawful for a user to intentionally violate the provisions of §§ 32.050 through 32.053. Violation of §§ 32.050 through 32.053 resulting in damage to the Lake County computer network may result in civil liability of the violator for the damage caused thereby.
(Ord. 1204I, passed 6-27-2000; Ord. 1204I-2, passed 2-20-2007)

APPENDIX A: HUMAN RESOURCES MANUAL

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The Lake County Employee Handbook is a guide that describes the procedures and regulations that relate to your employment and has been prepared to assist you in making your employment enjoyable and rewarding.

In order to insure that the County's employment records are accurate, please notify your department's payroll clerk should you at any time change your name, address, telephone number, or marital/family status.

Although the handbook is designed to serve all employees in an equitable and fair manner, parts of this book may be superseded by union agreement or by specific department procedure. Wherever possible, those conflicts have been noted.

POLICY DISCLAIMER

This handbook has been prepared for the employees of Lake County to promote and maintain a positive working environment and to provide general direction and information. Since it is not possible for this handbook to cover each and every aspect of employment, the policies, procedures and benefits described in this handbook are summary descriptions, presented for information only, and are not intended to be all encompassing or applicable to every situation. Although this handbook has in itself been adopted as an ordinance, it may also provide summaries of County ordinances which are on file with the City Council. Additionally, departments may implement additional policies or procedures as authorized by this handbook.

Neither this handbook nor any other written or oral statement made to an employee by a representative of the County is intended to be an actual or implied contract unless reduced in writing, signed by the appropriate department head and explicitly stated in writing that the document is intended to serve as a contract.

Although the County wishes to make every effort to maintain continuity in its policies and the way it handles personnel issues, it retains the right to add, modify or terminate its policies, procedures or benefits at any time should a situation arise where such change is necessary to preserve appropriate operations. In those instances, changes shall be immediately applicable to all employees regardless of whether the change conflicts with previous language contained in the handbook and whether or not notice was given prior to the change in policy was made.

Unless covered by contractual agreement, all County employees are employees "at will," and are free to resign at any time, just as the County is free to terminate that employment at any time pursuant to County policy. Neither this handbook nor any other written or oral statements of County policy is intended to modify the "at will" status of an individual's employment.

As noted earlier, employees who are represented by collective bargaining are also subject to the provisions of this handbook unless otherwise defined or addressed by written contract or agreement. In those instances, the contractual language (or written agreement) will supersede the terms of the handbook.

All benefits granted to an employee as a result of his/her employment with the County are subject to change without notice if those changes are necessary to comply with state or federal law or if amended by the County due to budgetary constraint.

UNIFORM APPLICATION OF THIS HANDBOOK

It is the intent of the County Council to adopt an employee handbook that applies uniformly to all divisions of government except the Judiciary (which are employees of the Indiana 31st Judicial District) Park Department, merit correctional officers and merit police officers, each of which maintain their own handbooks or are covered by collective bargaining. The handbook applies to employees of the Highway Department unless it conflicts with that department's collective bargaining agreement or mutually agreed to work rules. Although this handbook makes reference to the Board of Commissioners, employees of other divisions of County Government including the Lake County Auditor, Treasurer, Coroner, Recorder, Assessor, Surveyor, Clerk, Sheriff and Township Assessors should substitute the chief elected official of that division for references to "Board of Commissioners" except where such authority is expressly granted to the Board of Commissioners by ordinance or state statute.

SECTION 1- GENERAL EMPLOYMENT PRACTICES

§ 1.1 AFFIRMATIVE ACTION

(A) In order to implement Lake County's policy of equal employment opportunity, an affirmative action plan will be developed annually for implementation.

(B) Although it has been the long-standing policy of the County to provide equal opportunity to all qualified persons without regard to race, religion, sex, sexual orientation, physical challenge/disability, genetic information, veteran's status or anything else that has no bearing on job performance, Lake County is committed to the identification and elimination of those barriers which have denied equal employment opportunities to protected class members. In addition, the affirmative action plan will set specific goals and timetables that provide realistic, achievable opportunities for improving the employment opportunities for protected classes.

(C) In addition to eliminating barriers for employment, the EEO Policy and Affirmative Action Plan also apply to contractors, vendors and service suppliers seeking a public contract to do business with the County. Contractors and vendors will be required to demonstrate compliance with the County's policy and Affirmative Action Plan.

(D) Additional measures outlining the County's commitment to affirmative action may be further defined in federal and state grant applications. County employees who are responsible for handling the purchase of contracted services should become familiar with the specific goals and requirements of the County's Affirmative Action Plan.

(E) A copy of the County's plan is on file and available for review in the Lake County Auditor's Office.

§ 1.2 CIVIL RIGHTS

(A) It is the policy of the County to provide an internal complaint and investigation procedure to encourage early resolution of an alleged civil rights violation based on employee complaints within the organization and to monitor policies, practices and actions. This policy is in addition to any existing grievance and complaint procedures.

(B) Any employee who feels that he/she has received unfair treatment in discipline, pay, promotion or assignment because of his/her race, color, sex, sexual orientation, religion, national origin, ancestry, age, political affiliation, disability, genetic information, or veteran's status may file a complaint.

(C) The County's Grievance Committee will receive and investigate all complaints of a discriminatory nature. Utilizing this procedure will not preclude any other internal grievance or complaint procedure; however, utilizing an external complaint procedure, such as filing with the State Civil Rights or the U.S. Equal Employment Opportunity Commission will preclude use of the internal procedure due to superseding authority.

(D) Departments and divisions of County government are encouraged to create internal anti-discrimination practices that improve communication and voluntary compliance with the County's civil rights policy. Corrective action may be directed by the Grievance Committee or the Board of Commissioners (or other elected official) when voluntary methods fail.

(E) ***Investigative Compliance*** - Due to the seriousness of a civil rights violation, employees, department heads, managers and elected officials shall cooperate with complaint investigations by meeting at a reasonable time and place and providing information requested by the Grievance Committee. Attempts to frustrate this process or take retribution on employees for utilizing this process will not be tolerated, and proven cases may result in disciplinary action against an appointed board member, department head or supervisor involved.

(F) Complaints must be filed within thirty (30) calendar days of the alleged discriminatory action.

§ 1.3 CONFLICT OF INTEREST

(A) It is important that the County avoid the appearance of a conflict of interest in its ability to function and specifically in the activities of County employees. In order to avoid an actual conflict or the appearance of a conflict, a series of guidelines based on County ordinance and State law (IC 35-44-1-3) have been developed and adopted to guide County employees, elected officials and appointed board members:

(1) It is improper for an employee to sell or provide at additional cost any goods or services to any other County departments except as the result of an open bidding process in which such goods or services are subject to control of another party.

(2) It may be a conflict of interest within the scope of this policy to engage in outside consulting activities while an employee of a department doing business in any manner with the firm with which the employee consults. Therefore, any such consulting activities by paid County employees must be reported in writing and approved by the Board of Commissioner's Office. Failure to comply may result in disciplinary action including termination. Other elected officials shall also file a Conflict of Interest form with the appropriate governing authority.

(3) County employees shall not use their position to obtain gifts or favors from vendors. This policy shall exclude lunches or gifts of $100.00 or less in value, or group dinners and social activities sponsored by a vendor at a conference or convention. Should an employee be unsure as to whether a gift is in violation of the policy, the employee should seek clarification from the County Attorney's Office.

(4) It is illegal to accept a bribe (money, goods, an item of value, property, privilege or promise which is offered or given with a corrupt intent to influence an action, vote or opinion) in return for influencing the awarding of a contract purchase of goods or services, or to influence performance of County services.

(B) Disciplinary action will be taken for proven violations of this policy in accordance with the County's progressive discipline policy. Discipline will be based on the severity of the problem and previous incidents on record.

§ 1.4 CONFLICT OF INTEREST GOVERNING LEGAL SERVICES.

(A) The County has the right to prohibit activity it deems in conflict of interest with county employment. Activities of employees are to be monitored by the employees' department head or elected officials.

(1) Neither a county employee whose job description includes the provision of legal services nor any person, partnership or corporation of any type, acting as a contract agent to provide legal services for the county, its elected officials, its appointed officials, employees, departments, agencies or agents shall represent any person, partnership or corporation of any type in any manner in or out of court proceeding, claim, or action where the legal services provided for the client seek in part legal redress against the county, its elected officials, its appointed officials, employees, departments agencies or agents.

(2) Neither a county employee whose job description includes the provision of legal services nor any person, partnership or corporation of any type, acting as a contract agent to provide legal services for anyone charged with a crime in any state or county court in the County of Lake, shall represent any person, partnership or corporation of any type in any manner in or out of court in a proceeding, claim or action where the legal services provide for the client seek in part legal redress against the County of Lake, its elected officials, its appointed officials, employees, departments, agencies or agents.

(B) The prohibition against legal representation outlined in the paragraph above shall be placed in all county contracts for legal services. If the restriction on legal representation is violated, the contract with the county shall be null and void and any monies paid on the contract after the violation shall be deemed unearned and shall be paid to the county with eight percent (8%) interest.

§ 1.5 DISABLED EMPLOYEES/AMERICANS WITH DISABILITIES ACT

(A) The County supports and adheres to the Americans with Disabilities Act of 1990 (ADA) which makes it unlawful to discriminate in employment against a qualified individual with a disability. The ADA also outlaws discrimination against individuals with disabilities in State and local government services, public accommodations, transportation and telecommunications. Any employee who wishes to discuss his or her needs as a disabled employee should contact the department head.

(B) ***ADA Protection***

(1) An employee with disability and qualified to do a job is protected by the ADA from job discrimination on the basis of that disability. Under the ADA, a disability includes a physical or mental impairment that substantially limits a major life activity. To be protected under the ADA, an employee must have, or be regarded as having a substantial (as opposed to a minor) impairment. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, walking, breathing, and performing manual tasks, caring for oneself, learning or working.

(2) An employee must also be qualified to perform the essential functions or duties of a job with or without reasonable accommodation, in order to be protected from job discrimination by the ADA. This means two things. First, the employee must satisfy the employer's requirements for the job such as education, employment experience, skills or licenses. Second, he/she must be able to perform the essential functions of the job with or without reasonable accommodation. Essential functions are the fundamental job duties that an employee must be able to perform his/her own or with the help of a reasonable accommodation. An employer cannot refuse to hire an employee because his/her disability prevents them from performing duties that are not essential to the job.

(C) ***Reasonable Accommodation***

(1) Any change or adjustment to a job or work environment that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and application privileges of employment equal to those enjoyed by employees without disabilities. For example, reasonable accommodation may include:

> Providing or modifying equipment or devices, job restructuring, part-time or modified work schedules, reassignment to a vacant position, adjusting or modifying examinations, training materials, or policies, providing readers and interpreters, and making the workplace readily accessible to and usable by people with disabilities.

(2) An employer is required to provide a reasonable accommodation to a qualified applicant or employee with a disability unless the employer can show that the accommodation would be an undue hardship - an accommodation that would require significant difficulty or expense.

(3) The results of all medical examinations must be kept confidential and maintained in separate medical files.

(D) ***Drug Abuse and the ADA*** - Anyone who is currently using drugs illegally is not protected by the ADA and may be denied employment or fired on the basis of such use. The ADA does not prevent employers from testing applicants or employees for current illegal drug use.

(E) ***For Further Information*** - Contact the County's ADA Compliance Committee, County Human Resources Consultant, County Commissioners Attorney's Office or an EEOC field office.

§ 1.6 DRUG FREE WORKPLACE

(A) The County strives to maintain a drug free workplace with a safe and productive atmosphere to work in and in which to conduct business. No controlled substance or alcohol is permitted at any worksite, in any County vehicle, or in the possession of any employee engaged in County business. An employee who is discovered to be in violation of this policy will immediately be referred to an employee assistance program, demoted, and/or transferred to a safer job (if applicable) and be subject to disciplinary action up to and including discharge.

(B) For the safety and welfare of all employees and the general public, should a supervisor believe that reasonable suspicion exists that an employee may be under the influence of drugs or alcohol, that supervisor is required to have the employee submit to testing performed by qualified medical personnel. Testing is also required of any employee who is involved in an accident while operating a County-owned vehicle. Failure or refusal to submit to a test may result in disciplinary action up to and including discharge. Additional information regarding an employee's responsibilities in the event of an accident can be found in "Safety & Health" in the Employee Responsibilities section of this handbook. The cost of testing an employee will be the County's responsibility.

(C) Employees who operate a County-owned vehicle (this does not apply to vehicles classified by the Bureau of Motor Vehicles as a passenger vehicle unless that vehicle has been involved in an accident) and certain jobs within the County that require high levels of security and safety, may be subject to random drug testing. All

testing will be performed in compliance with Federal standards and County Ordinance. The results of any test will remain confidential.

§ 1.7 EQUAL EMPLOYMENT OPPORTUNITY

(A) Lake County is committed to providing equal employment opportunities for all applicants and employees. Applicants and employees shall be treated fairly and equally. Employment decisions will comply with all applicable state and federal employment discrimination laws and made without regard to race, color, gender, sex, sexual orientation, religion, national origin, age, disability, genetic information, veteran's status, political affiliation, or citizenship. In addition, the County will not tolerate any discrimination by anyone including, but not limited to, co-workers, supervisors, department heads, elected or appointed officials, vendors and the general public. This policy applies to all employment decisions including, but not limited to, recruiting, hiring, compensation, training, promotion, termination and all other terms and conditions of employment. Any employee who believes that they have witnessed or been subjected to discrimination has a duty to immediately report the incident to the County Human Resources Consultant (219) 853-9782 in accordance with this policy.

(B) It is the official policy of the County to:

(1) Recruit, hire and promote for all job classifications without regard to race, color, sex, religion, national origin, ancestry, age, sexual orientation, political affiliation, veteran's status or disability.

(2) Base decisions on employment so as to further the principles of equal employment opportunity and in accord with the County's affirmative action plan.

(3) Insure that promotion decisions are in accord with the principles of equal employment opportunity by imposing only job related requirements for promotional opportunities.

(4) Acknowledge its intent to abide by this policy by including the words "Equal Employment Opportunity Employer" in all recruitment advertising, and on all County letterhead.

(5) Insure that all other personnel actions such as compensation, benefits, transfers, layoffs, return from layoff, education, County sponsored training, tuition assistance, social and recreational programs will be administered without regard to race, color, sex, veteran's status, sexual orientation, religion, national origin, ancestry, age, political affiliation or disability.

(6) Special meetings will be held at least annually with executive, management and supervisory personnel to explain the intent of the County's equal employment opportunity policy, and individual responsibility for effective implementation, and clarifying the County's position on equal employment opportunity. The date of these meetings will be recorded and specified in the County's EEO/Affirmative Action Plan.

(C) Any questions regarding equal employment opportunity, potential discriminatory practices or matters within the scope of County employment should be directed to the County Human Resources Consultant.

§ 1.8 SEXUAL HARASSMENT

(A) The County is committed to a policy of equal employment opportunity for all applicants and employees. The County believes that it is important to maintain a safe and pleasant work environment. Sexual harassment adversely impacts the morale and productivity of an employer's most valuable asset, its employees. In addition, state and federal law protects employees, visitors, contractors, vendors and all those who enter the workplace from sexual harassment. The County believes that it shares a responsibility with its employees, board appointments and elected officials to stop and prevent sexual harassment. Sexual harassment will not be tolerated in the workplace.

(B) ***Definition of Sexual Harassment***

(1) Sexual harassment is generally defined as conduct which shows disrespect, hostility or aversion to an employee, visitor or contractor through the use of sex-based comments or actions of a sexual nature. Sexual harassment may involve verbal, visual or physical conduct which results in an employee or employees (or others present in the workplace) being subjected to an environment that is uncomfortable and unnecessary.

(2) There are two forms of sexual harassment: hostile work environment and quid pro quo harassment.

(a) ***Hostile Work Environment*** - This form of sexual harassment involves sex-based conduct by a co-worker or a supervisor that creates a hostile or offensive work environment and which adversely interferes with an employee's ability to perform his/her work. Examples of a hostile work environment include (but are not limited to):

1. Asking questions or making statements about an employee's sexual conduct or preferences;

2. Exposing oneself or revealing private body parts;

3. Engaging in unwelcome physical contact such as pinching, kissing or inappropriately touching another employee;

4. Disseminating or displaying pornographic materials or sexually explicit photographs;

5. Making obscene, sexual gestures.

(b) ***Quid Pro Quo*** - This type of sexual harassment involves a supervisor who uses his/her authority to either threaten or require a subordinate employee to submit to sexual activity as a requirement for either: continued employment, favorable performance evaluations, or securing advancement in the County. Examples of quid pro quo harassment include (but are not limited to) the following examples:

1. A supervisor stating to a subordinate employee: "Things could be a lot easier for you here if you would go away with me for the weekend."

2. A supervisor withholding a favorable performance evaluation from a subordinate employee until the employee gives in to the supervisor's sexual advances.

(3) Although the County does not condone any inappropriate action or comment, it is important to review the manner and circumstances in which the actions in question occurred. In determining whether alleged conduct constitutes sexual harassment, the County will look at the record as a whole and at the totality of the circumstances.

(C) ***Elected Official/Department Head Responsibilities to Prevent Sexual Harassment***

(1) Elected officials and County department heads are responsible for the acts of their agents and supervisory employees with respect to sexual harassment. Elected officials and department heads shall be held responsible for acts of sexual harassment in the workplace, where the employer or its agents or supervisory employees know or should have known of the conduct, and failed to take immediate and appropriate corrective action to eradicate the behavior. Elected officials and department heads may also be responsible for the acts of non-employees in the workplace, where the department management knows or should have known of the conduct and fails to take immediate and appropriate corrective action.

(2) Elected officials and County department heads shall take all steps necessary to prevent sexual harassment from occurring, such as informing employees of their right to raise the issue of harassment, developing methods to sensitize all concerned, and taking appropriate and quick action in response to a sexual harassment complaint.

(3) Where employment opportunities or benefits are granted because of an individual's submission to the sexual advances or request for sexual favors, elected officials and department heads may be held liable for unlawful sex discrimination against other persons who were qualified for but denied employment opportunity or benefit.

(4) Proven violations of this policy will result in disciplinary action up to and including termination based on the severity of the infraction and the past history. The level of discipline applied will be made on a case by case basis by the employee's department head or elected official.

(D) ***Reporting Procedure***

(1) Any employee who reasonably believes that he/she has either witnessed or been subjected to sexual harassment shall immediately report the discriminatory conduct to their department head or to the elected official, Board of Commissioners or County Human Resources Consultant. If neither of these individuals is available, or the employee is uncomfortable in reporting the conduct to either individual, the employee may report the discriminatory conduct to the County Human Resources Consultant.

(2) Employees may, at their discretion, make complaints of sexual harassment to their department head or the County's Human Resource Consultant (who can be reached at (219) 853-9782). All complaints will be documented in writing. If the department head takes the complaint, it should immediately be forwarded to the County Commissioner's Attorney. The complaint shall remain confidential to the extent possible, subject to the need to conduct an investigation of the allegations.

(E) ***Investigation and Resolution of Complaint***

(1) All reports of sexual harassment shall be investigated in a confidential and expedient manner. However, since it is crucial that an investigation be conducted, complete confidentiality cannot be guaranteed.

The County will not tolerate any retaliation against an employee who makes a good faith report of sexual harassment. If the investigation reveals that the report has merit, corrective action, up to and including termination will be taken to remedy the situation.

(2) Internal investigations of sexual harassment shall be conducted by Human Resources with the full cooperation of department heads. Upon completion of the investigation, a final written report will be prepared by the department head or elected official within a reasonable time-frame (in most cases, within 30 days of the original complaint). In accordance with the State's Open Door Law and federal court ruling, the victim has the right to know what disciplinary action has been taken.

(F) ***False Claims of Sexual Harassment*** - As an employer, the County takes its responsibility to stop sexual harassment very seriously. An employee who falsely accuses another employee of sexual harassment can create unnecessary anguish, emotional distress and harm to an innocent employee as well as waste the County's time and resources. Consequently, the County reserves the right to discipline any employee who intentionally makes a false report of sexual harassment.

§ 1.9 HARASSMENT (OF A NON-SEXUAL NATURE)

(A) Lake County encourages all of its employees to work in creating a workplace that is harmonious and conducive to providing services to the public and to fellow employees. Comments or actions that are deliberately hurtful, rude, unprofessional, or offend other employees have no business in the workplace.

(B) An employee should advise his/her supervisor or department head in regard to activity brought about by another employee that undermines workplace professionalism.

§ 1.10 OPEN DOOR POLICY

(A) The County is committed to making its business a good place for all employees to work. This goal is achieved by developing and maintaining a cooperative working relationship among employees based on mutual respect and understanding. Employee opinions, thoughts, and feelings are important, and the County recognizes the need for procedures that will allow employees to bring questions, suggestions and concerns to its attention. At the same time, it is important to recognize and follow the chain of command since many problems or concerns can be best addressed by those closest to the problem.

(B) Employees should feel comfortable in discussing any questions, comments or matters of concern with his/her supervisor or department head, taking into account the following suggested steps:

(1) Employees should organize their thoughts on the issue;

(2) Adhere to the chain of command by first contacting one's immediate supervisor;

(3) If the issue cannot be resolved with the supervisor, the employee should schedule a meeting with the next person in the chain of command. If all other levels of the chain of command have been exhausted, the employee may wish to discuss the matter with the elected official over that individual's department.

(C) In order to assist employees in following these guidelines, each department and division should establish and inform its employees of the chain of command (for that department/division).

(D) While the County may not be able to fully address every issue, every effort will be made to assist employees and take their opinions into consideration.

§ 1.11 INDEMNIFICATION OF EMPLOYEES, OFFICERS AND AGENTS

(A) The County will indemnify and defend its employees, officers and agents at no cost to those individuals against legal action or a judgment taken against them, while carrying out their official or individual duties providing that the actions taken were within the scope of, and arising out of the performance of that individual's official duties and responsibilities.

(B) Determination of whether the actions taken were within the scope of, and arising out of the performance of official duties and responsibilities shall be determined by an investigation conducted by the Board of Commissioners' Attorney.

(C) ***Limitations*** - Indemnification shall include any judgment in a court of law that arises out of a civil action made against an employee, officer or agent. Indemnification shall not extend to:

(1) Acts of malice, intentional, willful, wanton, or criminal acts; acts calculated or intended to accrue personal benefit which are beyond the scope of the duties or authority of the employee, officer or agent unless exonerated by a court.

(2) In the absence of a judicial determination, a determination may be made by the Commissioners' Attorney in writing may determine whether the act is indemnified. That finding shall be final unless rejected or modified by the Board of Commissioners. A finding shall be final unless rejected or modified by the Board of Commissioners. A copy of the determination shall be provided to the employee, officer or agent within 10 (ten) business days of the determination.

SECTION 2- HIRING PROCESS AND EMPLOYMENT STANDARDS

§ 2.1 APPLICATION. RECRUITMENT AND HIRING

(A) Lake County maintains a recruitment and hiring process designed to allow all persons qualified and interested, an opportunity to apply. Applications for most County positions can be obtained from the individual division of government or department. Due to special requirements of the hiring process, applications for the Lake County Police Department, Auditor, Treasurer, Coroner, Recorder, Assessor, Surveyor, Clerk and Sheriff can be obtained from those offices. In accordance with Indiana state statute, applicants must also complete a Verification of Applicant for Employment for Compliance with Lake County's Nepotism Policy form.

(B) ***Internal Recruitment Procedure***

(1) The County values its employees and encourages promotion and advancement from within and provides its employees an opportunity to apply for a vacancy before that opportunity is extended to the general public.

(2) Open positions will be posted for a period of five (5) working days internally unless otherwise noted by collective bargaining agreement, and a reasonable attempt will be made to post the vacancy in all departments in the County, easily accessible to department employees as well as in a common and designated area in each County-owned facility. As a general rule, internal bidders will file a job bid with the department with the open position and should be considered and/or rejected before outside applications may be considered. Temporary or seasonal employees may bid on any posted position, providing if that employee was actively employed during at least one day of the posting period. Employees who are completing a probationary period are not eligible to bid on a posted vacancy. Generally, after posting the form internally, and if the position has not been filled, the vacancy will then be posted for three (3) days minimum for external candidates.

(3) The decision to award the open position to an internal candidate is up to the department head and/or elected official that oversees that division of county government. Consequently, an internal candidate is not entitled to selection, and the elected official or department head may choose to seek outside candidates instead.

(C) ***Exceptions to the Posting Procedure***

(1) Supervisory positions (those positions where an employee oversees other employees, processes or can authorize expenditures) may be filled by using either internal or external recruitment procedures.

(2) Positions that are being filled due to transfer or voluntary demotion may be waived at the discretion of the elected official who oversees that division of county government.

(3) Due to the short term nature of temporary or seasonal positions, the need to post these vacancies may be waived at the discretion of a department and after discussion between the department head and the elected official who governs that operation.

(4) Periodically, a position may be filled only to have the new employee leave the position, either voluntarily or involuntarily, within the first few weeks of employment. In the event that a vacancy occurs within thirty (30) days of filling a position, the vacancy does not need to be reposted unless the department head believes that it is in the best interest of the County to do so.

(D) ***Recruitment Procedure - External***

(1) When the internal recruiting procedure has failed to attract qualified personnel for a valid job vacancy, candidates from outside current County employment will be sought from any or all of the following sources:

(a) Minority recruitment resources as specified in the County's affirmative action plan

(b) Walk in applicants

(c) Bulletin boards

(d) Newspaper advertising

(e) Professional journals

(f) Temporary employment agency

(g) State employment service

(h) Job bank applicants

(2) Positions will be held open for three (3) working days following public notice. All employment notices and/or ads shall prominently display the words "An Equal Opportunity Employer."

(E) ***Hiring***

(1) It is the responsibility of the department to contact individuals for interviews and testing, using appropriate unbiased questions and validated skills testing where relevant. In all positions requiring licenses or degrees, all offers will be contingent upon receipt of copies of licenses or transcripts of college work.

(2) Applicants will not be barred from consideration due to a misdemeanor criminal conviction unless the position has access to sensitive information or has responsibilities that may create conflict with that applicant's record. Applicants may be required to apply for a limited criminal background check depending on the position, and are responsible for the cost of that background check.

(3) Final selection of the applicant will be made by the elected official who oversees that department.

(F) ***Employment Processing and Paperwork***

(1) Once a conditional offer of employment is made, whether it is for part-time, full-time, seasonal or temporary employment, the applicant, depending on departmental policy may be required to undergo a drug test. Further employment processing will depend on the test results. The cost of the testing shall be the responsibility of the applicant. If the applicant is hired for employment, all future drug/alcohol testing that occurs due to employment will be paid for by the County. A list of providers who may offer a discounted drug test will be provided by "Working Well" at St. Anthony Medical Center in Crown Point.

(2) Upon acceptance of the offer of employment (and results of a drug test if applicable), a new employee will be provided basic employment information such as days of work and first payday.

(3) The employment processing will also include the new hire's completion of various forms and paperwork required by the County, State or Federal Government:

(a) Submission of degrees, licenses, certifications or other proof of position requirements;

(b) Completion of an I-9 immigration form, W-4 form, any relevant deduction authorizations, personnel information file and employee identification card;

(c) Referral and completion of a physical examination if required;

(4) The employee will also receive relevant information on insurance/benefits, along with information regarding union status of the position being filled (If it is a union position).

(5) Every new employee is asked to sign a copy of the disclaimer found in the Introduction of this handbook that outlines and defines the "at-will" relationship between that employee and the County.

§ 2.2 BRIDGING OF SERVICE - CREDIT FOR FULL-TIME STATUS

From time to time, an employee may leave the County's employment only to return at a later date. Employees who return to work for the County and subsequently complete twelve (12) months of consecutive employment will then be credited for any previous full time employment service. Credited time will be applied towards vacation and other benefits. This policy does not apply to employment situations that pre-date the issuance of this handbook.

§ 2.3 CHANGES IN EMPLOYEE INFORMATION

(A) When employees are hired, they provide information needed for payroll, insurance, and pension purposes, to name a few. However, some of this information periodically changes, and to make sure that the County's records are up-to-date, all employees are required to report changes in personal information including:

(1) Emergency Contact Information

(2) Home Address or Telephone Number

(3) Marital Status (marriage, divorce, legal separation)

(4) Beneficiary (for group term life insurance and/or pension plan (PERF)

(5) Changes in Education

(6) Birth or Adoption of Child or Placement in Home of Foster Child

(7) A child's nineteenth birthday (for employees with dependent children on the County's health and dental insurance plan). If the child is enrolled in college, he/she may continue coverage (see the Insurance Department for details).

(B) Although not required, employees are encouraged to provide their supervisor with their e-mail address.

(C) An employee who is in a position that requires an on-call status may be required to provide his/her supervisor with a current cellular telephone number.

§ 2.4 DEFINITIONS OF EMPLOYMENT STATUS

(A) The County uses a variety of classifications to describe the status of its employees to define the terms and conditions of employment. These terms can be used by themselves, in conjunction with each other, or even interchangeably. The terms clarify as to whether an employee is entitled to overtime or benefits.

(B) ***Full- Time:*** An employee who has completed his/her orientation period and who works on average at least thirty (30) hours or more per week.

(C) ***Full-Time Probationary:*** A newly hired employee or an employee assigned (either through promotion or demotion) to a new job classification who has worked at the same position for more than ninety (90) calendar days, then becomes a full time employee. During the 90 day probationary period, a newly hired employee is not eligible for health insurance benefits.

(D) During this period, the newly hired employee will have the opportunity to get to know the County and the County will have the opportunity to get to know the employee. The period allows an employee to become familiar with the opportunities and responsibilities of being an employee of Lake County. This period also allows both the employee and the County to determine whether continued employment will be to the advantage of both parties. At the end of this orientation period, the employee will become eligible for regular employee status. The employee's department head will meet with the employee to discuss his/her evaluation and status for permanent employment.

(E) In certain circumstances, it may be in the employee and County's best interest to extend the orientation period for an additional thirty days. However, regardless of an extension (of probation), the employee will be eligible for health insurance benefits after he/she completes 90 calendar days of employment.

(F) A full-time employee may be exempt or non-exempt:

(1) ***Exempt***

(a) A full-time "exempt" employee is a salaried employee who is exempt from the overtime and/or compensatory time requirements of the Fair Labor Standards Act (FLSA). An exempt employee has certain decision-making responsibilities and meets other criteria of the federal act. Job titles alone do not determine the exempt or non- exempt status of any employee.

(b) Since duties and responsibilities vary, it is best to verify through the Humane Resources Department that a position meets the requirements of being exempt under the FLSA. For example, an exempt

employee must be paid on a salary basis of no less than $455 per week and perform certain types of work that is directly related to the overall management of a business or operation. The person must be authorized to directly or indirectly hire, fire and direct at least two other employees. The employee's primary duty must include the exercise of discretion and independent judgment with respect to matters of significance within the operation. Additional exemptions may be granted if the position:

1. requires specialized academic training for entry into a professional field, or

2. is in the computer field (employees who work in the computer field may be exempt if they are paid no less than $27.63 per hour), or

3. is in a recognized field of artistic or creative endeavor.

(2) ***Non Exempt*** - A full-time employee who is "non-exempt" is entitled to overtime and/or compensatory time under the Fair Labor Standards Act for all hours worked in excess of forty (40) hours in a workweek, at a rate of 1.5 times the hours worked either in pay or compensatory time. (See Flexible Schedule Section for additional details.)

(G) ***Part-Time***

(1) An employee who has completed his/her orientation period and who works on average less than twenty-nine (29) hours per week. Part- time employees, although valuable members of the County's workforce, are not eligible for all of the benefits (such as health insurance or pension benefits) afforded to full time employees.

(2) A part-time employee is prohibited from working for more than one County officeholder or department during a single pay period and shall not work more than twenty-nine (29) hours per week in a single pay period.

(3) Since part-time employees are limited to 29 hours per week, they should not work more than forty (40) hours in a week. However, in the event that a part-time employee does work more than forty hours in a week, the employee will be paid at a rate of 1 .5 times the number of hours worked (over and above forty hours) either in pay or compensatory time in accordance with federal law.

(H) ***Temporary or Seasonal:*** An employee who is hired for a specific period of time, with a known duration of no more than four (4) months or an employee who is assigned to a part-time job with a known limited duration of less than ten (10) full months is not eligible for benefits. Often these employees are also referred to as seasonal or temporary employees. A temporary employee may work either a full or part-time schedule depending upon the assignment. If the employee works more than forty hours in a week, the employee will be paid at a rate of 1.5 times the number of hours worked (over and above forty hours) either in pay or compensatory time.

(I) ***Classification Regarding Exempt Employees***

(1) As noted above, certain positions such as department heads are considered exempt under the Fair Labor Standards Act (FLSA). The position must meet certain standards and conditions, and be given authority and responsibility that makes the position exempt under the FLSA.

(2) By virtue of this designation, exempt employees do not track the hours that they work. For timesheet purposes, exempt employees are instructed to note which days they worked and that they "have completed all assigned tasks and duties."

(3) Employees who have specific questions regarding their exempt or non-exempt status should review the Fair Labor Standards Act or contact the County Council's Attorney or U.S. Department of Labor Wage and Hour Division.
(Ord. 1356C-3, passed 7-7-2015)

§ 2.5 ORIENTATION

(A) A new employee needs to become familiar with his/her position, County operations, policies, rules and regulations and fringe benefits. In order to provide new employees with support, answers to questions and assistance in being successful in their daily job duties, the County conducts a two-step orientation process for its employees.

(B) The first step in the orientation process is provided by the County Human Resource Office, which will review basic employment requirements and benefits, such as:

(1) Job title and wages

(2) Fringe benefits

(3) Rules and regulations, including disciplinary procedures

(4) Requirements of the collective bargaining agreement, if such an agreement covers the new employee

(5) Review of this handbook

(C) After meeting with the Human Resources Office, the employee will complete the orientation process with his/her department head who will review specific job duties, explain the work site, job duties required, performance expectations, department rules and safety regulations. Many larger departments will assign a new employee to shadow or be mentored by a senior employee who knows the position and responsibilities.

§ 2.6 PROBATIONARY PERFORMANCE EVALUATION

(A) Every new employee, as well as an employee who transfers from one position to another, begins his/her employment with the County as a probationary employee (with the exception of certain executive level employees such as department heads) for the first ninety (90) calendar days of employment. Probation is an assessment period that helps determine whether the employee and County should continue the employment on a more long-term basis. A probationary employee may be dismissed or may voluntarily quit for any reason(s) and shall not have any recourse through the County's grievance procedure. An employee who is completing a probationary period may not bid or apply for another open position.

(B) A performance evaluation should conclude the probationary process and allow the department head to communicate to the employee any area(s) of satisfaction, dissatisfaction, or areas where the employee should improve his/her performance. The report is confidential and should only be discussed with the employee.

§ 2.7 WORK HOURS

(A) This policy applies to all County employees including those covered by a collective bargaining agreement, unless the bargaining agreement or contract explicitly addresses the issue in a manner contrary to this chapter. In those instances, the terms of the bargaining agreement or contract will supersede the terms of this chapter.

(B) County offices are open to the public Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding holidays. Some departments have adopted a different schedule due to the nature of the position or a flexible work schedule to better accommodate the public. An employee's supervisor will assign a specific work schedule. Please note that a work schedule is not guaranteed and is subject to change.

(C) ***Regular Work Time*** - The regular work week shall be considered Monday through Friday and the regular workday is defined as eight hours per day from 8:30 a.m. to 4:30 p.m. (unless as noted above).

(D) ***Lunch Hour***

(1) Salaried employees are entitled to a one-hour lunch period per workday. Employees who fail to take a lunch period will not be compensated unless authorized by the department head to work through a lunch hour in order to allow that employee to adjust his/her start or end time (come in late or leave early on the same day), or due to circumstances where the employee was required to perform his/her work duties that precluded the employee from taking a lunch.

(2) Hourly employees are entitled to lunchtime set by department policy.

(E) ***Breaks*** - The County provides breaks or rest periods to its employees. Non-exempt employees who work at least seven hours in one shift will receive a break of 15 minutes at approximately the middle of every three and one half hours of work not interrupted by a meal period. Supervisors are responsible for scheduling the time for employee breaks. All breaks should be arranged so that they do not disrupt County business or service to the public and should consider the workload and the nature of the job or jobs being performed. When necessary, the frequency and time of breaks may be changed. Time spent on breaks is compensated as working time. Employees are expected to be punctual in starting and ending their breaks and are subject to disciplinary action for extending breaks beyond the 15 minutes allowed.

(F) ***Overtime/Compensatory Time***

(1) Eligibility for compensable overtime will be determined by the Fair Labor Standards Act. All overtime **must** be approved and authorized by an employee's department head or supervisor. Under no circumstances may an employee authorize his/her own overtime.

(2) All non exempt employees will be granted compensatory or overtime at the rate of one and one-half (1-1/2) hours for all hours worked over (40) hours in any given work week. (Note: Although some full-time employees work only 35 hours, federal law requires that overtime [or compensatory time] be paid at 1-1/2 times that employee's normal rate of pay only when the hours worked in a week exceeds 40 hours.)

(3) Should compensatory time be awarded, an employee cannot accumulate more than 480 hours of compensatory time in one year if the employee works in a public safety activity, an emergency response activity or a seasonal activity. All other employees are limited to no more than 240 hours compensatory time per year. Employees who exceed these limits must be paid overtime. An accurate record of all compensatory time earned and used shall be maintained by the department bookkeeper (See "Record Keeping" this section). An employee's request for the use of compensatory time off shall be made at least three (3) working days prior to the date(s) requested off. The request shall be honored unless the use would unduly disrupt the operations of the department by imposing an unreasonable burden on the department's ability to provide services of acceptable quality and quantity for the public during the time requested without the use of the employee's services.

(4) All compensatory time must be taken within the year it was earned unless the time is accumulated in the last quarter of the calendar year. Time earned during the last quarter only may be carried over to the first quarter of the following year. The carried-over compensatory time must be taken within that first quarter. Unused compensatory time must be paid as overtime.

(G) ***Record Keeping***

(1) Documented overtime and compensatory time records shall be kept by each department for all employees and shall include:

(a) Date and reason for accumulation

(b) Name of person authorizing the overtime

(c) Date compensatory time taken

(d) All other records required by the FLSA or other federal or state law or regulation

(2) Time sheets shall reflect compensatory time taken and shall not be reflected as hours worked on that date.

(3) The Attorney of Record for each division of County government has the final authority interpreting this policy and is responsible for ensuring that all required records are kept and in accordance with the FLSA and will take appropriate measures to ensure compliance with state and federal regulation.

(H) ***Special Exceptions*** - Special exceptions to the regular workday and work week may exist where employees may be required to work other hours or days to meet the particular requirements of County services. In addition, regular hours are subject to change with the authorization of the employee's department head.

(I) ***Time Sheet Requirement*** - It shall be the responsibility of the department head to ensure that an accurate daily attendance record is kept on every employee in the department.

(J) ***Falsification of Time Records*** - Any individual who is involved in the falsification of time records or who knowingly causes improper reporting may be subject to disciplinary action up to and including dismissal.

§ 2.8 FLEXIBLE TIME

(A) In certain situations it may be possible for an employee, with the permission of his/her department head and Elected Official, to work an adjusted or flexible work schedule. The schedule must not cause a reduction in the ability of that employee's department to properly perform its duties and responsibilities. Further, the establishment of a flexible schedule may not result in the need to hire other employees or the use of overtime to cover those "traditional" hours not worked by the employee working a flexible schedule.

(B) The employee is still eligible to overtime pay for all hours worked in excess of forty (40) hours in one week. (See Vacation Section for additional details.)

§ 2.9 EMERGENCY CLOSINGS

(A) Under certain circumstances it may be necessary to close one or more County facilities due to natural hazards or catastrophes. If a facility is closed, employees will be notified via telephone, if possible. In the case of severe weather, employees should listen to local radio stations for information regarding closings and when the County will be open for business. Employees should also contact their Department Head to find out if their department is open.

(B) When a facility is closed, and an employee was scheduled to work that day, the employee is excused from work and will be paid their regular rate of pay for that day if he/she were scheduled to work. In the event that the employee is required to report for work during an emergency closing (such as maintenance or to secure records, etc.), the employee is not entitled to additional compensation.

§ 2.10 PAY PERIODS, PAYDAYS, PAYCHECKS, PAYROLL DEDUCTIONS, AND CREDIT UNION

(A) ***Pay Periods*** - Employees are paid every two weeks on Monday. The first day of the pay period is Monday and ends 14 days later on Sunday. Time sheets are used to determine the amount an employee is paid each pay period and serve as the official record of an employee's service to the County.

(B) ***Paydays*** - Paydays occur on Monday. No other person is allowed to "pick-up" an employee's paycheck without the employee's permission in writing.

(C) ***Payroll Deductions*** - There are two types of payroll deductions, those mandated by the government and those that employees choose to make.

(D) ***Mandated Payroll Deductions*** - Certain deductions are made from employees' paychecks as mandated by the state and/or federal government or court. These deductions include:

(1) Federal Income Taxes (as indicated by an employee on the W-4 federal income tax withholding form)

(2) State Income Taxes (as indicated by an employee on the state income tax withholding form)

(3) PERF Contributions

(4) Social Security (FICA) and Medicare (MCARE)

(5) Court ordered child support and garnishments

(E) ***Voluntary Payroll Deductions***

(1) Employees may choose to have any or all of the following that apply to them deducted from their paychecks:

(a) Health insurance contributions

(b) 457 Supplemental retirement contributions

(c) Supplemental insurance plan contributions

(d) Credit Union

(e) U.S. Savings Bonds

(f) Political contributions

(g) Pre paid legal assistance

(h) United Way Contributions

(2) Employees may elect to have voluntary deductions taken from their pay only if they authorize deductions in writing.

(F) ***Direct Deposit of Paychecks*** - Employees may elect to have their paychecks directly deposited with most banks, credit unions and financial institutions.

(G) ***Paycheck Errors, Lost Paycheck, or Stolen Paychecks*** - Employees who discover a mistake in their paycheck, lose their paycheck, or have it stolen must notify their payroll clerk immediately. In the case of a mistake, the error will be remedied as quickly as possible. In the event of a lost or stolen paycheck, the employee may have to wait up to sixty (60) days before the check is reissued.

§ 2.11 PERSONNEL ACTIONS

(A) This policy applies to all County employees including those covered by a collective bargaining agreement, unless the bargaining agreement or contract explicitly addresses the issue in a manner contrary to this chapter. In those instances, the terms of the bargaining agreement or contract will supersede the terms of this chapter.

(B) It is the policy of the County to set up orderly policies and practices to ensure consistency in normal changes to employee status. Changes in employment status may result from any one (1) of the following:

(1) ***Temporary Transfers*** - A temporary transfer is one that is needed to accommodate extended leave situations, temporary vacancies or any other situation involving an overload or crisis.

(2) ***Lateral Transfer*** - A transfer of personnel between departments for individuals meeting the job qualifications. Request for transfer must be made in writing and approved by the elected official overseeing that division or department.

(3) ***Promotions***

(a) Job openings shall be posted in each department in a location accessible to all employees and in designated areas. Existing employees may be considered first.

(b) A number of factors may be considered in evaluating an employee for possible promotion including:

1. Ability to meet job qualifications

2. Previous employment evaluations

3. Educational qualifications

4. Experience

5. Prior attendance records.

(c) Current employees requesting a promotion to a vacancy must apply with the department with the vacancy and fill out the necessary paperwork.

(d) Any promotion shall be considered probationary for a period not to exceed ninety (90) days. The performance shall then be evaluated at that point and a final decision made. During the probationary period, the employee may not apply for any other open position.

(e) Although the County is committed to promoting its existing workforce, it reserves the right to hire outside personnel rather than promote from within a department for supervisory positions.

(4) ***Demotions***

(a) An employee may request to be placed in a lower job classification for whatever reason provided the position is vacant and the employee is qualified for the position. Demotions may also occur due to reorganization.

(b) Demotions may also occur due to disciplinary issues and as an alternative to termination, providing the employee is able to perform the duties of the new position. Demotions for inadequate performance will be permitted as follows:

1. Demotions must be made upon documented evidence that the employee has received prior warning and assistance to attempt to overcome inadequacies and has not been successful.

2. The employee's previous position is not vacant.

3. If there is not a vacancy, the employee will be placed on a temporary leave of absence without pay until a position opens for which the employee is qualified.

(c) In the event that an employee is promoted or demoted, any balance of unused vacation, sick or personal days is transferred with the employee to his/her new position. The value of the transferred leave days shall be paid at the employee's new rate of pay. All remaining compensatory time must be used or it will be paid at the employee's old rate of pay.

(5) ***Reduction in Force***

(a) Like all employers, certain conditions may arise where the County may find it necessary to reduce employment. A reduction in force or layoff may occur for one of the following conditions:

1. Lack of work,

2. Budgetary restraints

3. Reorganization which eliminates a position(s)

(b) In regard to recall rights, this policy does not apply to policy-making positions, part-time positions, temporary positions or probationary employees. The County will not layoff full time employees and replace those positions with part time employees. Layoffs may occur in any other order at the discretion of management. However, if all other qualifications are equal, seniority will be used as a determining factor.

(c) Employees who are subject to layoff will be given as much notice as possible of the reduction in force and at least two (2) weeks of notice in writing if the layoff is for more than five (5) working days. Laid-off employees are entitled to priority in recall if the old position becomes available during the six (6) month period following layoff or another position that the laid off employee is qualified for. Departments may extend this period beyond six months. Those laid-off last will be recalled first if qualified. In the event that two or more qualified employees were laid off on the same date the recall will be governed by seniority.

(d) ***Benefits available during lay-off***

1. Vacation and sick time will remain intact for the first 30 days unless used. The employee will not accrue additional time during layoff.

2. No pension benefits will accrue.

3. Reimbursement for all unused compensatory time.

4. After 30 days an employee on layoff, the employee may continue health insurance benefits but will be solely responsible for payment of the premium (See COBRA Section for more details).

(6) ***Terminations***

(a) All terminations must be documented in writing to the employee, the employee's personnel file, and the elected official over that division of government. All terminations for cause must be approved by the elected official. Terminated employees are entitled to payment for vacation time accrued but not taken during the year of separation. Terminated employees will not be paid for unused personal days or sick days but will be reimbursed for all unused compensatory time.

(b) An employee may be discharged for cause for any of the following, including but not limited to:

1. Unsatisfactory work performance

2. Failure to satisfy the conditions of employment

3. Conduct unbecoming a County employee

4. Malfeasance, including criminal conduct or conflict of interest

5. Insubordination

6. Violations of departmental rules and regulations

(c) Indiana is an "at-will" state and as such the County reserves the right to dismiss employees with or without cause as the need arises. Please see "Guidelines for Conduct" in the Employee Responsibilities section of this handbook for additional information.

(7) ***Resignation*** - If an employee chooses to voluntarily resign his/her position with the County, the separation is final and the employee is entitled to be paid for any vacation time, personal time and sick time accrued but not taken during the year of separation.

(8) ***Retirement*** - If an employee chooses to retire, he/she must advise the department head in writing at least thirty (30) days prior to the chosen date. The employee is entitled to payment for any vacation time, personal time and sick time accrued but not taken during the year of separation.

(9) ***General Rules Applying to Termination, Resignation, and Retirement***

(a) It shall be the responsibility of the department head to complete the following upon termination (voluntary or involuntary) of an employee:

1. Retrieve all keys, tools, and any other County property the employee may have in his possession.

2. Retrieve employee I.D.

3. Complete a change of status form which can be obtained from Data Processing.

(b) All forms must be completed within seven (7) days of the termination.

(c) No severance pay of any type shall be paid to any employee of the County upon separation of employment.

(10) ***Exit Interviews***

(a) When an employee leaves County employment voluntarily, an exit interview should be held by the department head to clarify and discuss the following:

1. Separation payments including discussion of payment of vacation or personal time (if applicable).

2. Status of benefits after termination.

3. Answer any other questions the employee may have at separation.

(b) A standard exit interview form may be obtained from Human Resources.

(11) ***Employee Death***

(a) In the event that an active employee passes away, that employee's survivors are entitled to:

1. Payment of any unpaid work hours, overtime or compensatory time.

2. Payment of any unused vacation, sick and personal days.

3. Life insurance benefits if applicable.

4. Workmen's compensation benefits if the death results from a work-related accident.

(b) It shall be the responsibility of the Insurance Department to assist the employee's survivors in obtaining payments and insurance benefits.

§ 2.12 PERFORMANCE EVALUATIONS

(A) Performance evaluations are an important part of the employer-employee relationship. Evaluations provide a formal method of communication between an employee and his/her supervisor. All employees shall be evaluated on a regular basis by the department head or his/her designee. At a minimum, evaluations shall occur:

(1) At least one (1) week prior to the completion of the probationary period.

(2) At least annually.

(3) Whenever any change in employment status is initiated.

(B) The Human Resources Office shall provide the evaluation form to be used and the department head has the discretion to include any other evaluations which may be unique to the position. All completed evaluation forms shall be signed by the employee. Should the employee choose not to sign the evaluation, the evaluator shall mark "Refused" on the signature line, and initial that entry. A copy of all completed forms shall become part of the employee's permanent file (kept within the employee's department).

(C) ***Temporary Reassignment*** - In certain circumstances, an employee may be temporarily or seasonally reassigned to another department. Whenever such a reassignment occurs, that employee will be evaluated by the new supervisor. If the reassignment is less than one year, both the temporary and permanent supervisor will evaluate the employee.

§ 2.13 OFFICIAL PERSONNEL RECORDS AND INFORMATION

(A) An employee's official personnel file is maintained by the department bookkeeper who has been entrusted with maintaining those files with strict confidentiality. Notes, letters, the employee's official evaluations and other matters that require documentation shall be provided to the bookkeeper for placement in the file. To assure that personnel files are maintained in accordance with state and federal regulation, it will be the decision of the department head as to whether a document is eligible for inclusion in a personnel file.

(B) The County will take every possible step to safeguard the confidentiality of an employee's personnel file. It is available for review/access by others only under the following circumstances:

(1) Ordered by a court;

(2) Requested by a department head or supervisor for review for a transfer, promotion, disciplinary or other personnel action;

(3) Required by state or federal law;

(4) Needed to be reviewed to answer a complaint of discrimination filed by the employee with the Indiana Civil Rights Commission, the E.E.O.C. or for compliance with any state or federal regulatory agency.

(5) The following information can be released to the general public including the news media as required by Indiana statute (IC 5-14-3-4):

(a) The name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience or date of first and last employment of present or former employment;

(b) Information relating to the status of any formal charges against the employee; and

(c) Information concerning disciplinary actions in which final action has been taken and that resulted in the employee being disciplined or discharged.

(C) As required by federal and state law, medical records, worker compensation files, sexual harassment complaints and requests for Family and Medical Leave, shall not be co-mingled with the employee's regular personnel file. Instead a separate file will be maintained for those issues.

(D) Employees may periodically review their personnel file during regular business hours. The employee may be asked to sign a log recording when the file was accessed. Employees should alert the department's bookkeeper to perceived discrepancies and work to resolve the matter. Should those efforts fail, the employee may file a grievance to correct any alleged discrepancies.

§ 2.14 REFERENCES/EMPLOYMENT VERIFICATION

(A) Requests for references should be referred to the elected official or the department head for the division for which the employee worked. The County does not release detailed information regarding past performance; rather, it provides only basic information regarding employment such as dates worked and confirmation of position and pay. In those cases where an employee has been discharged due to an objectionable action, such inquiries will be referred to the attorney of record for that division of government.

(B) Requests for employment verification (such as start date and current pay rate) should be provided in writing (including by facsimile) to the payroll clerk for the division of government for which the employee worked.

§ 2.15 TRAVEL GUIDELINES

(A) ***Out-of-Town Travel For Professional Development or Conference Attendance***

(1) ***Authorized County Travel Generally*** A County Employee shall only be authorized to engage in County-related business travel in accordance with Sections (2) through (5) as noted below. "County Employee" shall exclude County Elected Officials ("County Official"). Hereinafter, "Travel" shall mean County-Related Business Travel. Further, "travel status" shall mean a County employee engaged in County related business as defined below.

(2) ***Authorized Travel by a County Employee***

(a) The Employee's Travel must be approved in advance and in writing by the County Official the employee reports to, if the travel is outside the County and if the travel:

1. Is in excess of one hundred seventy-five miles one way from the person's home or station;

2. Is travel where the lodging selected by the employee includes or offers resort accommodations (i.e., golf, spa, gambling);

3. Involves three (3) or more people from the same Department to the same location and includes an overnight stay; or

4. Is estimated to cost in excess of One Thousand Two Hundred Fifty ($1,250.00) Dollars for total trip per person.

(b) Travel not covered under Section (2)(a), shall be approved by the County official the employee reports to. Travel of a routine nature necessary for employees to fulfill their normal responsibilities may be authorized by policy set by each unit of government (and approved by the respective County elected official). The written policy shall describe in sufficient detail the travel being approved.

(c) At the discretion of the County official, additional approvals may be requested.

(3) ***County Travel Form*** An "Authorization for Travel" shall be used to document the approval of the travel taken under paragraph (2)(a). When required by Section (2) above, County employees shall attach to their expense reimbursement requests a properly executed "Authorization for Travel" form. It shall be the duty of the employee's county official and subsequently the County Commissioner's Office to verify the County form "Authorization for Travel" is attached to the employee's expense reimbursement requests.

(4) ***Criteria for Approval of Travel***

(a) Travel is designed to reimburse the expenses of an employee on County business and allowing up to one (1) day of travel time the day before and one (1) day of travel time the day after the meeting, depending on the actual circumstances as approved by the County official.

(b) Travel status should not start prior to, or end after, the normally required periods of time necessary to complete the official County business.

(c) The primary purpose for travel must be County business, but occasionally a person may be approved to take a trip that includes both personal (vacation leave or time off) time and business travel. The County form "Authorization for Travel" must indicate the complete period of time the person will be approved if it encompasses personal leave both before and after the official County business. A County employee shall exercise special care not to seek reimbursement for expenses that could be construed to be personal. If personal time is combined with any trip, the lodging and subsistence for the extra days of travel time are not eligible for reimbursement.

(d) County employees traveling to locations within four (4) hours drive time are generally expected to travel by automobile.

(e) Normally "side-trips" are not allowed in conjunction with County travel. A "side-trip" is defined as when a County employee needs to travel from City "A" to City "B" for county business and the County employees travel to City "C" either before or after going to city "B". However, if the "side-trip" is previously, the costs associated with the "side-trip" shall not be reimbursed. If travel is by air, the allowable reimbursement would be lower of the commercial carrier fare one-way between cities "A" and "B" times two (2) or the round-trip fare between cities "A" and "B" determined based on the same data and time the County employees departed City "A". Such reimbursable air fare shall be established and documented on the County form "Authorization for Travel" prior to approval of the form. If driving a personal vehicle, the County employee shall be reimbursed the round-trip map mileage between cities "A" and "B". If driving a county-owned lease vehicle, the County employee shall declare the mileage in excess of the round-trip mileage as personal mileage. Additional time spent by the employee in traveling to City "C" shall be considered personal leave.

(5) ***Travel Arrangements***

(a) When two (2) or more County employees are traveling the same general route using either a County-owned leased vehicle or private owned vehicle only one (1) vehicle shall be driven if it is administratively feasible.

(b) Prior to submitting the County form "Authorization for Travel", the authorized County Travel Agency shall be contacted regarding reservations for lodging accommodations and airfare, or other travel arrangements.

(B) ***Reimbursement for County Travel***

(1) ***Reimbursement for County Travel*** The county shall only make payment for, or reimburse for travel to or on behalf of a County employee who is entitled to it and in compliance with the terms and provisions of this policy.

(2) ***Reimbursement Terms and Conditions.*** The County may pay a travel expense to or on behalf of a County employee under the following terms and conditions:

(a) Payment of the travel expense is approved in writing by any person whose approval is required for authorization or ratification of the County employees under Section (A)(2);

(b) The travel giving rise to the travel expense has been authorized or ratified in accordance with this policy;

(c) With respect to a travel expense, the County employee submits an original receipt for the County travel expense along with such supporting documentation as is required by Section E;

(d) Paying the travel expense does not violate any law, statute, ordinance or regulation, or court order; and

(e) The travel expense was incurred in compliance with this policy.

(3) ***Travel Expense Limitations***

(a) The County shall not pay a travel expense where another person or entity other than the authorized County employee pays the expense.

(b) If a travel expense has been approved in advance by the appropriate County official, the actual travel expense incurred by the County employee is payable only to the extent it is less than or equal to the approved travel expense. This requirement may be waived by the County official if its enforcement, under the circumstances, would be unfair, inequitable, impractical, unreasonable, or otherwise not consistent with the policies and principles underlying this policy.

(4) ***Conference Expenses*** A County employee may be reimbursed for the cost of registration fees associated with attendance at conferences. Only the County employee's portion of the registration fee, and not fees for any other accompanying the County employee, shall be paid.

(5) ***Allowable Reimbursements - Legal Required***

(a) A Department or County employee may not receive, accept, or retain travel expense, lodging, transportation, meal, or any other good or service with respect to travel that is provided by another person or entity who is not legally obligated to do so unless such receipt, acceptance, or retention is legal, ethical, and does not raise the appearance of impropriety. Any such expense, allowance, good or service that has been improperly paid or accepted shall forthwith be refunded or otherwise paid for by the County employee.

(b) Each person requesting reimbursement for travel expenses shall submit a claim covering only the person's own expense. No reimbursement may be made for the expenses of another person. However, a person may receive reimbursement for the travel expenses of pupils, wards, patients, or offenders of County facilities, schools, agencies or institutions. The request for reimbursement for these expenses must be separately itemized and justified in the request for reimbursement.

(6) ***Rates of Reimbursement***

(a) The rates of reimbursement for travel allowances shall be those established, in accordance with law and adopted by the County Council.

(b) Reimbursement rates for travel allowances, and/or maximum rates, are set and available from the County Auditor's Office.

(c) The rates of reimbursement for actual expenditure items shall be the amounts actually expended subject to any limits per the provisions of Section (B)(7)(b).

(d) All amounts claimed must be converted to United States currency. Proof of conversion rate(s) at the time the expense was incurred must be submitted for expenses paid in any other currency.

(e) A County employee traveling outside the continental United Stated may be reimbursed for the reasonable expenses associated with the travel:

1. Visas, passports and other travel documents;

2. Photographs for travel documents;

3. Inoculations;

4. Currency exchange; or

5. Airport taxes.

(7) ***Travel Bonuses***

(a) It is the policy of the County that any premium, bonus or compensation acquired by any County employee as a result of the travel either paid or reimbursed by the County under this policy is the property of the County. This includes but not limited to bonuses, premiums and compensation for the following:

1. Airline travel;

2. Other common carrier;

3. Hotel or Motel; and

4. Rental vehicles.

(b) A County employee who earns any compensation, premium, or bonus while the County employee is traveling for the County and is governed by this policy shall turn in the compensation, premium or bonus to the County. All such travel bonuses, promotions and the like shall establish procedures to implement this policy and submit a copy of the procedures to the Lake County Board of Commissioners and Lake County Council.

(8) ***Recovery of Expenses Erroneously Paid*** The County may recover any expenses of allowance paid to any person or entity:

(a) Which was erroneously paid for any reason;

(b) When paid because of illegality or fraud on the part of any person or entity; or

(c) Which was paid under the mistaken belief, at the time payment was made, that such payment was in accordance with this policy.

(9) ***Preferred Travel Expense Method*** The County shall make payment when travel is by the preferred traveling method. The preferred traveling method is the least expensive or most effective means of travel which is also:

(a) Available at the time and place where it is needed;

(b) Necessary for the County travel involved;

(c) Appropriate, sufficient, and timely for the County travel involved;

(d) Reasonably safe; and

(e) Reasonably comfortable.

(10) ***Preferred Transportation***

(a) When the County travel is within the County or two hundred fifty (250) miles of the County employee's station, the preferred traveling method is first by County owned/leased vehicle, and second by personal vehicle.

(b) When the County travel is greater than two hundred fifty (250) miles from the County employee's station, the preferred traveling methods rank as follows:

1. By commercial air;

2. By other commercial transportation;

3. By state owned/leased vehicle; or

4. By personal vehicle.

(11) ***Reimbursement for Vehicle Use***

(a) If the travel of a County employee will be by vehicle, County owned/leased vehicles shall be used when available and practical.

(b) A county employee in a personal vehicle will be paid allowance for the lesser of the distance actually traveled of the distance between the destination and the County employee's station, and as provided by Section (B)(12).

(12) ***Mileage*** Payment of mileage with respect to County travel shall be made in compliance with this mileage section. A County employee is entitled to payment of mileage under the following terms and conditions:

(a) The mileage is incurred through the use of a private vehicle in accordance with the policy;

(b) The route or routes taken to and from the destination are the shortest and most cost effective and use the appropriate points of departure and return;

(c) Additional mileage, not to exceed ten percent (10%) of the "Shortest Route" mileage may be claimed when the usually traveled route entails the use of an interstate highway which is not the "Shortest Route".

1. The ten percent (10%) additional mileage is a maximum deviation and not as automatic additional charge.

2. In no case shall the allowable mileage exceed the actual map mileage.

(d) For in-state travel, the mileage is computed from the current official State of Indiana Highway Map, but adjusted where appropriate.

(e) For out-of-state travel, the mileage is computed from a current reliable atlas;

(f) Additional travel within a city or town must be listed separately from travel between cities and towns.

(13) ***Parking and Tolls*** A County employee is travel status may be reimbursed for the cost of parking and tolls when using either a personal vehicle or a County owned/leased vehicle. Valet parking will only be reimbursed if "self-parking" is not available. Receipts satisfying the requirements of Section C.1. must be included with the claim for reimbursement. (For parking at public transportation terminals see Section C.8.).

(14) ***Travel by Air***

(a) The coach class of travel by commercial air carrier will be reimbursed. "Super Saver" or other airfares carrying cancellation penalties shall be used in extreme caution. The penalty fee may be reimbursed only if legitimate County business prohibits the County employee from traveling.

(b) Occasionally, it may be cost effective for a County employee to travel on a weekend to obtain a less expensive airline fare. Lodging and meals for the weekend travel will be reimbursed to the employee if the net savings to the County exceeds One Hundred ($100.00) Dollars.

(c) Departments are encouraged to make all out-of-state travel arrangements through the County's Travel Agent to help reduce costs.

(d) The Board of Commissioners has the authority to adopt and enforce specific policies for air travel. For example, County employees could be required to travel to a particular airport or on a particular airline to avail the County of a reduced group airfare.

(15) ***Non-Commercial Air Transportation*** Written approval from the Board of Commissioners is required before making arrangements for non-commercial or charter air transportation.

(16) ***Other Main Travel Modes*** The cost of travel by railroad or bus may be reimbursed. To be reimbursed a County employee must submit acceptable receipts with the travel claim. The costs of sleeping cars are not allowable for reimbursement. The travel time provisions of Section A.5., apply to railroad or bus travel.

(17) ***Transportation to Terminal***

(a) The cost of tax and other public transportation is reimbursable between a County employee's hotel and between the station and/or terminal.

(b) The cost of transportation between the terminal, the place of lodging and other places of business may be reimbursed. The County employee must either itemize such trips on the travel voucher or submit a log of such trips with the travel voucher stating the nature of the trips.

(c) The cost of parking at a terminal may be reimbursed at long-term rates. A County employee may use a personal vehicle for transportation to a terminal instead of using public transportation and may be reimbursed for the cost of round-trip mileage between the station and the terminal.

(d) Reimbursement for a second round-trip instead of reimbursement for parking at the terminal is allowable; however reimbursement for a second round-trip may not exceed the avoided long-term parking fees.

(18) ***Vehicle Rental***

(a) Vehicle rental expense is reimbursable for Out-of-State travel when it is efficient and cost effective and when approved in advance by the County official. The least expensive practical vehicle shall be rented.

(b) The cost of renting a vehicle, in connection with travel by other modes of transportation, may be reimbursed if suitable local public transportation is not available or when rental is considered more advantageous to the County than the use of public transportation due to routing or scheduling considerations.

(c) The Department requesting the rental of a vehicle must submit a written request to the County official justifying the need for the rental of a vehicle prior to making arrangements for renting the vehicle. If the County official approves the request, the County Travel Agent or County employee shall make reservations for the most economical vehicle.

(d) Collision Damage Waiver (CDW), or Liability Damage Waiver (LDW), insurance covering use of the vehicle is a reimbursable expense. The cost of any other insurance will not be reimbursed and such costs must be deducted from the claim for reimbursement.

(e) Initial payment of the cost of renting a vehicle is the responsibility of the County employee. The County employee may be reimbursed for:

1. The cost of renting the vehicle;

2. The cost of additional fuel;

3. The cost of Collision, or Liability Damage Waiver (CDW) or (LDW) Insurance; and

4. Parking tolls.

(f) Each item of cost must be supported by receipts as required by Section E.1. The claim for reimbursement must itemize the business usage of the vehicle, showing point-to-point travel, the same as for a personal vehicle. The County employee may be reimbursed for vehicle rental, excluding any personal usage, according to the following formula:

$$\text{Reimbursement} = E \times \frac{Ms}{Mt}$$

Where: Ms is the mileage traveled on County business
Mt is the total mileage traveled; and
E is the total expense for rental of the vehicle.

(g) It is the responsibility of the County employee to make sure both the beginning and ending mileage are on the receipt.

(C) ***Lodging***

(1) ***Preferred Lodging***

(a) Lodging arrangements with respect to travel shall be made in compliance with this Preferred Lodging Section.

(b) Reimbursement for In-State lodging is limited to the In-State Lodging Rate as set in Section D.5., without the prior written approval of the County Official.

(c) Reservations for Out-of-State lodging shall be made by the County official or the County's Travel Agent, if available.

(2) ***Reimbursement for Lodging*** A County employee in travel status may claim reimbursement for actual lodging expenses not exceeding the single occupancy room charge, including taxes, for overnight stays only. It is the County employee's responsibility to check out the accommodations in sufficient time to not be required to pay additional expenses for late checkout.

(3) ***Shared Accommodations***

(a) If accommodations are shared by County employees:

1. The total room charge cannot be claimed by either traveler.

2. Each traveler shall request a hotel bill in the traveler's name.

3. Each traveler shall claim a pro-rata share of the total room charge as listed on the traveler's individual bill.

(b) If accommodations are shared by non-County employees:

1. A separate bill need not be issued if the expense of lodging is being shared with another person:

a. The County employee can claim the total bill divided by the number of occupants, if applicable, or

b. The County employee can claim the single occupancy rate.

(4) ***Lodging Provider-Limitation*** A County employee may not claim reimbursement for lodging when the lodging was provided by another individual who is not in the business of providing lodging.

(5) ***Lodging Rates-Limitation*** All individuals, including County employees and County officials, are urged to stay in hotels/motels offering reasonable government rates. These reduced rates usually must be requested of the hotel/motel in advance. To receive reasonable government rates, lodging establishments may require government identification. County employees who prefer accommodations at unreasonable rates will not receive full reimbursement. County employees should pay special heed to this policy when selecting anything other than modest accommodations. Staying in the "conference hotel/motel" is not necessarily required; conference hotels/motels should not be utilized as lower cost accommodations are available and practical.

SECTION 3- EMPLOYEE RESPONSIBILITIES

§ 3.1 ATTENDANCE POLICY

(A) It is a basic expectation that all employees are expected to report for work on a daily basis and in a punctual manner. Failure to do so will result in disciplinary action.

(B) ***Tardiness*** - In order to preserve and maintain effective operations, employees of the County should be present and ready to work by their assigned starting time. Tardiness can be cause for appropriate disciplinary action when an employee fails to show up on time. A supervisor should exercise discretion to not discipline for tardiness if there is a justifiable emergency and no pattern of chronic tardiness on the part of this employee; however, said discretion must be exercised uniformly in similar situations.

(C) ***Excused Absences and Illness*** - An employee shall be considered off with an excused absence provided the employee has received prior approval from a supervisor. Each division or department shall set its own procedure for calling off. If no departmental procedure is in place, then an employee who is absent due to illness must report off prior to or within ten minutes of his/her start time in order to be considered excused. Employees who call off later than fifteen (15) minutes after their start time shall be considered off with an unexcused emergency that impeded the employee's ability to make such contact.

(D) ***Absence Without Pay***

(1) As an entity whose primary responsibility is to serve the public, unnecessary or unauthorized absence can have a very detrimental impact on operations. It is the general policy of the County not to allow employees to be absent without pay, and such notation will not be accepted by the County's payroll system (In certain circumstances, up to 10 (ten) days of unpaid absence may be granted in the twelve (12) month period following an approved Family and Medical Leave - See Family and Medical Leave in Section 4 for details).

(2) However, in certain circumstances, such as a work reduction or at the end of the calendar year where an employee may have already exhausted all of his or her paid leave, a non-paid absence may be granted with written permission of that employee's elected official or department head. Such permission must be granted in advance unless the situation is an emergency situation. Under no circumstances may an employee incur more than 2 (two) occurrences of unexcused absences in a calendar year or 1 (one) in a one month period unless the absence is due to a work reduction. Violations of this policy may be subject to disciplinary action.

(E) ***Unexcused Absences*** - An employee who fails to have authorization or has failed to notify his/her supervisor that they will not be at work is considered to have an unexcused absence and will not be paid. Three consecutive days of unexcused absence shall be considered voluntary resignation and will terminate the employee's position and accompanying benefits.

(F) ***Sick Days***

(1) Sick days may only be used for the illness of the employee, care of one's spouse or child (under the age of 18 or as defined by the Family and Medical Leave Act). Certain conditions apply in regard to the use of sick days:

(a) Any employee who misses three (3) or more consecutive work days shall be required to provide a doctor's excuse upon return to work (including if that absence is due to the care of a spouse or child). Failure to do so will result in no pay for the days missed.

(b) Sick days shall only be taken in a minimum of 1/2-day increments.

(2) An employee must work 51% of the workdays of the preceding month in order to earn a sick day for that month's service. Paid vacation is to be included in the calculation. (See "Sick Time" in the Benefits section of this handbook for additional information.)

§ 3.2 CARE FOR COUNTY PROPERTY

(A) Employees are expected to exercise care in his/her use of County property and to use such property only for authorized purposes. Negligence or carelessness in the use of County property may result in appropriate disciplinary action.

(B) County equipment, including telephones, copying machines, the mail system, facsimile machines, and computers should never be used for political purposes. Employees who use County property for such purposes may be subject to immediate termination.

§ 3.3 VEHICLE USE POLICY

(A) It is the general practice of the County to use County-owned vehicles for business use. When an employee uses his/her personal vehicle in conducting County business, that employee is eligible for reimbursement at the County's approved rate for mileage reimbursement as set by the County Council.

(B) Prior to using personal vehicles for county business, all county employees must provide their elected official or department head, and the County Board of Commissioners, with copies of their personal automobile liability insurance policy, and their valid operator's license.

(C) A county employee shall not use a county owned vehicle, or their own vehicle for county business within the scope of their employment unless they are covered by an automobile liability policy, and have a valid operator's license.

(D) In the event a property damage claim is paid by an employee's personal insurance company for a claim arising out of the use of a private vehicle under this section, the county will pay the deductible not covered by the employee's private insurance

(E) In certain instances an employee or office holder may be assigned a county-owned vehicle and allowed to take that vehicle home and to use it for personal use. This practice is known as "permissive use." The personal use of a county vehicle must be authorized in advance and the user is subject to any applicable federal or state tax regulations governing such use.

(F) In addition, the County's liability is significantly limited should the vehicle be used for personal use. Specifically, the County's liability is limited to:

(1) Twenty-five thousand dollars ($25,000) for bodily injury to, or in the death of one (1) individual;

(2) Fifty thousand dollars ($50,000) for bodily injury to, in the death of two (2) or more individuals in any one (1) accident;

(3) Ten thousand dollars ($10,000) for damage to or in the destruction of property in one (1) accident.

(G) For further clarification regarding this policy, an employee should contact the Lake County Board of Commissioners' Attorney.

§ 3.4 COMPUTER POLICY

(A) The County's computer system provides a vital role in the efficient, day-to-day operations of County government. The system includes computer hardware, software and an electronic mail messaging (e-mail) system. In light of the critical role that the computer system plays, a number of important points regarding the use of the system are outlined below:

(1) The County's computer system and Internet access is designed to improve efficiency in the workplace. The system should be used for official purposes that assist in the conduct of business within the County. Use of the Internet for personal use should be kept to a minimum.

(2) Computer documents composed, sent, or received on the County's computer system are the property of the County and are not the private property of any employee.

(3) As is the case with any other system or property belonging to the County, the computer system and the Internet shall not be used to create, send (transmit) or receive (download) any offensive or disruptive messages, including those which are considered offensive or which contain sexual implications, racial slurs, gender-specific comments, or any other comment that offensively addresses someone's age, sexual orientation, religion, national origin, or disability.

(4) Copyrighted materials, trade secrets, proprietary financial information, or other protected or confidential materials should be safeguarded and not reproduced without prior authorization.

(5) Given the uncertain nature, accidental access to obscene or inappropriate websites may occur. In those circumstances, the employee should immediately report the accidental access to his/her department head. Failure to report accidental access may result in disciplinary action.

(6) Since the County is a public entity that conducts business for the public good, it reserves the right to review, audit, intercept, access and disclose all messages or materials created, received or sent over the County's computer system or the Internet for any purpose. Any files, including e-mail may be reviewed/disclosed by the County without the permission of the employee.

(7) The confidentiality of any computer document should not be assumed. Even when a computer document is erased, it is still possible to retrieve and read that computer document.

(8) All passwords, except those maintained by the County's appointed and elected officials must be disclosed to Department Heads and to the appropriate elected official.

(9) E-Mail and Internet are intended to be used for business purposes. In the event that personal use occurs, that usage must not interfere with business activities, must not involve solicitation, must not be associated with any "for personal profit" outside business activity and must not potentially embarrass the County Government, its taxpayers or its employees. Because e-mail is being generated for County business, the user should realize that their e-mail files are not private.

(10) Although the County reserves the right to retrieve and read any documents, files or directories, these documents and sites should be treated as confidential by other employees and accessed only by the intended recipient. Employees should not attempt to gain access to another employee's computer documents without the latter's permission. Employees are not authorized to retrieve or read any computer documents that are not sent to them. Any exception to this policy must receive prior approval by the appropriate elected official.

(B) Any employee who discovers a violation of this policy shall notify their department head or the appropriate elected official. Any employee, who violates this policy or uses the County's computer system for improper purposes, shall be subject to corrective action, up to and including discharge.

§ 3.5 SOCIAL MEDIA.

(A) Discussion, debate and sharing one's opinion occur in many forms and forums including online conversations. Social media is defined as media designed to be disseminated through social interaction, created using highly accessible and scalable publishing techniques. Examples include, but are not limited to, LinkedIn, Twitter, Facebook, YouTube and MySpace.

(B) Given the growing popularity of online media, Lake County Government has developed a series of guidelines to assist its employees when engaging in such forums and discussions. The guidelines are intended to assist employees both when participating personally, as well as when acting on behalf of the County.

(1) ***Protect Confidential and Proprietary Information:*** Do not post confidential or proprietary information about the organization, clients or vendors. Never violate federal law such as HIPAA (Health Insurance Portability and Accountability Act). Employees who share confidential information do so at the risk of disciplinary action or termination.

(2) ***Respect Copyright and Fair Use:*** When posting, be mindful of the copyright and intellectual property rights of others.

(3) ***Don't Use Organization Logos:*** Do not use Lake County logos or any other images or iconography on personal social media sites. Do not use the County's name to promote a product, cause, or political candidate.

(4) ***Respect Time and Property:*** The County's computers and time on the job are reserved for work-related business.

(5) ***Think Twice Before Posting:*** Privacy does not exist in the world of social media. Consider what could happen if a post becomes widely known. Search engines can turn up posts years after they are created, and comments can be forwarded or copied. Exercise sound judgment and common sense, and if there is any doubt, DO NOT POST IT.

(6) ***Strive for Accuracy:*** Get the facts straight before posting them on social media. Review content for grammatical and spelling errors.

(7) ***Be Respectful:*** Understand that content contributed to a social media site could encourage comments or discussion of opposing ideas. Responses should be considered carefully in light of how they would reflect on the poster and/or the organization.

(8) ***Personal Sites:*** Identify views as personal and employees should refrain from identifying themselves as an employee of Lake County.

(9) ***Photography:*** Photographs posted on social media sites easily can be appropriated by others.

(10) ***Know that the Internet is Permanent:*** Once information is published online, it is essentially part of a permanent record, even if that information is "removed/deleted" later or an attempt is made to make it anonymous. If a complete thought, along with its context, cannot be squeezed into a character restricted space (such as Twitter), provide a link to an online space where the message can be expressed completely and accurately.

§ 3.6 TELEPHONE USE POLICY

(A) It is expected that personal telephone calls will be kept to a minimum. Our success is in large part dependent upon our ability to respond to the needs of our citizens promptly and efficiently. No long distance phone calls of a personal nature are to be billed to the County except those necessary due to emergency situations or to notify families of the need to work late (these calls should be kept to a minimum length).

(B) Employees who are issued County owned cellular phones may use the phones for business related use free of charge. The employee is responsible however, for reimbursing the County for any personal calls that are incurred.

(C) Under no circumstances should a telephone or other equipment owned by the County be used for political activity.

§ 3.7 CONFIDENTIALITY

(A) County employees work in an environment where the confidentiality of information regarding residents and employees must be preserved. Medical information or any information regarding fellow employees should always be considered strictly confidential. The discussion of confidential matters with other employees or in places where unintended parties can overhear such information is forbidden. The reproduction of written materials or accessing of unauthorized computer or electronic records is also forbidden. Departments are encouraged to require employees to sign a confidentiality agreement.

(B) At the same time, state law requires the release of information, including information regarding employees, to the public under certain conditions and procedures. Only authorized individuals shall handle requests for information.

§ 3.8 CUSTOMER SERVICE

(A) The County places a high value on providing quality services. Employees are expected to demonstrate a strong customer service orientation by treating customers in a courteous and respectful manner at all times. Customers include taxpayers, fellow employees and anyone who seeks the assistance of an employee of County government. Employees are encouraged to make suggestions regarding policies, procedures, and practices that will improve service.

(B) An employee who encounters a disruptive, abusive or difficult member of the public, should contact their supervisor for further guidance, direction and assistance.

§ 3.9 DRESS CODE

(A) As servants of the public, employees must dress in a manner and appearance that reflects professionalism.

(B) Those employees who are seen by and come in contact with the public are expected to dress with the same or higher expectations as associated with the private sector. Although requirements may be established by individual departments and approved by the appropriate elected official, employees should always dress in a manner that is appropriate for work and not distracting or unprofessional.

(C) Attire that is distracting to other employees, such as revealing or excessively tight-fitting clothing, clothes that are not clean or torn, or clothing that displays logos or wording that might be viewed as offensive or inappropriate by other employees or the general public should never be worn.

(D) ***Uniformed Employees*** - Employees who are furnished uniforms, including shirts or partial uniforms, must wear the provided uniform attire each day when reporting to work and performing duties. Employees are also responsible for the care and maintenance of any uniform that is received.

(E) ***Casual Attire*** - Dependent upon the office holder or department head, a relaxed style of attire may be allowed as part of the regular dress for work or on certain days. Revealing, offending or distracting attire, jeans that are tattered, torn, faded or otherwise inappropriate may still not be worn.

(F) ***Field Assigned Employees*** - Employees who are regularly assigned to field duties must maintain a professional appearance when representing the County in the field.

(G) The aforementioned guidelines should be viewed as minimum standards. Employees should contact their department head for further details.

§ 3.10 OFFICE DECOR AND MAINTAINING WORK AREAS AND EQUIPMENT

Employees are responsible for maintaining their work areas in a clean and orderly fashion. Untidy and disorganized work areas can lower productivity by making even simple tasks more difficult and may even contribute to workplace accidents. Pets are generally not allowed in the workplace unless medically required for assistance.

§ 3.11 DRUGS AND ALCOHOL: TERMINATION, DISCIPLINE, REHABILITATION

(A) The following activities present a threat to the safety, welfare and integrity of the County and its employees, and will result in an employee being discharged on a first offense:

(1) The unlawful manufacture, distribution, possession, consumption, or use of drugs or drug paraphernalia in the workplace or on County time and the use or consumption of alcohol in the workplace.

(2) The unlawful manufacture or distribution of drugs outside the workplace.

(3) The consumption of alcohol within four (4) hours prior to performing scheduled safety-sensitive functions. The term "scheduled" does not apply to an event where an off-duty employee is requested to perform work in the event of an emergency or call out. However, the employee retains the responsibility to notify his/her supervisor that consumption of alcohol has occurred rendering that person unfit for duty. Failure to notify one's supervisor may be cause for appropriate disciplinary action or termination.

(4) Refusing or failing to submit to an alcohol and/or a drug test.

(5) Refusing or failing to cooperate with the collection process during drug and/or alcohol testing.

(6) Attempting to contaminate a drug test.

(B) The following activities by County employees are prohibited and will result in a three step process as specified below:

(1) The unlawful possession, consumption, or use of drugs outside the workplace.

(2) Performing any job function with an alcohol concentration of 0.04 or greater, as determined by an evidentiary breath test.

(3) The use of alcohol within eight hours following an accident which requires an employee to be tested for alcohol, unless the employee has already taken a post-accident evidentiary breath test.

(4) Testing positive for a drug/alcohol test.

(C) A violation of the above prohibitions will result in the following consequences:

(1) If a first offense occurs, an employee will be required to participate in a rehabilitation program selected, provided and paid for by the County (through any combination of insurance and County subsidy). In addition to the rehabilitation program, the County will assume the cost of follow-up testing as well as continued regular pay for the employee. Should the employee fail to participate or complete the program, he/she will be subject to immediate termination.

(2) For a second offense, the employee is subject to a thirty (30) calendar day suspension without pay and is required to pay the cost (except any portion covered by insurance) of and attend an appropriate rehabilitation program selected by the County. The employee will also be responsible to pay all costs of any

follow-up drug and alcohol testing as required by the County. Should the employee fail to participate or complete the program, he/she will be subject to immediate termination.

(3) For a third offense (or positive result on a drug and alcohol test), the employee will be terminated.

(D) An on-call employee is subject to reasonable suspicion and drug and/or alcohol testing if, when responding to a call, a trained supervisor reasonably concludes that objective facts may indicate prohibited drug and/or alcohol use. Appropriate discipline (as described in this policy) shall apply.

§ 3.12 OUTSIDE EMPLOYMENT

(A) Employees have the right to work another job or career provided that it does not interfere with the employee's duties with the County and does not create a conflict of interest. The following would constitute "interference" with an employee's duties:

(1) The conducting of private outside employment during employee's regular work hours.

(2) Repeated tardiness or absenteeism due to outside employment.

(B) At no time may County resources be used to further private outside employment.

§ 3.13 EMPLOYEE ETHICS

(A) Citizens, businesses and visitors alike look to government to be a model example of an ethical organization. First and foremost we must embrace the concept that the general public will have confidence that the conduct of County business is always conducive to the public good.

(B) ***Conflicts of Interest*** - No County employee shall engage in any act which is in conflict or creates an appearance of fairness, or conflict with the performance of official duties. An employee shall be deemed to have a conflict if the employee:

(1) Has any financial interest in any sale to the County of any goods or services in which such financial interest was received with prior knowledge that the County intended to, purchase the property, goods, or services.

(2) Solicits, accepts, or seeks a gift, gratuity, or favor from any person, firm, or corporation involved in a contract or transaction which is or may be the subject of official action by the County.

(a) Recognizing that personal friendships often precede and can evolve from official contact between employees and persons engaged in business with the County, reasonable exceptions to this section are permitted for those occasions which are social in nature and are not predicated on the employee's ability to influence, directly or indirectly, any matter before the County.

(b) The employee will be guided in interpretation of this section by the distinction between a gift, gratuity, or favor given or received which has significant monetary value and is offered or accepted in expectation of preferential treatment, and an expression of courtesy. Examples of acceptable courtesies include: a meal or

social event; exchanges of floral offerings or gifts of food to commemorate events such as illness, death, holidays, and promotions; a sample or promotional gift of nominal value ($100 or less).

(3) Participates in his/her capacity as a County employee in the issuing of a purchase order or contract in which he/she has a private pecuniary interest, direct or indirect, or performs in regard to such contract, some function requiring the exercise of discretion on behalf of the County.

(4) Engages in, accepts employment from, or renders services for private interests for any compensation or consideration having monetary value when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in performance of official duties, or give the appearance of the above. An employee should not make a unilateral decision if there is any doubt about his/her private employment. The appropriate elected official's office should be consulted.

(5) Except for courtesies as provided in item (2) above, no employee shall, directly or indirectly, give or receive or agree to receive any compensation, gift, reward, commission or gratuity from any source except the County for any matter directly connected with or related to his official services as such employee with this County.

(6) Discloses or uses without authorization, confidential information concerning property or affairs of the County to advance a private interest with respect to any contract or transaction which is or may be the subject of official action of the County.

(7) Have a financial interest or personal interest in any legislation coming before the County Council and participates in discussion with or gives an official opinion to the County Council unless the employee discloses on the record of the Council the nature and extent of such interest.

(C) ***Use of Public Property***

(1) No employee of the County shall request, use, or permit the use of County owned vehicles, clothing, equipment, materials, unpublished information or other property for unauthorized personal convenience, for profit, for private use, or as part of secondary employment. Use of such County property is to be restricted to such services as are available to the County generally and for the conduct of official County business (See "Care For County Property Policy" [this section] for specific information). Telephones and fax machines serve as important tools and need to be used for official business; personal calls should be kept to a minimum (See "Telephone Use Policy" [this section] for specific information).

(2) Authorized personal uses include taking an assigned County vehicle to lunch, on workdays as needed. Use of County issued cellular phones for personal calls providing those calls are reimbursed to the County, and other nominal personal uses as permitted by the appropriate elected official on a case-by-case basis.

(D) ***Political Activities Conducted On Government Time***

(1) Political activity on government time is strictly prohibited. This prohibition includes, but is not limited to: soliciting contributions or anything of value for a political candidate or cause; distributing literature, badges, buttons, signs, or stickers promoting or opposing any political candidate or cause; and, organizing, planning, or in any other way participating in the administration of any political campaign, including speaking in favor of or in opposition to any political candidate or cause.

(2) Working time includes the working time of both the employee conducting political activities and the employee to whom such activities are directed, but does not include break, lunch, or other duty-free periods of time.

(E) ***Solicitation and Distribution***

(1) Because solicitation and distribution activities may interfere with normal operations, reduce employee efficiency, inconvenience employees, annoy customers, and pose a threat to security, the County prohibits these activities on its premises by non-employees and only permits solicitation and distribution by employees under certain approved conditions where the County may authorize fund drives by employees on behalf of charitable organizations or for employee gifts. Employees are encouraged to volunteer to assist in these drives, but participation is entirely voluntary.

(2) Violations of this policy may result in disciplinary action. Ethics training is offered by the County Human Resources Consultant several times per year.

§ 3.14 GUIDELINES FOR CONDUCT

(A) This policy applies to all County employees including those covered by a collective bargaining agreement, unless the bargaining agreement or contract explicitly addresses the issue in a manner contrary to this chapter. In those instances, the terms of the bargaining agreement or contract will supersede the terms of this chapter.

(B) Organizations need regulations to govern the conduct of employees, maintain smooth operations, and provide general direction. The County is no exception. Rules have been enacted to help maintain safe and desirable working conditions for everyone, and are posted for general information and to ensure equitable and uniform corrective action when necessary. In order to demonstrate an accurate account of any incident that results in discipline, an employee's supervisor should complete a written report of any improper action. Disciplinary action will be issued by the supervisor upon review and authorization by the department head. In matters of Category IV violations, these actions must first be reviewed by the elected official to whom that employee ultimately reports (or his/her designee) before being issued (See also the "Suspension/Termination of Employment" in this section of this handbook).

(C) The County reserves the right to depart from these guidelines and to take action up to and including immediate discharge when, in its opinion, such action is necessary to protect the well being of the County or its employees.

(D) It is impractical to attempt to list all types of misconduct that may result in disciplinary action; therefore, the following are only basic guidelines:

(1) ***Category I*** - The County expects proper procedures and actions of its employees including, but not limited to: being on time; showing respect to co-workers, supervisors and visitors; reporting personal injuries; following normal daily procedures; and notifying one's supervisor in advance of any tardiness or absence. When an employee does not abide by these regulations, it is the supervisor's responsibility to work with the employee to correct the employee's behavior. If there is no improvement, the employee will be notified that his or her behavior or lack thereof, is not in accordance with County policy. This notification will be made verbally with written record of the discussion placed in the employee's file.

(2) ***Category II*** - When an employee fails to adhere to safety rules, creates conditions that are unsanitary or potentially dangerous to other employees, displays rudeness/discourtesy to the public, walks off the job without authorization, causes waste of materials or parts due to carelessness, reports to work in dirty clothing or in an unclean manner, uses or possesses another employee's personal tools without consent, engages in a minor act of sexual harassment, engages in verbal confrontations that disrupt the workplace, neglects to properly perform assigned duties, incurs excessive unexcused absences, engages in activities that are unethical such as performing personal work on County time, or when an employee commits a second Category I violation within 12 months of the last discipline issued, that employee will be notified in writing that his or her behavior is not appropriate. Subsequent violations could lead to additional action including suspension and termination.

(3) ***Category III***

(a) These actions are more serious in nature and have significant impact on the County or its employees. They include: being under the influence of alcohol or deliberate abuse of prescription or illegal drugs; specific refusal to follow legitimate directions from one's supervisor or conduct that directly challenges the legal or legitimate authority of a supervisor or manager; commits an act of sexual harassment; posting, altering or removing any matter on a County bulletin board without authorization, disorderly conduct; reckless damage to a vehicle or other County property of less than $2,500.00; failure to report within forty-eight (48) hours any accident; a pattern of negligence in carrying out assigned duties, threatening or intimidating another employee; concealing defective work; use of government equipment, tools, materials or other County property for personal use; sleeping on the job; carrying an unauthorized passenger in a County vehicle during work hours; violating departmental safety rules; or the violation of County Policy.

(b) An employee who commits any of these infractions or any other infraction viewed by the County as serious misconduct, or who commits a second violation of the guidelines contained in Category II within 12 months of the last discipline issued, will be suspended without pay for 3 to 5 days, along with other measures that may be applicable (e.g. counseling). A subsequent violation could lead to additional action including termination.

(4) ***Category IV***

(a) When an employee commits a deliberate action that is deemed inexcusable, that employee will be subject to immediate dismissal. Such actions include deliberate damage of property; a serious violation of County Policy/ordinance, Indiana or Federal law; conviction of a felony; actions that endanger the health and welfare of another employee; deliberate negligence in carrying out one's job responsibilities; the use of physical force against another individual; damage to a County vehicle or equipment that totals $2,500.00 or more; theft, willful tampering with equipment or computer programs; gross insubordination; falsification of records - including time cards, release of confidential information; unreported absence for three (3) days; possession of illegal drugs and alcohol (all instances of alleged substance abuse or intoxication shall be handled pursuant to methods prescribed in Ordinance 7415); possession of weapons, firearms or explosives, physical or sexual assault or abuse; a second violation of a Category III regulation within 12 months of the last discipline issued; or any other extremely serious action. Such behavior will result in an immediate suspension without pay for 5 days pending review for termination by the department head or elected official.

(b) The foregoing listing of causes for disciplinary action is to help illustrate the County's progressive disciplinary policy and does not preclude the County from disciplining employees for reasons not specifically listed. In addition, the County reserves the right to depart from the aforementioned guidelines in matters where the circumstances demand a stronger or milder response.

(E) ***Documentation/Procedures For Discipline***

(1) All disciplinary action, including a verbal reprimand, will be documented. The County's Disciplinary Action Form should be completed in its entirety with all facts documented. The forms shall be signed by the supervisor and the disciplined employee. In the event the employee refuses to sign, a witness should sign to verify that the employee was given the opportunity to review the form. An employee who is disciplined shall be given the opportunity to respond, explain or comment in writing when discipline is issued.

(2) Discipline shall be administered discreetly and explained clearly to the employee. As noted in the "Guidelines for Conduct," the seriousness of the offense will be considered when discipline is issued. In certain instances, the County reserves the right to depart from the aforementioned guidelines in matters where the circumstances demand a stronger or milder response.

(3) The Board of Commissioners (or in the case of another division, the appropriate elected official/office holder) should be consulted by the department head or supervisor if there is any question regarding the appropriate discipline.

(F) ***Types of Disciplinary Actions***

(1) Oral reprimands are for the first offenses which do not require suspension. Oral reprimands should be documented for future reference and should include a warning to the employee that a subsequent violation could result in further disciplinary actions.

(2) Written reprimands may be issued if an oral reprimand has not corrected the problem or if the violation is not serious enough to require a suspension. The reprimand shall specify which further disciplinary actions could result from subsequent violations.

(3) Suspension without pay shall be administered for repeat offenses or where required immediately due to the nature of the offense. The first day of suspension shall be the first day in which the employee works less than 51% of the workday.

(4) Immediate discharge or dismissal shall be imposed where prior disciplinary actions have not corrected the behavior or where, due to the seriousness of the offense, such action is required.

(5) The supervisor must document and file the disciplinary action taken within five (5) working days of **notification** of the incident. Failure to act within this period will render the action moot and without force or effect.

(6) Disciplinary actions may be appealed pursuant to the terms of the grievance procedure established with this personnel policy.

(G) ***Notice Of Changes To The Guidelines For Conduct***

(1) A copy of the County's "Guidelines for Conduct" shall be provided to each new employee upon hiring and to all current employees. Copies of the policy will also be available from the County's Human Resources Office.

(2) It is important for employees to be made aware of any changes to this policy. Department heads shall be responsible for advising employees of any changes in the policy. Since any change to these guidelines must be adopted by ordinance, the County Council Attorney shall be responsible for the conspicuous posting of any changes or amendments made to the policy and for notifying the County departments of those changes.

§ 3.15 MEDIATION.

(A) ***Filing a request for hearing*** - Most problems can be resolved through discussion with one's supervisor or elected official. When such informal dispute resolution fails, and an employee believes that he/she has been treated unfairly, that employee may file a request for a mediation hearing. The mediation process is not intended to modify or change existing policy and is designed to find common ground between the two parties. A mediation request may not be filed by an employee who is terminated. Employees who feel that they have been discriminated due to race, sex, religion, age national origin, mental or physical challenge, political affiliation, or protected speech in violation of civil or constitutional rights should follow the County's policy on discrimination, and contact the County's Human Resources Consultant (219 853-9782) instead of seeking mediation.

(1) ***Problem Resolution Mediation/Purpose*** - Most problems can be resolved through discussion with one's supervisor or elected official. However, when such informal dispute resolution fails, and as the employee believes that he/she has been treated unfairly, or unjustly disciplined, that employee may petition the County's Mediation Panel in an attempt to bring together and find a reasonable resolution to this disagreement.

(2) ***Mediation Panel Decision/Termination*** - A decision of the Mediation Panel is final but not binding. The County's mediation procedure does not apply to employees who work for the Judiciary, the Prosecuting Attorney, or are covered by a collective bargaining agreement. A mediation petition request form shall be filed with the County's Human Resources Consultant. A mediation petition may not be filed by an employee who is terminated. The mediation panel shall not hear a petition regarding termination of employment.

(3) ***Mediation Panel Membership*** - A three member Mediation Panel is established to hear qualified petitions. The three member Mediation Panel shall be selected as follows:

(a) Chairman - The chairman of the panel shall be the County's Human Resources Consultant.

(b) Management Member - One member shall be chosen by the party that has been charged (the "Offending party") from a four member group known as the Management Group. The four members will be appointed to the Group by the following officials/bodies:

1. One appointed by the Lake County Board of Commissioners

2. One appointed by the Lake County Council

3. One member appointed through agreement of the Lake County Auditor, Recorder, Surveyor and Treasurer

4. One member appointed through agreement of the Lake County Clerk, Coroner, Sheriff and County Assessor (Township assessors are represented by the Assessor)

(c) Employee Member - One member shall be chosen by the employee filing the petition from a group of three full-time employees, known as the Employee Group, which are elected for a two (2) year term by full-time Lake County employees.

(4) ***Qualifications of Members*** - Members of the Management Group and Employee Group must meet the following qualifications to serve:

(a) Be a resident of Lake County.

(b) Except for the Chairman, members may not be vendors under contract with Lake County.

(c) No member may be an elected official of Lake County Government.

(d) Employee member must be a full-time employee of Lake County in a full-time position and not be in a management or supervisory position.

(e) Management member must be a full-time employee of Lake County and must be in a management or supervisory position.

(f) An employee member shall not sit on a Mediation Panel if the petition is filed against the officeholder or department where he/she is employed.

(5) ***Election of County Employee Member*** - The three (3) member county employee group shall be elected by the following rules that shall be posted in each county office at least 29 days prior to the beginning of the election process outlined below.

(a) Nominations. Nominations of employee members (who meet the qualifications for the membership of the panel listed in this section) must be made by at least one other employee and must be seconded by a second employee or the nominee. The nomination process shall be open for ten working days, commencing upon written notice issued by the Panel Chairman and distributed to all employees. Nominations shall close at 4:00 p.m. on the tenth working day. Nominees may submit a brief statement of their qualifications to be elected to the employee member group.

(b) Nominee Information. A list of nominees and their statements of qualifications shall be sent by facsimile to all county offices and department heads and posted in the offices for at least ten (10) days before election.

(c) Elections

1. Eligibility and Voting: A full-time county employee who qualifies as an employee covered by this employment policy shall be entitled to vote. All employees will be required to show proof of identification prior to being allowed to vote. At least five days prior to such an election, a list of all qualified employees, and all polling places, shall be provided by the Auditor's Office to the County Human Resources Consultant. The consultant shall provide the voting machines for the election.

2. Polling places: There will be polling places in County offices or departments in Crown Point, East Chicago, Gary and Hammond. All qualified employees will vote at their place of employment.

3. Results: The Auditor's Office shall tabulate the results of this election which may be witnessed by all interested candidates. The three candidates who receive the highest number of votes shall be named to the employee member group. The Lake County Human Resources Director shall announce the newly elected members within five (5) working days after the polls close by facsimile to all County offices and departments to be posted for at least ten (10) days.

(6) ***Vacancies***

(a) Appointed positions: When a vacancy of an appointed position in the management member group occurs, the County Human Resources Consultant shall notify the appointing authority instanter. The appointing authority shall make its appointment within 30 days of notification.

(b) County Employee Positions: When a vacancy in the employee member group occurs, an employee election to fill the position shall be held pursuant to the rules outlined in this Ordinance. The County Human Resources Consultant shall set the date of the election with regard to the time lines as outlined for an election in the ordinance.

(7) ***Conducting a Mediation*** - The Mediation Panel shall contact both parties and invite them to participate in mediation. A meeting will be scheduled within ten (10) days of acceptance. The meeting will be conducted in an informal business fashion, allowing each party to present their concerns and comments. The charging party will be afforded ten (10) minutes to present his/her case. Conversely, the respondent part shall be given ten (10) minutes to respond and reply to the charges.

(8) ***Staff Support for Board*** - In the event that the panel needs legal assistance, the County Commissioner's Attorney shall assign an attorney as needed.

(9) ***Mediation Request Form*** - A mediation request form can be obtained from the County Human Resources Department (located in the Commissioner's Office).

(10) ***Payment*** - Each panel member shall receive Fifty ($50.00) Dollars per meeting for their services.

(B) ***Grievance Form*** - A grievance form can be obtained from the County Council Coordinator's Office.

§ 3.16 POSSESSION OF FIREARMS

(A) No Employee or agent of the County, whether full or part-time, paid or volunteer, other than a duly sworn County police officer, general services officer or other individual authorized by statute to carry a weapon on behalf of the County, shall carry or possess a firearm or other deadly weapon (exceptions to this policy include small pocket knives or a rescue knife carried by appropriate personnel) during working hours, while on duty, or while otherwise engaged in County business or on County property. In accordance with Indiana state statute, an employee may possess a firearms weapon if it is stored in his/her vehicle on County property, and providing that the vehicle is locked.

(B) A violation of this policy will result in disciplinary action including termination.

§ 3.17 VIOLENCE-FREE WORKPLACE

(A) It is the policy of the County to ensure the safety of all employees by maintaining a workplace free of violence. Workplace violence can occur in many forms including: any verbal or physical action that is communicated or perceived as a threat, harassment, abuse, intimidation, or personal contact that produces fear for personal safety, causes bodily harm or damage to property.

(B) Employees are asked to take appropriate measures to keep the workplace harmonious and to treat co-workers, supervisors, and the general public with respect. Employees should not, under any circumstance, react to a threat of violence, verbal assault, or rude behavior. Rather, employees should immediately remove themselves from the situation and report the threat to their supervisor or department head.

(C) Violating this policy makes an employee subject to discipline, up to and including discharge.

(D) ***Right of Inspections and Inquiry***

(1) When the County deems it necessary to ensure the safety of County property; to provide a secure workplace; to prevent the possession, use, or sale of illegal drugs; or possession of alcohol in the workplace, the County reserves the right to:

(a) Search employee areas.

(b) Question employees.

(2) In addition, the County may inspect the contents of lockers, storage areas, file cabinets, desks, offices, and work stations at any time. All searches may be conducted at the County's discretion and without notice. Employees are expected to cooperate with searches and inspections. Employees who fail to cooperate are subject to disciplinary action, up to and including discharge.

(3) Furthermore, employees are subject to disciplinary action appropriate to policy violations uncovered during a search/inspection.

(E) ***Damage, Loss, or Theft of County Property, Equipment, and Supplies*** - All employees are expected to exercise reasonable care to protect County property, equipment, and supplies from damage, loss, and/or theft. Employees are responsible for the proper care and return of all property, equipment, and supplies used to perform work and/or assigned to their possession. An employee who has reason to believe that County property, equipment, and/or supplies are in danger of being damaged, lost, or stolen is expected to immediately report this to his or her department head.

(F) ***Damage, Loss, or Theft of Employees' Personal Property*** - Employees are expected to exercise reasonable care for their own protection and for that of the personal items they bring to work. The County is not responsible for the loss, damage, or theft of personal belongings. Employees are advised not to carry unnecessary amounts of cash or other valuables with them when they come to work.

§ 3.18 SAFETY AND HEALTH

(A) Although accidents occur in the workplace, most are avoidable by carefully and safely performing one's job duties. It is important to use the proper equipment such as a ladder when having to reach overhead objects or to use one's knees (instead of just one's back and arms) when having to lift a heavy box or object. Some jobs require the wearing of personal protective equipment (PPE) such as eye wear, ear protection and footwear with reinforced toes or gripping soles. PPE and performing job-duties with the proper equipment are just a few of the many steps that an employee can take to avoid an accident.

(B) If an employee becomes injured at work, he/she must report that injury to their supervisor immediately. Supervisors should also be notified immediately of any fires, hazardous conditions, or injuries to others.

(C) It is the County's policy to comply with the Indiana Workers' Compensation Laws and to aid any employee whose injury or illness is determined to be compensable under those laws. The County pays for all costs associated with providing this coverage and the insurance carrier will make all payments and decisions pertaining to compensable injuries or illnesses.

(D) If an employee is hospitalized or incurs medical costs as a result of a job-related injury or illness, the employee's department head should be notified as soon as possible. If absence from work is required as a result of a job related injury or illness, the employee will be required to furnish a statement from a physician stating that he/she is able to work before returning to work.

(E) An employee suffering a work-related injury and/or illness must report the condition immediately, but no later than twenty-four (24) hours from the time of the incident, to his/her supervisor or department head. If the accident or injury happened at work but requires medical treatment after going home, an employee should see a doctor of their choice or go to the emergency room at the local hospital. The employee should advise their supervisor or department head of the name of the doctor or hospital where treatment was received as soon as possible, but no later than forty-eight (48) hours from the time of the incident. Failure to immediately report an injury or illness could result in jeopardizing the employee's worker's compensation claim should the injury be more serious than first determined.

§ 3.19 SMOKE-FREE ENVIRONMENT

The County, including all of its buildings, is smoke-free. Employees are not permitted to smoke while in a County building. In accordance with Indiana state statute, smoking is not allowed within 8 (eight) feet of an entrance.

§ 3.20 STAFF IDENTIFICATION BADGES

(A) Each employee is issued an identification badge (I.D.) with his or her photograph on it for identification purposes. The purpose of the I.D. is to identify an employee of the County while performing his/her duties. It should never be used as a form of identification outside of work.

(B) The I.D. must be turned in when employment terminates. An employee should immediately report a lost or stolen badge to their supervisor. Should an I.D. become damaged, an employee may turn in the damaged tag for replacement at no cost. If an I.D. is lost, a $5.00 replacement fee may be charged.

SECTION 4- EMPLOYEE BENEFITS

The benefits outlined in this section apply to all County employees including those covered by a collective bargaining agreement, unless the bargaining agreement or contract explicitly addresses the issue in a manner contrary to this chapter. In those instances, the terms of the bargaining agreement or contract will supersede the terms of this chapter.

The County provides a number of benefits to its employees. Although some benefits are required by law, most benefits are provided voluntarily to employees as part of the overall compensation that an employee receives. Many of the benefits provided exceed those normally provided in the private sector. This section represents an outline of benefits and is not a full explanation/description. Employees who desire more detailed information regarding a specific benefit should contact the appropriate source as listed or the Insurance Department.

§ 4.1 LIFE INSURANCE

All regular full-time employees are provided a life insurance policy at no cost to those employees covered by the County's Health Insurance Plan, and $1.00 to those employees who are not covered by the plan. The amount of the policy is equal to one year's salary (the amount is equal to the employee's base pay and does not include overtime). Please contact the Insurance Department for additional details. (See Voluntary Supplemental Benefits for additional life insurance benefits)

§ 4.2 HEALTH INSURANCE

(A) Regular full-time employees and statutory full-time employees are eligible for single (employee) or family (dependent) coverage administered for the County by private contract. Coverage includes: medical, prescription, dental and vision benefits. Contributions and coverage limits may vary. Please contact the Insurance Department for additional information regarding current rates and coverage.

(B) A regular full-time employee is an employee who has completed his or her orientation period and who works on average at least thirty-five hours or more per week.

(C) A statutory full-time employee is an employee who is paid out of a regular full-time employee position, who in fact may not work at least 35 hours per week, but who receives benefits by virtue of statute, reimbursement agreement with the State or Federal government, or is an elected or appointed official or judge pursuant to the Indiana Constitution, or statute. Statutory employees may work less than 35 hours per week but for budget purposes are placed in job classifications where the salary is based upon working 35 hours per week but for whom health benefits must be provided by statute or reimbursement funding agreements with the State of Indiana or the Federal government. This includes County elected or appointed officials or judges in a position created by the Indiana Constitution, or State statute.

(D) In those cases where union pensions and welfare funds are involved, the County will make the appropriate contributions pursuant to the collective bargaining agreement.

(E) ***Cobra Rights***

(1) Employees and their families will have the opportunity for a temporary extension of health insurance coverage in certain instances where coverage under the County's health plan would otherwise end. Only those employees, as well as the employee's spouse and dependents who were covered under the County's health insurance plan on the day before the event which triggered termination of coverage are eligible to elect continuation of coverage.

(2) Employees who are covered by the County's health insurance plan have a right to elect continuation coverage if a loss of group health coverage occurs because of a reduction in hours of employment or the termination of employment. Generally, an employee is eligible for up to eighteen (18) months of continuing coverage although the length of coverage may be extended under certain circumstances due to an employee disability, and for coverage of dependents and spouses. COBRA rights may be withheld to the employee for certain reasons of gross misconduct.

§ 4.3 FAMILY AND MEDICAL LEAVE

(A) The County recognizes that employees may need time off to care for the medical needs of themselves, their children, their spouses and their parents. In order to comply with the Family and Medical Leave Act ("FMLA"), the County has developed this policy to provide eligible employees the necessary flexibility to manage their careers and family needs. To the extent that the FMLA provides greater family or medical leave rights to employees than are provided under existing policies, the requirements of the FMLA will prevail and will supersede existing policies. Leave time taken under other policies, which would qualify as leave under the FMLA, will be taken into account when computing the FMLA leave.

(B) The following information should be viewed only as an outline of FMLA. Please contact the Human Resource Consultant for specific details.

(C) ***Eligibility***

(1) To be eligible for the FMLA, an employee must have been employed for at least twelve (12) months and must have worked at least 1,250 hours during the previous twelve (12) month period. The FMLA entitles eligible employees to take up to twelve (12) weeks unpaid leave of absence during a twelve (12) month rolling period. Leave may be taken on either a "block" basis (from the start date continuously until the employee returns or leave is exhausted) or on an intermittent basis. In the event that the leave is intermittent, leave will be granted in increments of no less than 15 minutes.

(2) FMLA leave does not need to be taken in conjunction with leave due to an on-the-job injury (worker compensation).

(D) ***Reasons For Leave*** - Employees may be granted 12 (twelve) weeks of leave for any of the following reasons (unless otherwise noted):

(1) To care for a newborn child, newly adopted or newly placed foster child. The employee's right to leave for this reason ends twelve (12) months after the birth, adoption or placement of the child with employee.

(2) To care for a family member such as a spouse, child or parent who has a serious health condition (under the care of a health provider) and prevents that individual from performing their regular activities for three or more days.

(3) For a serious health condition (under the care of a health care provider) which debilitates the employee and prevents that individual from being able to perform his/her duties at work for three or more days.

(4) Exigency Leave - Any qualifying exigency (arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.

(5) Servicemember Family Leave - An employee who is the spouse, son, daughter, parent, or next of kin of a covered service member shall be entitled to a total of 26 workweeks of leave during a 12-month period to care for the service member. The leave described in this paragraph shall only be available during a single 12-month period. During the single 12-month period described above, an eligible employee shall be entitled to a combined total of 26 workweeks of leave.

(E) ***Written Notification*** - All notification of leave under the FMLA, including extensions, will be provided to County employees in writing in accordance with federal regulations. In turn, the employee will also make all requests for such leave in writing. In those situations where, due to an emergency, notification cannot readily be provided in writing, the employee will be requested to provide such notice as soon as possible using all federally approved forms. Employees have a responsibility to notify their employer as soon as possible once they are aware that a leave that may qualify under FMLA may be needed. Employees seeking leave should contact the County Insurance Department in addition to their supervisor/office holder.

(F) ***Computing Leave Time*** - The twelve (12) month period for taking leave will be measured on a rolling calendar basis measured from the last leave. In the event that the leave is taken intermittently, the leave shall be measured from the first day of leave.

(G) ***Extension of Leave*** - FMLA leave may not be extended beyond twelve (12) weeks to any employee without the written approval of the department head and elected official.

(H) ***End of Leave Notification*** - Departments are required to notify the County's Human Resources Consultant at least two (2) weeks prior to the end of any leave so that proper federally approved forms may be sent to the employee notifying him/her of the end or extension of their leave.

(I) ***Special Limitations*** - The Act includes a special provision in the event of a birth, adoption or placement of a foster child, and where both parents are employed by the County. In those cases, a total of 12 weeks of leave is available to the parents and may be taken in any combination of leave providing the total taken by both individuals does not exceed 12 weeks.

(J) ***Substitution of Paid Leave***

(1) FMLA leave is unpaid. However, employees who are eligible for short-term disability must utilize that leave in conjunction with FMLA. Employees must use all accrued sick leave while on FMLA, except for five (5) days which may be banked for future use. In addition, the employee may, at his/her discretion, substitute vacation which they have earned or accrued for part or all of the FMLA leave and count it against the maximum twelve (12) week entitlement (or in the event of a servicemember leave, twenty-six (26) weeks).

(2) An employee who exhausts his/her FMLA and all paid time off (vacation, sick/personal time) may be provided up to 10 (ten) days of unpaid leave in the succeeding twelve (12) months (from the last day of leave) following an approved leave, subject to the approval of that employee's department head/elected official in consultation with the County's Human Resource Consultant.

(K) ***Health Insurance Coverage While On Leave*** - Group health and/or dental insurance coverage for employees while on leave will be continued on the same basis as coverage would have been provided had the employee been continuously employed during the leave period. Any share of health and/or dental insurance premiums which had been paid by the employee prior to the leave, must continue to be paid by the employee during the leave period. If paid leave is substituted as discussed above, the employee's portion of the premium will be paid by payroll deduction. If all or part of the leave is unpaid, the employee must make arrangements with the Insurance Office for a mutually agreeable schedule for paying the employee's portion of the premium. The employee's failure to make the necessary contributions will lead to the cancellation of group health and/or dental insurance coverage.

(L) ***Failure to Return from FMLA Leave*** - If the employee does not return to work following leave (depending on the reason for the employee's failure to return to work), the County reserves the right to recover all group health and/or dental insurance premiums paid by the County during the leave period. The reimbursement will be based on the cost of COBRA coverage.

(M) ***Status Report and Medical Certification Prior to Returning from Leave***

(1) An employee on FMLA leave must report to their department head every two (2) weeks on his/her status (including if leave is taken for a family member), as to whether they intend to return to work and the date which they will return to work, if known.

(2) Employees who take FMLA leave due to their own serious health condition must provide a fitness-for-duty medical certification from their treating health care provider prior to being permitted to return to work. Under no circumstances will an employee who fails to provide certification be permitted to return to work. Fitness-for-duty is not required if leave is taken to care for a family member.

(N) ***Job and Benefit Protection***

(1) Employees returning from FMLA leave will be given the same job they had when they left on leave or an equivalent job with equivalent pay, benefits and other employment terms, including no loss in years of service. Employees who fail to return to work at the end of leave, lose their rights to be returned to their former jobs or equivalent positions.

(2) The use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of leave. However, employees will not accrue any type of leave benefit while they are on non-pay status.

(O) ***Changes in Regulation*** - The Family and Medical Leave Act is subject to updates, changes and amendments by Congress and the U.S. Department of Labor, Wage and Hour Division. In the event that such change conflicts with this handbook or other County policy, the current federal law or regulation shall apply.

(P) ***Definitions*** - The following definitions will be used:

(1) A "child" refers to a biological, adopted, foster, or "step" child, a legal ward, or a person less than eighteen (18) years of age, for whom the employee has the responsibility to provide care and support, Additionally, a "child" is considered a person eighteen (18) years or older who is incapable of self-care due to a physical or mental disability. A "parent" refers to an individual's natural parent or a parent who has/had legal custody of a child as described above. The aforementioned age definition shall not apply to leave taken for the care of a servicemember or due to an exigency leave.

(2) Health care provider includes:

(a) Doctors of medicine or osteopathy authorized to practice medicine

(b) Podiatrists, dentists, clinical psychologists, optometrists, chiropractors, nurse practitioners, nurse-midwives, clinical social workers (each performing within their scope of practice)

(c) Christian Science practitioners listed with the First Church of Christ, Scientist of Boston, or

(d) Any health care provider recognized by the County's group health plan.

§ 4.4 BEREAVEMENT LEAVE

(A) In the event of a death within the immediate family, a full-time employee is entitled to be paid and absent from work for a period not to exceed three (3) consecutive working days. Immediate family means:

(1) Husband (including legal or common law)

(2) Wife (including legal or common law)

(3) Son (including step son)

(4) Daughter (including step daughter)

(5) Father (including current step father)

(6) Mother (including current step mother)

(7) Father in Law

(8) Mother in Law

(9) Brother (including in law)

(10) Sister (including in law)

(11) Grandparents (including in law)

(12) Grandchildren

(13) Spouse's grandparents

(14) Spouse's grandchildren

(15) Any other person who is currently living in an employee's household and has been so domiciled for at least the past year.

(B) Proof of loss may be required.

(C) Excluded from this listing are any former relatives (such as former in-laws due to the dissolution of marriage). Employees may be granted up to one day (to attend the funeral or service) in the death of an aunt, uncle, or the spouse of a brother-in-law or sister-in-law. Proof of attendance may be required.

(D) In certain situations where the death of a spouse, child or parent has occurred and extenuating circumstances exist, special provisions may be made by the department head after discussion with the elected office holder.

§ 4.5 HOLIDAYS

(A) Paid holidays are designated annually by the County Council. Holidays for union members and County employees shall be the same unless a collective bargaining agreement provides otherwise.

(B) The County's ability to provide quality services during the rest of a workweek when a holiday occurs is extremely important. If an employee is absent without proper authorization (an approved paid day off is considered an authorized day off) on the last working day before a holiday or the first working day after a holiday, he/she will not be paid for the holiday.

(C) If a holiday falls during a scheduled vacation, an employee need not take a vacation day for the declared holiday to receive full pay for that week.

(D) Holiday compensation is counted as hours worked for the purposes of overtime. An employee who works a scheduled holiday shall be compensated at a rate of one and one-half times the employee's normal rate of pay if the total number of hours worked during the week exceeds forty hours. Compensation may be provided in payor compensatory time.

§ 4.6 EMPLOYEE BIRTHDAY HOLIDAY

All full time employees are eligible for a day off with pay for their birthday after completing their probationary period. In the event that the birthday falls on a weekend, other paid holiday, or on a day in which County Government is closed, the birthday holiday may be taken on any other day during the week following the actual birthday (the specific date must be approved by the employee's department head). In the event that two employees have the same birthday, and having two employees at the same time absent would impact operations, the department head may choose an alternative date for one of the two employees during the week following the actual birthday.

§ 4.7 JURY DUTY AND SUBPOENAED WITNESS

When an employee is required to serve as a juror or subpoenaed witness, that employee will receive his/her full regular pay (straight time only) subject to the following provisions:

(A) The employee must notify his/her supervisor within twenty-four (24) hours after receipt of notice of selection for jury duty or as soon as practicable after receipt of a subpoena.

(1) If serving jury duty, the employee must furnish a written statement from the appropriate public official showing the date and time served and the amount of pay received.

(2) If serving as a subpoenaed witness, the employee must show the subpoena signed by a proper party and showing the amount of compensation received for such services.

(B) The employee must sign over any check (excluding mileage) received for serving as a juror or witness to the County Court Administrator if the jury duty is in the County Court System (Circuit or Superior). If the jury duty is at any other level (federal or state), the check should be signed over to the Lake County Auditor's Office.

§ 4.8 MILITARY LEAVE

(A) The County encourages and supports employees who choose to serve our nation in the armed forces. In certain cases where an employee is called to military service, either for active duty or annual training, that employee may be entitled to reinstatement/reemployment and other rights under the Uniform Services Employment and Reemployment Rights Act of 1994 ("USERRA"). To qualify under USERRA, the employee's separation from military service must be under honorable conditions and he/she must meet the other requirements of the law. In order to qualify for County-sponsored benefits, military service must be in compliance with the following conditions:

(1) ***Eligibility:*** An employee who must be absent from work due to military duty (either voluntary or involuntary) must provide advance notice to his/her department head as soon as possible, along with a copy of his/her military orders which identifies the time period for the leave as specifically as possible.

(2) ***Reinstatement:*** In order to be eligible for USERRA and County-sponsored benefits, employees returning from a military leave lasting fewer than thirty one (31) days, must report back to work at the beginning of the first regularly scheduled work day following the completion of military service.

(3) ***Reemployment:*** In those situations where military leave lasts more than thirty (30) days but less than one hundred eighty-one (181) days, an employee must submit an application for reemployment within fourteen (14) days of the completion of military service to be eligible for USERRA and County-sponsored benefits. An employee on a military leave that lasts longer than one hundred eighty-one (181) days must submit an application for reemployment within ninety (90) days of the completion of military service. In any case where the military leave exceeds more than thirty (30) days, the employee must provide official military documentation identifying the period of military service to establish that the application for reemployment was timely and that the discharge was honorable.

(B) ***Benefits:*** Upon reemployment, an employee restored to the level of benefits attained had he/she provided continuous service to the County and as a result, all rights and benefits determined by length of service (including vacation, sick and personal time) will reflect continuous employment. In addition, an employee will be eligible for health benefits from the County's plan (if a current member) on a secondary basis (to any coverage provided by the U.S. Armed Forces), for up to twelve (12) months, so long as he/she continues to pay his/her employee contribution.

(C) ***Compensation:*** An employee will be permitted up to four (4) weeks of paid military leave per calendar year provided that he/she has completed one (1) year of service with the County. Compensation will be computed by taking the employee's hourly rate of pay, multiplied by forty (40) hours, less the earnings received from military service. This compensation is contingent upon the County's payroll department receiving adequate advance written notice of the military leave and official military documentation indicating the amount of earnings received while on military leave. New employees (those with less than one (1) year of service may elect to use paid time off in conjunction with military leave.

§ 4.9 SICK DAYS/PERSONAL LEAVE

(A) The County provides full-time employees with sick and personal days. Sick time should be used only for legitimate illness of an employee, his/her spouse or child (under 18 years of age), while personal time may be used to attend to personal issues/business during regularly scheduled workdays. Accrued sick time must be used in conjunction with any approved Family and Medical Leave Act (FMLA) leave.

(B) Employees are provided sick days depending on the date of hire. Employees hired prior to 5/13/2003 receive a total of 12 (twelve) days per year and may be used in any combination of sick or personal leave. Employees hired on or after 5/13/2003 receive a total of 10 (ten) days per year and may be used in any combination of sick or personal leave. Leave may be taken in half or full day increments (see the Flexible Schedule section for details as to how such leave applies to employees working a flexible schedule).

(C) Except for probationary employees who earn sick/personal leave on a monthly basis, eligible employees receive their full amount of sick/personal leave each January. The employee's full allotment of sick/personal days is available for use beginning each January 1st.

(D) An employee who is absent for three or more days shall be required to provide his/her supervisor with a doctor's statement (in accordance with federal health privacy laws) indicating that the employee was unable to work. The abuse of sick time may lead to disciplinary action.

(E) ***Carry Over of Unused Time*** - Employees may carry up to six (6) days of unused sick/personal leave annually. All leave carried over may be used as sick leave only. Employees may accumulate up to a maximum of fifty (50) days. Bank days may be used for an illness that incapacitates an employee for 3 (three) or more days and for which that employee is under the care of a healthcare provider.

(F) ***Probationary Employees*** - Although employees begin earning sick/personal time from the first day of hire, probationary employees may not use such time until after completing their probationary period. Should the employee be terminated prior to completing the probationary period, that employee is not entitled to payment for the time earned.

(G) ***Retirement or Separation Value*** - Generally, employees are not eligible for payment or reimbursement for unused sick or personal time upon termination (voluntary or involuntary). An exception to this policy is provided to employees who are retiring and are eligible for a PERF pension (See "Mandatory Benefits - PERF" for details). A retiring employee shall be reimbursed at a rate of one (1) day's pay for every three (3) days of sick time. Payment of this benefit will be made on the employee's last paycheck.

(H) ***Additional Provisions***

(1) Sick leave accruals are transferred if the employee changes to another department within the County and remains a full-time employee. Sick leave is always paid at the current rate of pay when taken.

(2) If an employee becomes ill or injured while on vacation, the scheduled vacation shall be counted as vacation, if the disability continues beyond the scheduled time of vacation, the sick leave allowance (if any) shall begin on the first scheduled working day after the end of the scheduled vacation.

(3) Each department shall have a complete record-keeping system of employee's sick time earned and taken.

§ 4.10 SHORT TERM DISABILITY

(A) Employees who have completed at least one full year (12 months) of employment with the County are eligible for up to 12 weeks of short term disability. This benefit provides an employee who is unable to work (due to other than a work related injury) $100.00 per week during the absence (not to exceed 12 weeks). If the absence also qualifies for leave under the Family and Medical Leave Act, the short term disability benefits will be paid congruent to any non-paid leave (it will not be paid for those periods covered by vacation or sick time.

(B) In the event that an employee does not use his/her entire allotment of disability leave during an approved FMLA leave, that employee retains the unused balance of disability leave for the remainder of that calendar year. Unused leave does not "rollover" to subsequent years.

§ 4.11 VACATION

(A) All full time employees are eligible for paid vacation based on the length of continuous service with the County. Certain eligibility requirements and guidelines apply.

(B) The County provides two schedules for earning vacation:

(1) Employees hired on or before 6/10/2003

(2) Employees hired after 6/10/2003

(C) ***Earning Vacation*** - Vacation is earned based on the length of service of the employee and his/her anniversary date.

(D) ***Vacation Hired On or Before 6/10/2003***

(1) ***First vacation:*** During the first year of service, an employee earns one vacation day for each full month of service up to a maximum of 5 (five) days. These days will accumulate for use in the following calendar year and after the employee's anniversary date. Employees may not use vacation during their first year of service.

(2) ***Vacation in subsequent years:***

(a) Beginning with the second full year of employment (January 1st of that year), an employee will be eligible for vacation based on the following schedule to a maximum of 30 (thirty) days.

(b) Beginning with an employee's:

1. Second through five years of employment: Ten (10) days per calendar year
2. Sixth year of employment: Fifteen (15) days per calendar year
3. Seventh year of employment: Sixteen days (16) days per calendar year
4. Eighth year of employment: Seventeen days (17) days per calendar year
5. Ninth year of employment: Eighteen days (18) days per calendar year
6. Tenth year of employment: Nineteen days (19) days per calendar year
7. Eleventh year of employment: Twenty days (20) days per calendar year
8. Twelfth year of employment: Twenty-one days (21) days per calendar year
9. Thirteenth year of employment: Twenty-two days (22) days per calendar year
10. Fourteenth year of employment: Twenty-three days (23) days per calendar year
11. Fifteenth year of employment: Twenty-four days (24) days per calendar year
12. Sixteenth year of employment: Twenty-five days (25) days per calendar year
13. Seventeenth year of employment: Twenty-six days (26) days per calendar year
14. Eighteenth year of employment: Twenty-seven days (27) days per calendar year
15. Nineteenth year of employment: Twenty-eight days (28) days per calendar year
16. Twentieth year of employment: Twenty-nine days (29) days per calendar year
17. Twenty-first year of employment: Thirty days (30) days per calendar year

(E) ***Vacation Hired After 6/10/2003***

(1) ***First vacation:*** During the first year of service, an employee earns one vacation day for each full month of service up to a maximum of 5 (five) days. These days will accumulate for use in the following calendar year after the employee's anniversary date. Employees may not use vacation during their first year of service.

(2) *Vacation in subsequent years:*

(a) Beginning with the second full year of employment (January 1st of that year), an employee will be eligible for vacation based on the following schedule to a maximum of 25 (twenty-five) days.

(b) Beginning with an employee's:

1. Second through five years of employment: Ten (10) days per calendar year
2. Sixth year of employment: Eleven (11) days per calendar year
3. Seventh year of employment: Twelve days (12) days per calendar year
4. Eighth year of employment: Thirteen days (13) days per calendar year
5. Ninth year of employment: Fourteen days (14) days per calendar year
6. Tenth year of employment: Fifteen days (15) days per calendar year
7. Eleventh year of employment: Sixteen days (16) days per calendar year
8. Twelfth year of employment: Seventeen days (17) days per calendar year
9. Thirteenth year of employment: Eighteen days (18) days per calendar year
10. Fourteenth year of employment: Nineteen days (19) days per calendar year
11. Fifteenth year of employment: Twenty days (20) days per calendar year
12. Sixteenth year of employment: Twenty-One days (21) days per calendar year
13. Seventeenth year of employment: Twenty-Two days (22) days per calendar year
14. Eighteenth year of employment: Twenty-Three days (23) days per calendar year
15. Nineteenth year of employment: Twenty-Four days (24) days per calendar year
16. Twentieth year of employment: Twenty-Five days (25) days per calendar year
17. Twenty-first year of employment: Twenty-Five days (25) days per calendar year

(3) ***Forced consolidation.*** This policy shall affect only those employees who are hired by the County due a transfer of responsibility from a municipality to the County and required by State law, the following provisions shall apply:

(a) Employees with less than two (2) years of service with an existing municipality shall be subject to the regular vacation policy of Lake County Government.

(b) Employees with at least two (2) years but less than five (5) years of service with an existing municipality shall receive ten (10) days of vacation after ninety (90) days of service and pro-rated during the first year of service. The employee's vacation earnings shall transfer to the county's regular vacation schedule beginning with January of the employee's sixth (6th) year of service.

(c) Employees with at least five (5) years of service less than ten (10) years of service with an existing municipality shall receive twelve (12) days of vacation after ninety (90) days of service and pro-rated during the first year of service. The employee's vacation endings shall transfer to the county's regular vacation schedule beginning with January of the employee's eighth (8th) year of service.

(d) Employees with at least ten (10) years of service with an existing municipality shall receive fifteen (15) days of vacation after ninety (90) days of service and pro-rated during the greater of service and pro-rated during the first year of service. The employee's vacation earnings shall transfer to the county's regular vacation schedule beginning with January of the employee's eleventh (11th) year of service.

(e) Employees with at least fifteen (15) years of service with an existing municipality shall receive seventeen (17) days of vacation after ninety (90) days of service and pro-rated during the first year of service. The employee's vacation endings shall transfer to the county's regular vacation schedule beginning with January of the employee's thirteenth (13th) year of service.

(f) Employees covered by this policy shall not advance (outside of this policy) in the regular county vacation policy until completing the years of service as noted above at which time, the employee will be converted to the regular vacation schedule.

(g) The aforementioned vacation shall be selected by the employee's start date with the county. No other consideration for seniority shall be granted. Vacation shall be scheduled accordingly by the Department head.

(F) ***General Guidelines***

(1) Vacation time is not granted until earned. Vacations shall be scheduled within each department pursuant to the needs of the department and the ability of the remaining staff to do the work in a proper manner. Vacation should be taken in no more than one week increments unless approved by the department head and appropriate elected official. A vacation may be split into blocks of time less than one week providing that such a schedule does not hamper office functions. A scheduled vacation may be changed in case of an emergency.

(2) Department heads shall have the authority to designate certain time periods in the year during which no vacations may be taken if the prohibition is based upon the necessity of operations.

(3) Generally, vacation time must be taken in the year that it was provided. However, an employee, with the approval of their department head, may carryover up to one week of vacation provided that the time is used prior to April 30th of the following year.

(4) Time of service by the employee is transferable between County departments and/or County divisions. The value of a vacation is determined at the time of use, rather than when the vacation was earned.

(5) Whenever a holiday falls during an employee's scheduled week of vacation, he/she does not need to use a vacation day for that holiday.

(6) If an employee becomes ill or injured while on vacation, the scheduled vacation time shall be counted as vacation days rather than sick days. If the illness/disability continues beyond the scheduled vacation time, the sick leave allowances (if any) shall begin on the first scheduled working day after the scheduled vacation.

(7) If an employee is terminated for any reason, all unused vacation will be paid to the employee (or in the event of an employee death, to the survivor).

(G) ***Use of Vacation In the Event of Illness/Disability***

(1) In the event that an employee exhausts all of his/her short term disability benefits, FMLA leave or sick or personal leave, that employee must then utilize any unused vacation. Upon exhausting any unused vacation, the employee may become eligible for COBRA benefits.

(2) During a non-paid leave of absence, vacation time will not accrue. For each full month an employee is on a leave of absence, the employee will not earn vacation days which would otherwise be taken the following year. The following schedule shall be applied when calculating vacation time for an employee who was on a non-paid leave of absence.

Amount Eligible To Earn	***Amount Deducted For Each Full Month Absent***
Two weeks	.5 day
Three weeks	1.0 day
Four weeks	1.5 days

Amount Eligible To Earn	*Amount Deducted For Each Full Month Absent*
Five weeks	2.0 days
Six weeks	2.5 days

(3) This provision does not affect vacation time previously earned.

(H) ***Conversion to Flexible Schedule*** - If an employee is assigned to a compressed or flexible schedule (a schedule where an employee normally works more than eight hours a day or fewer than five workdays per week), that employee's vacation days are converted to hours rather than days. For example, an employee who has earned two weeks of vacation is entitled to eighty (80) hours of paid vacation time.

§ 4.12 WORKER COMPENSATION

(A) When any employee, regardless of status (full, part, temporary, seasonal, etc.) is injured on the job, he/she must immediately notify his/her supervisor. He/she will be directed to the medical provider assigned by the County's insurance department for treatment and must obtain a release to return to work from the same provider before returning to work. Employees may not receive treatment from his/her own physician for treatment of a work-related injury.

(B) If an employee is injured or disabled while working (at his/her County position) and must, due to that injury or disability, miss work (a physician has certified that the employee is unable to work) the employee will not be paid during a five (5) calendar day waiting period that begins on the first day of incapacity. After the waiting period, he/she will be paid at the rate set for an employee on worker's compensation. During the five day waiting period an employee may use any available sick/personal or vacation time.

(C) When an employee is injured on the job, he/she is not entitled to receive both full pay from the County (by the use of sick/vacation days) and benefits from worker compensation for the same period of time. Although the actual length and amount of worker compensation coverage varies, a maximum limit of 500 weeks of compensation is set by state statute.

(D) ***Additional Provisions***

(1) When he/she returns to work after sick leave (Leave of Absence) from an on-the-job injury, he/she will again begin to earn sick days.

(2) If an employee misses work for an on-the-job injury for which worker compensation pays benefits, the County shall continue insurance benefits (as they were when the employee was working). The employee is responsible for making his/her normal contribution. Once such worker compensation benefits end, the employee must obtain and maintain his/her own insurance (at a cost equal to the COBRA rate).

(3) When an employee misses work due to an on-the-job injury, he/she must submit a statement from the County's medical provider estimating how long it will be before he/she may return to work. If the employee is not able to return to work pursuant to the provider's estimate, he/she must obtain and submit an additional

statement from the medical provider, extending that leave. When returning to work, an employee must bring a medical release to return to work.

(4) The County provides "light duty" in those cases where the department has that type of work available and a physician has authorized such work. The release should state how long the "light duty" could be expected to be in effect. If the department does not have any "light duty" available, the employee must be cleared by the County's medical provider before returning to work.

§ 4.13 MANDATORY BENEFITS

(A) These benefits apply to all County and Utility employees not covered under the Police or Fire Pension plans:

(1) ***Social Security*** - Provides benefits for death, disability and retirement. For a full description of this benefit, please contact the local Social Security Office.

(2) ***Medicare*** - Provides limited health insurance coverage to retired employees and those who are disabled. For a full description of this benefit, please contact Medicare.

(3) ***Worker Compensation*** - Injuries or illnesses incurred on the job are compensable under provisions of State law. This includes payment of medical expenses resulting from such an injury or illness and limited liability for death, dismemberment and disability. These benefits are provided on a case-by-case basis. Please contact the Insurance Department for additional information.

(4) ***Unemployment Insurance*** - This benefit provides compensation to full-time employees in accordance with State laws in cases of involuntary termination based on a lack of work or other good cause. Please check with the Indiana Employment Security Office regarding this benefit.

(5) ***Public Employment Fund (PERF)***

(a) PERF is available to all full time employees except those who are part of an emergency service, part-time employees, and seasonal employees or in a fee paid position with the County. All full time employees are required to participate upon employment. The County contributes the employee's share (equal to 3% of the employee's pay) as well as the employer's share of PERF. A new employee may not waive participation in the Public Employees Retirement Fund (PERF). If the employee leaves the employment of the County and is not qualified for retirement, he/she may apply for a cash refund of a portion of all monies contributed plus interest accumulated.

(b) Eligibility for a PERF pensions depends on the years of service and age:

1. Full Benefit:

a. Age 65 with 10 year of service

b. Age 60 with 15 years of service

c. Rule of 85 - Have at least 10 years of service, be at least age 55 and have a combination of age and years of service that totals 85.

2. Partial (or reduced) Benefit: Age 50 - 59 with at least 15 years of service

(c) State law governs eligibility for PERF retirement benefits and all rules and regulations regarding PERF are established and modified by the State of Indiana. An employee interested in additional information regarding his/her PERF benefits should contact the County Auditor's Office.

(B) ***Benefit at Retirement***

(1) The amount of benefits at retirement is affected by such factors as:

(a) Service credit,

(b) Military service,

(c) Prior service,

(d) Leave of absence,

(e) Membership service,

(f) Average salary, and

(g) Age of retirement.

(2) A retiring employee should contact the Public Employees retirement Fund at least six (6) months prior to retirement and the Insurance Department and the Auditor's Office six (6) weeks prior to his/her retirement date to assure a smooth transition.

§ 4.14 HEALTH INSURANCE UPON RETIREMENT

(A) Employees who have twenty (20) or more years of service with the County and are under the age of 65, or fifteen (15) years of service and over the age of 65, are entitled to health insurance benefits upon retirement, subject to the retiree contribution. Employees who have twenty five (25) years of service shall receive health insurance benefits at no cost (after age 65).

(B) Elected officials with at least twelve (12) years of service in a County position and are at least 65 years of age level are also eligible for coverage upon retirement.

§ 4.15 VOLUNTARY SUPPLEMENTAL BENEFITS

(A) The County offers its employees a series of supplemental benefits. The selection of these benefits is voluntary and the cost is paid by the employee.

(1) ***457 Account*** - This account allows government employees to invest pre-tax dollars for retirement in a variety of mutual funds and securities. The funds are portable and can be rolled over to another qualified plan. The 457 Plan is provided through several reputable financial services firms.

(2) ***Supplemental Life*** - Additional life insurance may be purchased by an employee of the County. The maximum amount of additional insurance is $100,000.00. An employee may also purchase additional life insurance through several insurance companies with reduced rate plans for County employees.

(3) ***Supplemental Disability*** - The County offers disability coverage through AFLAC, or CONSECO. The terms and conditions of these plans are determined by the provider.

(4) ***Supplemental Catastrophic Care Coverage*** - This policy covers an employee in the event of certain catastrophic medical illnesses.

(B) Additional information for the aforementioned benefits can be obtained from the Insurance Department. (Ord. 1285B, passed 3-13-2007; Ord. 1285B-2, passed 3-11-2008; Ord. 1285B-3, passed 3-11-2008; Ord. 1285B-4, passed 6-10-2008; Ord. 1285B-5, passed 8-12-2008; Ord. 1285B-6, passed 8-26-2008; Ord. 1285B-7, passed 9-9-2008; Ord. 1285B-8, passed 10-14-2008; Ord. 1285B-9, passed 5-12-2009; Ord. 1285B-10, passed 6-9-2009; Ord. 1285B-11, passed 1-12-2010; Ord. 1285B-12, passed 2-23-2010; Ord. 1285B-13, passed 7-13-2010; Ord. 1285B-14, passed 9-22-2010; Ord. 1285B-16, passed 5-15-2012; Ord. 1356C, passed 1-8-2013; Ord. 1356C-1, passed 9-9-2014; Ord. 1356C-2, passed 5-12-2015)

CHAPTER 33: MISCELLANEOUS FEES

Section

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PUBLIC RECORDS

§ 33.001 PUBLIC RECORDS ACT, FEES FOR COPYING OR DUPLICATING RECORDS REQUESTED.

(A) The preamble of Ord. 1192F, passed 6-28-1999 shall be incorporated by reference into this section.

(B) In all instances where a copying fee for a public record has not been set by state law, the offices and agencies of Lake County Government shall charge a fee of $.10 per copy for public records requested pursuant to the Indiana Access to Public Records Act, I.C. 5-14-3-1 *et seq*. For purposes of this section ***ONE COPY*** shall mean one impression produced by a copy machine capable of mechanically reproducing the public record.

(C) In all instances, where a duplication fee for a public record has not been set by state law, the offices and agencies of Lake County Government may charge a uniform fee for the duplication of a computer tape, computer disk, microfilm, or similar or analogous record system containing information owned by the public agency or entrusted to it which fee does not exceed the sum of the following:

(1) The agency's direct cost of supplying the information in that form;

(2) The standard cost for selling the same information to the public in the form of a publication if the agency has published the information and made the publication available for sale; and

(3) In the case of the legislative services agency, a reasonable percentage of the agency's direct cost of maintaining the system in which the information is stored. However, the amount charged by the legislative service agency under this division may not exceed the sum of the amounts it may charge under divisions (C)(1) and (2) above.

(D) Notwithstanding division (C) above, a public office or agency shall, pursuant to I.C. 5-14-3-8(h), charge a reasonable fee agreed on in the contract under I.C. 5-14-3-3.5, Enhanced Access to Public Records.

(E) The copying fee established shall be paid in advance of receiving the copied or duplicated public records.
(Prior Code, § 33.02) (Ord. 1151B, passed 1-9-1996; Ord. 1192F, passed 6-28-1999)

§ 33.002 COPYING FEES FOR RECORDS OF THE LAKE COUNTY SURVEYOR'S OFFICE REQUESTED PURSUANT TO PUBLIC RECORDS LAW.

In all instances where a copying fee for a public record has not been set by state law, the Lake County Surveyor's office shall charge a fee as follows:

Description	*Cost*
Lake County plat book	$20
Plat book area Mylar copy	$5
Lake County map:	
Small	$3
Large	$5
County political district map	$3
City or town political district map	$4
Subdivision plat	$3
Sidwell aerial print	$5
8-1/2 inches by 11 inches copies (black and white)	$.10
8-1/2 inches by 11 inches copies (color)	$.15

(Prior Code, § 33.01) (Ord. 1179E, passed 5-26-1998)

§ 33.003 COPY/MAP/ELECTRONIC MAP GENERATION FEES FOR LAKE COUNTY SUPERVISOR'S OFFICE.

(A) *Fee schedule to apply*. In all instances where a copying fee for a public record has not been et by state law, the schedule of fees is hereby approved and adopted.

(B) *Map/electronic map generation fee*. A map/electronic map generation fee shall be imposed by and payable to the Lake County Surveyor, or its agent, as outlined in the schedule of fees, attached at the end of this chapter as Appendix A and made a part hereof. This schedule of fees is hereby deemed to be reasonable and necessary to cover a percentage of the direct cost of maintaining, upgrading and enhancing the map/electronic map and for the direct cost of supplying the map/electronic map in the form requested by the purchaser.

(C) *Electronic Digital Mapping Data Fund*. Pursuant to I.C. 5-14-3-8.5, all map/electronic map generation fees shall be deposited by the Lake County Treasurer in the Electronic Digital Mapping Data Fund, Fund number 250-0600-31210, administered by the Lake County Surveyor, which Fund is a dedicated, non reverting Fund. Monies in the Fund are appropriated and expended by the Lake County Surveyor for the purpose of maintenance, upgrading and enhancement of the electronic map, and the reimbursement of the costs incurred in supplying the electronic map in the form requested by a purchaser.

(D) *Fees paid in advance*. The fees established shall be paid in advance of receiving the copy, map, electronic map, or other requested material, as determined by the Lake County Surveyor.

(E) *Severability*. The terms and provisions of this section are hereby determined to be severable; the invalidity or unenforceability of any sections, sentence, clause, term, or provision of this section shall not affect the validity of any other section, sentence, clause, term or provision of this section which can be given meaning without the invalid part

or parts. The section shall be in full force and effect from and after its passage and any approvals or publications as may be required by law.

(F) S*chedule of fees*. The schedule of fees is Appendix A attached at the end of this chapter.
(Ord. 1334C, passed 3-30-2011; Ord. passed 4-12-2011)

Statutory reference:

Access to public records, see I.C. 5-14-3
Definitions, see I.C. 5-14-3-2
Electronic map generation fund; establishment by ordinance; purpose, see I.C. 5-14-3-8.5
Enhanced access fund; establishment by ordinance; purpose, see I.C. 5-14-3-8.3
Fees; copies, see I.C. 5-14-3-8
Public agency; certain providers exempted, see I.C. 5-14-3-2.1
Public agencies; enhanced access to public records; office of technology, see I.C. 5-14-3-3.6
Public policy, see I.C. 5-14-3-1
Right to inspect and copy public agency records; electronic data storage; use of information for commercial purposes; contracts, see I.C. 5-14-3-3

§ 33.004 ELECTRONIC MAP GENERATION FEE.

In all instances where a fee for a public record has not been set by state law, the Lake County Board of Elections and Registration shall charge an electronic map generation fee, pursuant to I.C. 5-14-3-8(j) as follows:

Fee Schedule	
Copies	$.10 per page
Campaign finance manual	$10
Candidates guide	$5
Public officials directory	$5
Poll books	$6 per precinct
Mailing labels/Excel format only	$25
Walking List/PDF format only	$0.50 per precinct plus $1 per CD with a maximum charge of $100

Map Copies	
8-1/2 inches by 11 inches (black and white)	$.10
8-1/2 inches by 11 inches (color)	$.15
13 inches by 19 inches (black and white)	$2
13 inches by 19 inches (color)	$2
8-1/2 inches by 11 inches (black and white)	$4
8-1/2 inches by 11 inches (color)	$4

(Ord. 1224C, passed 2-12-2002; Ord. 1241B, passed 7-8-2003; Ord. 1241B-1, passed 3-13-2012; Ord. 1241B-2, passed 4-10-2012; Ord. 1241B-3, passed 9-11-2012)

§ 33.005 INTERNET ACCESS OF PUBLIC RECORDS, FEE FOR PUBLIC RECORDS.

(A) (1) The Lake County Council establishes the following fee schedule for services for internet access to Lake County Court records:

Description	*Cost*
Public access, including name search, case number search, view chronological case summary, and view court calendar	No charge
Public access to print name search, case number search, view chronological case summary, and view court calendar	$.25 per page, subject to $1 minimum charge
Attorney subscription/registration fee to enhanced access	$200 per year, plus the credit card company service fee and $3.99 credit card user fee, if paid by credit card
News media reporter subscription/registration fee to enhanced access	$200 per year, plus the credit card company service fee and $3.99 credit card user fee, if paid by credit card
Child support records/history for each calendar year of support records/history requests	$1, plus the credit card company service fee and $1.49 credit card user fee, if paid by credit card
Title companies, credit agencies and other commercial users:	
Annual subscription fee (per location)	$200
File opening, review and print	$1.50 per file
On line alerts	$.10 per alert
Lake County public agency access, for agency cases only	No charge
Any records requested via the Lake County Recorder's Website ($1 paid to specified vendor; $2 will be deposited in the Lake County Recorder's Enhanced Access Fund created by Lake County Ordinance No. 1336E).	$3
Printing fee per page for requested documents (mailed, digital copy, or facsimile)	$1
Credit card fees	To be set by credit card company and payday requesting entity
E-recording	$3

(2) The Lake County Council establishes the following new fees for electronic filing in MF, CC, PL, Ct, and MI cases:

Description	*Fee*
Electronic Systems Fee - MF Cases MF - Mortgage Foreclosure cases CC - Civil Collection cases PL - Plenary cases CT - Civil Tort cases	$17.50 per appearance by an attorney in a case $17.50 per pro se litigant who elects to file his or her own case
Printing fee	$1 per page for each page of pleading, paper, summons or other process to be served by Sheriff or the Clerk

(3) The Lake County Council establishes a new fee for electronic exemption filing:

Description	*Fee*
Electronic Exemption Filing Fee	Total of $5
To be distributed as followed:	
Lake County Auditor Web Maintenance Fund	$4
Lake County Data Processing Web Maintenance Fund	$1

(B) The Lake County Council establishes the following fee schedule for payment of traffic citation charges paid through the Lake County Clerk's electronic system, to be deposited in the Lake County Web Maintenance Fund:

Description	*Cost*
Traffic citation fine, court costs and related charges (charges) payment schedule:	
Payment of traffic citation charges that total over $25	$5 per traffic citation
Payment of traffic citation charges $25 or less	$2 per traffic citation
Credit card user fees payment schedule when credit card is used to pay traffic citation charges:	
Payment of traffic citation charges by credit card that total over $25	The credit card company service fee and 2.75% of the total charges
Payment of traffic citation charges by credit card that total over $25, but less than $250	The credit card company service fee and $3.99 credit card user fee
Payment of traffic citation charges by credit card that $25 or less	The credit card company service fee and a credit card user fee of $1.49

(C) The fees collected for internet access shall be deposited in the Website Maintenance Fund (fund), a non-reverting fund being used only for maintenance of the website, upgrades to the website for hardware, or uses related to the website, operating expenses incurred in providing enhanced access to public information, including salaries of the employees of the Lake Circuit Court, Lake Superior Courts, and Lake County Courts.

(D) All credit card company service fees shall be collected by Link-2-GOV and shall be kept separate from all other fees and will not be processed through Lake County.

(E) Appropriation from the Website Maintenance Fund (Fund) shall be made by the Lake County Council, subject to state and federal law, and that monies remaining in the Fund at the end of the calendar year shall not revert to the General Fund, but remain in the Website Maintenance Fund for use consistent with this subchapter.

(F) All requests for appropriations shall be made by both the official department head, or Chief Judge of the office or court, and the Director of Data Processing.
(Ord. 1258H, passed 12-14-2004; Ord. 1258H-1, passed 12-13-2005; Ord. 1258H-2, passed 1-10-2006; Ord. 1258H-3, passed 1-12-2010; Ord. 1258H-4, passed 2-23-2010; Ord. 1258H-5, passed 4-10-2012; Ord. 1258H-6, passed 6-12-2012; Ord. 1258H-7, passed 12-11-2012; Ord. 1258H-8, passed 2-12-2013; Ord. 1258H-9, passed 6-10-2014; Ord. 1258H-10, passed 12-9-2014; Ord. 1379B, passed 12-9-2014; Ord. 1258H-11, passed 1-13-2015; Ord. 1379B-1, passed 6-9-2015; Ord. 1379B-2, passed 11-10-2015)

CREDIT CARDS

§ 33.015 FEE FROM USE OF CREDIT CARD TO PAY REAL ESTATE OR PERSONAL TAXES.

(A) The Lake County Council establishes a processing fee of 0% of the amount charged for the use of a credit card to pay Lake County real estate and personal property tax.

(B) The fees collected shall be placed in the Web Maintenance Fund to be appropriated by the Lake County Council pursuant to Indiana law.

(C) This section becomes effective upon passage of Ord. 1268D pursuant to I.C. 36-2-8-4.
(Ord. 1268D, passed 10-12-2005)

LAKE COUNTY AUDITOR'S REAL PROPERTY ENDORSEMENT FEE

§ 33.040 LAKE COUNTY AUDITOR'S REAL PROPERTY ENDORSEMENT FEE.

(A) Pursuant to I.C. 36-2-9-18, the Lake County Auditor shall charge a fee of $5 for each deed, or legal description of each parcel contained in the deed for which the auditor makes a real property endorsement pursuant to I.C. 36-2-11-14.

(B) The real property endorsement fee is in addition to any other fee provided by law.

(C) The funds collected from the real property endorsement fee shall be placed in the Auditor's Real Property Endorsement Fund, to be used by the Lake County Auditor for use in maintaining plat books pursuant to I.C. 36-2-9-18(d).
(Ord. 1286B, passed 4-10-2007)

GRAVE MARKERS

§ 33.050 PAYMENT FOR VETERANS' GRAVE MARKERS.

(A) Any interested person may file a claim with the Board of Commissioners for a burial allowance and/or an allowance for a grave marker for a deceased veteran or spouse of a veteran of the armed forces of the United States who was at the time of his or her death a resident of Lake County, Indiana.

(B) The burial allowance for a deceased veteran is $150 and the burial allowance for the deceased spouse of a veteran is $100.

(C) The grave marker allowance for a deceased veteran and/or the deceased spouse of a veteran is $60.

(D) This section shall become effective upon passage.
(Ord. 1209C, passed 11-14-2000; Ord. 1209C-1, passed 3-8-2011)

DOMESTIC RELATIONS

§ 33.060 LAKE COUNTY CIRCUIT COURT DOMESTIC RELATIONS COUNSELING BUREAU, FEE SCHEDULE FOR SERVICES PROVIDED.

(A) The Lake County Circuit Court Domestic Relations Counseling Bureau currently provides the following services:

(1) Additions assessment and treatment;

(2) Anger management;

(3) Custody evaluations;

(4) Divorce education classes;

(5) Domestic violence counseling;

(6) Family counseling;

(7) Guardian ad litem;

(8) Individual counseling;

(9) Mediation;

(10) Parenting classes;

(11) Psychiatric assessment;

(12) Psychological testing;

(13) Reconciliation counseling; and

(14) Supervised visitations.

(B) The following fee schedule shall be established for the service provided the Lake County Circuit Court Domestic Relations Counseling Bureau based on the income of the client served.

Fee Per Case	*Single Person*	*Two in Household*	*Family of Three*	*Family of Four*	*Family of Five*
$75	$40,000 +	$41,000 +	$44,000 +	$50,000 +	$52,000 +
$70	$38,000/ $39,000	$38,000/ $40,000	$41,000/ $43,000	$48,000/ $49,000	$50,000/ $51,000
$65	$36,000/ $37,000	$35,000/ $37,000	$38,000/ $40,000	$45,000/ $48,000	$48,000/ $49,000
$60	$33,000/ $35,000	$32,000/ $34,000	$35,000/ $37,000	$42,000/ $44,000	$45,000/ $47,000
$55	$30,000/ $32,000	$29,000/ $31,000	$32,000/ $34,000	$38,000/ $41,000	$41,000/ $44,000
$50	$27,000/ $29,000	$26,000/ $28,000	$29,000/ $31,000	$34,000/ $37,000	$37,000/ $40,000
$45	$24,000/ $26,000	$23,000/ $25,000	$26,000/ $28,000	$31,000/ $33,000	$33,000/ $36,000
$40	$21,000/ $23,000	$20,000/ $22,000	$23,000/ $25,000	$27,000/ $30,000	$28,000/ $32,000
$35	$17,000/ $20,000	$19,000/ $21,000	$20,000/ $22,000	$22,000/ $26,000	$23,000/ $27,000
* Subject to review and deviation					

(C) The fees collected shall be deposited in the Domestic Relations Counseling Bureau Fund and pursuant to I.C. 36-2-5-2(b) shall be appropriated by the Lake County Council, except as otherwise provided by law.
(Ord. 1244D, passed 10-14-2003)

SHERIFF'S SALE PROGRAM

§ 33.070 SHERIFF'S SALE PROGRAM AND SERVICE FEE.

(A) The Sheriff's sale program is approved and established to provide the procedure for the Sheriff pursuant to I.C. 32-29-7-4 to contract for an auctioneer and administrative, technical, clerical, legal staff and related services that are reasonable, appropriate, and necessary for the Sheriff to effectively prepare for, manage, facilitate, implement, and conduct foreclosure sales.

(B) The Sheriff is authorized to negotiate and execute contracts pursuant to I.C. 32-29-7-4 with providers to obtain such administrative, technical, clerical, legal and related services, (hereinafter the Sheriff's sale services), in order for the Sheriff to conduct the Sheriff's sale program.

(C) (1) The Sheriff's sale services contracts shall provide for the delivery of the services by contractors in compliance with all applicable statutory provisions for the conduct of foreclosure sale proceedings and the Sheriff's sale program.

(2) The Sheriff's sale services contracts shall also provide for the payment of a fee, not to exceed, in the aggregate, $200, per parcel for each parcel in the Sheriff's sale program, to the contractors for the services.

(D) The Sheriff is hereby authorized to charge a fee of $200 per parcel of property in the Sheriff's sale program, (hereinafter the foreclosure costs fees), and to deposit the foreclosure costs fees collected by or on behalf of the Sheriff in the Sheriff's Sale Program and Service Fee Fund.

(E) The foreclosure costs fees shall be payable at the time of filing the praecipe under I.C. 32-29-7-3(h), which shall be a charge for the Sheriff's sale in addition to other statutory costs and fees.

(F) The Sheriff's sale program contracts shall provide for a complete and accurate accounting of all Sheriff's sale program proceeds and compliance with any reporting or recording requirements as set forth by the Indiana State Board of Accounts.
(Ord. 1280A, passed 10-10-2006; Ord. 1280A-1, passed 11-22-2011)

SEX AND VIOLENT OFFENDER FEES

§ 33.080 LAKE COUNTY ANNUAL SEX AND VIOLENT OFFENDER REGISTRATION FEE AND ADDRESS CHANGE FEE.

(A) Pursuant to I.C. 36-2-13-5.6, the Lake County Council establishes the following fees:

(1) Annual sex or violent offender registration fee of $50; and

(2) Sex or violent offender address change fee of $50.

(B) All sex and violent offenders required to register with the Lake County Sheriff's office, or notify the Lake County Sheriff's office of an address change under Indiana law, I.C. 11-8-8-1 *et seq.*, shall pay the fees to the Lake County Sheriff's Department which shall collect the fees for deposit in the Lake County Sex and Violent Offender Administration Fund, set out in § 37.104.

(C) All annual sex or violent offender registration fees shall be collected only one time per year. The sex or violent offender address change fee shall be collected each time an offender registers an address change with the Lake County Sheriff's Office.

(D) The Lake County Auditor shall monthly:

(1) Deposit 90% of the fees collected in the Lake County Sex and Violent Offender Administration Fund, set out in § 37.104, established by the Lake County Council; and

(2) Transfer 10% of any fees collected under this section to the State Treasurer for deposit in the State Sex and Violent Offender Administration Fund under I.C. 11-8-8-21.

(E) Any registration required by law shall not be refused for non-payment of the fee.
(Ord. 1292B, passed 10-9-2007)

ACCIDENT AND/OR CRASH REPORT FEE

§ 33.090 LAKE COUNTY ACCIDENT AND/OR CRASH REPORT FEE.

(A) There is hereby established a fee of $15 for each accident and/or crash report supplied by the Lake County Sheriff's Department prepared by officers as part of their duties in investigating a vehicle collision.

(B) Pursuant to I.C. 9-29-11-1(b)(2) the fee shall be deposited in a separate fund known as the Accident Report Account Fund (Fund).

(C) Pursuant to I.C. 9-29-11-1(b)(2) money deposited in the account/fund ma be expended at the discretion of the Chief Administrative Officer of the Lake County Sheriff's Department for any purpose

reasonably related to the keeping of accident reports and records, or the prevention of street and highway accidents.

(D) Deposits and expenditures from the fund shall be reported to the Lake County Auditor who shall keep a record for public inspection.
(Ord. 1306B, passed 12-9-2008)

TAX RECORDS

§ 33.100 COPYING OR DUPLICATING TAX RECORDS.

(A) The Lake County Treasure shall charge $1 per parcel for printing a duplicate of a yearly tax bill/statement.

(B) The fees collected shall be deposited in the Lake County General Fund, to be appropriated by the Lake County Council, or as otherwise provided by law.
(Ord. 1316E, passed 10-13-2009)

§ 33.101 LOCAL SERVICE FILING FEE FOR ANNUAL CERTIFICATION OF EXEMPT PROPERTY.

(A) The Lake County Council establishes the local service filing fee of $50 for annual certification of exempt property pursuant to I.C. 6-1.1-3-7.3.

(B) The local service fee imposed for an assessment date is due and payable at the same time that property taxes for that assessment date are due and payable; a delinquent local service fee shall be collected in the same manner as delinquent property taxes are collected. The funds collected pursuant to the local service filing fee shall be deposited in the Local Service Filing Fee for Annual Certification of Exempt Property Fund, a non-reverting fund.

(C) The revenue collected from the local service fee shall be allocated in the same manner and proportion and at the same time as property taxes are allocated to each taxing unit in the county and may be used by a taxing unit for any lawful purpose of the taxing unit.
(Ord. 1388B, passed 9-8-2015)

VEHICLES

§ 33.110 VEHICLE INSPECTION FEE.

The County Council establishes the vehicle inspection fee of $5 to be paid for a vehicle inspection made pursuant to I.C. 9-17-2-12 by a member of the Lake County Sheriff's Department.
(Ord. 1317D, passed 11-10-2009)

§ 33.111 SALVAGE VEHICLE INSPECTION FEE.

(A) A salvage vehicle inspection fee of $60 is hereby established to be paid for a salvage vehicle inspection made pursuant to I.C. 9-22-3-15(1) by members of the Lake County Sheriff's Department.

(B) Salvage vehicle inspection fees shall be deposited into the Salvage Vehicle Inspection Fee Fund, and shall be appropriated by law, and used for law enforcement purposes.
(Ord. 1343B, passed 1-10-2012)
Cross-reference:
Salvage Vehicle Inspection Fund, see § 37.148

JURIES

§ 33.120 JURY DUTY SUPPLEMENTAL FEE.

The County Council establishes the jury duty supplement fee of $5 to be paid to jurors in addition to the $15 per diem per day for jurors in actual attendance in court until the jury is impaneled.
(Ord. 1317C, passed 11-10-2009)

CHECKS

§ 33.130 CHECK DECEPTION COLLECTION PROGRAM SERVICE FEE.

(A) Pursuant to I.C. 35-43-5-5(e), the Lake County Prosecutor is authorized to collect a service charge of $35 for making collections on dishonored checks in addition to the service fee collected on dishonored checks payable to the local merchants.

(B) Pursuant to I.C. 35-43-5-5, the service fee of $35 per dishonored checks shall be deposited in a separate fund known as the Lake County Check Deception Collection Program Fund to be appropriated by the Lake County Council to offset salary expenses in the Lake County Prosecutor's Office, or as otherwise provided by law.
(Ord. 1307A, passed 1-13-2009)

EVICTIONS

§ 33.140 SHERIFF EVICTION FEE.

(A) There is established a Lake County Sheriff Eviction Fee (fee) for services rendered by the Lake County Sheriff in connection with the notice of eviction and the execution of any order of eviction from real property.

(B) The fee shall be set at the amount of $100 per eviction, and shall be paid by the plaintiff with filing fees at the time the complaint for eviction/ejectment is filed with the Clerk's Office.

(C) The fee shall be delivered to the Lake County Auditor for deposit in the Lake County General Fund, and shall be appropriated from the General Fund by the Lake County Council, or as otherwise provided by law.
(Ord. 1305A, passed 11-10-2008)

FAIRGROUNDS

§ 33.150 FAIRGROUNDS FEE SCHEDULE.

(A) There is hereby established a fee schedule for use of the facilities of the Lake County Fairgrounds (LCFG).

(B) For the purpose of this fee schedule, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(1) ***TYPE 1.*** An Indiana not for profit corporation created by action of the Indiana Secretary of State or a Non-Indiana not for profit corporation that has been registered with the Indiana Secretary of State. This existence of this type of organization can be verified by checking the Office of the Indiana Secretary of State on the internet at www.in.gov/sos/.

(2) ***TYPE 2.*** An organization exempt from Federal Income Tax under 501(c) whose existence can be checked by verification of its designation through the Internal Revenue Service and who has the type of designation on Appendix A, Exempt Organization Reference Chart, which is attached to Ordinance 1320C and incorporated by reference as if appearing in total and made a part hereof. (Two copies of this Appendix are on file in the County offices.)

(3) ***TYPE 3.*** The City of Crown Point, or any of its affiliated government agencies, Lake County Agricultural Society, South Lake County Agricultural Historical Society and the LCFG/SO Covered Bridge Harvest Fest, because these units provide reciprocal services to the Lake County Fairgrounds.

(4) ***TYPE 4.*** An organization that is a county level government body that is funded by and through the Lake County Council that controls the budget of this body.

(5) ***TYPE 5.*** Any person, corporation, partnership, organization, association or any other affiliation that does meet the requirements of Type 1. Type 2, Type 3 or Type 4.

(6) A ***LAKE COUNTY RESIDENT*** is a ***TYPE 1***, ***TYPE 2*** or ***TYPE 4*** entity that has an office in Lake County, resides in Lake County, has a service area that encompasses Lake County, or owns real or personal property located within Lake County. This requirement can be verified through either an Indiana operator's license, voter registration card or Lake County tax records.

(7) A ***NON-LAKE COUNTY RESIDENT*** is a ***TYPE 1***, ***TYPE 2*** or ***TYPE 4*** entity whose location is Lake County can not be verified through an Indiana operator's license, voter registration card or Lake County tax records;

(C) Type 3 and Type 4 shall be permitted to utilize the Lake County Fairgrounds at no fee.

(D) The following daily fee and set-up rates shall be paid per day for the use of the facilities at the Lake County Fairgrounds:

Facility	*Type 1 & Type 2*	*Type 5*
4H Building		
Daily use		
Resident	$300	$375
Non-resident	$350	$475
Set-up		
Resident	$90	$115
Non-resident	$100	$160
Industrial Building		
Daily use		
Resident	$400	$450
Non-resident	$450	$640
Set-up		
Resident	$100	$150
Non-resident	$140	$225
Annex Building		
Daily use		
Resident	$200	$250
Non-resident	$250	$300
Set-up		
Resident	$50	$65
Non-resident	$65	$90
Fine Arts Building		
Daily use		
Resident	$250	$300
Non-resident	$300	$375
Set-up		
Resident	$50	$85
Non-resident	$75	$100

Facility	*Type 1 & Type 2*	*Type 5*
Shelters #1-6		
Daily use		
Resident	$100	$100
Non-resident	$100	$100
Shelter Use: WALKRUN (Fundraising (business))	$150.00	$200.00
Gazebo/Cov. Bridge Wedding Area		
Daily use all	$100.00	$100.00
Arena		
Daily use		
Resident	$300	$500
Non-resident	$450	$650
Set-up		
Resident	$75	$125
Non-resident	$100	$150
Grandstand		
Daily use		
Resident	$500	$750
Non-resident	$650	$850
Set-up		
Resident	$100	$150
Non-resident	$100	$150
***North Half of Grounds w/Shelters**		
Daily use		
Resident	$1,000	$1,500
Non-resident	$1,300	$1,800
Set-up		
Resident	$200	$400
Non-resident	$300	$500

Facility	*Type 1 & Type 2*	*Type 5*
***South Half of Grounds**		
Daily use		
Resident	$1,000	$1,500
Non-resident	$1,300	$1,800
Set-up		
Resident	$200	$400
Non-resident	$300	$500
Notes to table: *Any additional buildings must be paid for at their individual rental rate. All users of the buildings are required to return the buildings to moved in condition. Fairgrounds will perform clean-up services at a negotiated rate, if desired by lessee.		

(E) (1) That the following rates for additional amenities which must be approved separately by the Fairground Superintendent are hereby established:

Amenity	*Fee Per Day*
Stage (size)	$100 to $150
4H sound system	$50
Industrial building PA system	$50
Portable 100-amp electrical service	$50
*Self-contained (primitive) camping (no electric)	$15
**Self-contained (primitive) camping (with electric)	$25
Round tables	$10 per table
Electric (per hook-up)	$5
Notes to table: *Only allowed with certain events and collected by lessee. **Arrangements for special electrical hookups must be made through the Superintendent's office for a qualified electrician, any costs to be paid by lessee.	

(2) Events charging admission shall pay an additional fee within 30 days of the event.

(a) Door fee: $.50 per person.

(b) Gate fee: $1 per person.

(3) Late fees: 10% of rental fee incurred if payment in full is not 30 days before event, unless event scheduled within last 30 days.

(F) All fees shall be deposited in accordance with state law with the appropriate Lake County office.

(G) Attached as Appendix B at the end of this chapter is the building rental, security guard, and alcohol policy that applies for the use of the Lake County Fairgrounds and its buildings.
(Ord. 1320C, passed 2-23-2010; Ord. 1320C-1, passed 9-14-2010; Ord. 1333F-1, passed 10-14-2014)

ALCOHOL

§ 33.165 ALCOHOL BEVERAGE PERMIT CERTIFICATION FEE.

(A) The Lake County Council hereby establishes the Lake County alcohol beverage certification fee of $45 to be paid for the certification of alcohol beverage permits by the Lake County Surveyor made pursuant to I.C. 7.1-3-4-3.

(B) The fee shall be payable by the applicant seeking the certification and permit before the Alcohol and Tobacco Commission.
(Ord. 1320A, passed 3-17-2010)

CORONER

§ 33.175 CORONER FACILITY FEE.

(A) There is hereby established a Lake County Coroner facility fee to be charged to organ and tissue agencies utilizing the Lake County Morgue.

(B) The fee for each utilization of the Lake County Morgue for an organ or tissue donation shall be set at the amount of $1,000 for each procurement and the fee of transfer by the Coroner of a body for organ and tissue procurement shall be $500.

(C) The fee shall be deposited in the Lake County Coroner Facility Fund and shall be appropriated by the Lake County Council, or as otherwise provided by law.
(Ord. 1330F, passed 12-14-2010; Ord. 1330F-1, passed 2-14-2012)

Cross-reference:

Coroner Facility Fee Fund, see § 37.130

LAW ENFORCEMENT PROCESSING AND RELEASE FEES

§ 33.190 ESTABLISHED; COLLECTION.

(A) In order to support the added administration and additional paperwork, as well as the convenience provided associated with processing the receipt of cash or surety bonds connected with a charge or offense for which the posting of a bond in lieu of incarceration is a lawful option, there is hereby authorized and established a special user fee to be known as the law enforcement processing and release fee.

(B) The law enforcement processing and release fee hereinafter identified may be collected by the Lake County Sheriff's Department in each instance of providing additional processing and release services for persons charged with an offense for which the posting of a bond in lieu of incarceration is a lawful option. The fee shall be charged at the same time the bond is collected, except as provided in division (C) of this section.

(C) The law enforcement processing and release fee shall not be charged or collected in the following instances:

(1) Incidents involving a charge of driving while suspended as an infraction; and

(2) Incidents involving any charge or arrest in which the party arrested or to charged is transported to the hospital immediately following the charge(s) or arrest.
(Ord. 1333C, passed 3-30-2011)

§ 33.191 SCHEDULE OF CHARGES AND FEES.

(A) The service charges as set forth and contained in the following schedule of charges are hereby deemed to be reasonable and just rates and charges reasonably related to the administration of the services coveted, and the schedule is hereby authorized and approved.

(B) *Schedule of charges*. Except as may be otherwise provided, the users of services administered and provided will be charged a standard service charge based upon the list herein provided.

Service Charges	
Law enforcement processing and release fee	$25

(C) All charges and amounts remitted to the Lake County Sheriff's Department pursuant to this subchapter shall be deposited and credited to the Lake County General Fund upon its receipt.

(D) The Lake County Sheriff's Department shall not charge or collect any fee or amount for a service performed by the Lake County Sheriff's Department that is not authorized or not deposited with the municipality according to the terms herein provided. (Ord. 1333C, passed 3-30-2011)

SHERIFF'S MARINE UNIT FEES

§ 33.205 MARINE UNIT FEES.

(A) The term ***WATERCRAFT*** shall include all motorized and non-motorized water vessels and all personal watercraft.

(B) This subchapter encompasses all bodies of water within the boundaries of the County of Lake including but not limited to Lake Michigan, the East Chicago Marina, the Hammond Marina, Wolf/Lake, the Calumet River, and any other body of navigable water on which the Lake County Sheriff's Marine Unit operates.

(C) A ***PUBLIC NUISANCE***' is defined as every watercraft which has been abandoned, is disabled or allowed to sink in within a body of water within the County of Lake is hereby to be a nuisance and the master, owner, or person in charge or control of any such watercraft shall immediately abate such nuisance.

(D) Every watercraft which has been abandoned, is disabled or allowed to sink within a body of water within the County of Lake is hereby declared to be a nuisance.

(E) The master, owner, or person in charge or control of any such watercraft shall immediately abate such nuisance upon notice from the Lake County Sheriff Marine Unit.

(F) The owner or master of any abandoned, disabled or sunk vessel shall pay to the County of Lake the following fees for services to the vessel by the Lake County Sheriff' s Marine Unit:

Extinguishing fire on board	$225
Towing less than 1 mile more than 1 mile	 $250 $375
Pumping water from watercraft at marina	$350
Degrounding of watercraft	$15 per foot
Other emergency services	$150 per hour
Fuel (5 gallons)	$35.00

(G) At the time of the service by the Lake County Sheriff's Marine Unit, the owner or person in charge of the watercraft shall receive a bill from the officer in charge. A duplicate copy of the bill will be filed by the Lake County Sheriff's Marine Unit with the Sheriff 's Department in Crown Points, Indiana.

(H) The owner or person in charge of the watercraft is personally responsible for paying the fee for services. The bill may be paid by sending a certified check or money order in within ten days of the date of service to the Lake County Sheriff, 2293

North Main Street, Crown Point, Indiana or by delivering the payment in person to the Sheriff's Department at the same address within ten days.
(Ord. 1333B, passed 3-30-2011)

SHERIFF'S DEPARTMENT FEES

§ 33.210 OFFENSE REPORT FEE.

(A) The Lake County Sheriff's Department shall charge $4 for the preparation of minor incident reports for damages less than $1,000 theft/burglary, complaints and protection order reports.

(B) The fees collected shall be deposited in the Lake County General Fund, to be appropriated by the Lake County Council, or as otherwise provided by law.
(Ord. 1351G, passed 8-14-2012)

§ 33.211 FINGERPRINTING FEE.

(A) The Lake County Sheriff's Department shall charge $5 to individuals requesting fingerprinting services including but not limited to potential employers and gun permits.

(B) The fees collected shall be deposited in the Lake County Sheriff's Fingerprinting Fee Fund, to be appropriated by the Lake County Council, or as otherwise provided by law.
(Ord. 1351C, passed 8-14-2012)
Cross-reference:
Fingerprint Fee Fund, see § 37.156

§ 33.212 BACKGROUND CHECK FEE.

(A) The Lake County Sheriff's Department shall charge $7 to perform records checks, background checks, criminal record checks.

(B) The fees collected shall be deposited in the Lake County General Fund, to be appropriated by the Lake County Council, or as otherwise provided by law.
(Ord. 1351B, passed 8-14-2012)

INTERNET ACCESS TO LAKE SUPERIOR COURT

§ 33.220 FEE FOR INTERNET ACCESS TO LAKE SUPERIOR COURT.

(A) Pursuant to I.C. 5-14-3-8(h) the Lake County Council establishes the following fee schedule for internet access to Lake Superior Court, Juvenile Division's records:

Attorney of record subscription to enhanced access $ 200 per year.

(B) The fees collected for internet access shall be deposited in the Lake Superior Court, Juvenile Division Enhanced Access Fund, a dedicated and non-reverting fund, for the following purposes pursuant to I.C. 5-14-3-8.3(b)(1) and I.C. 5-14-3-8.3(b)(2):

(1) The replacement, improvement, and expansion of capital expenditures;

(2) The reimbursement of operating expenses incurred in providing enhanced access to public information.

(C) That appropriation from the Fund shall be made by the Lake County Council, subject to state and federal law, and that monies remaining in the fund at the end of calendar year shall not revert to the General Fund, but remain in the Lake Superior Court, Juvenile Division Enhanced Access Fund for use consistent with this section.
(Ord. 1380D, passed 1-13-2015)

LAKE COUNTY TAX SALE PADDLE FEE

§ 33.230 LAKE COUNTY TAX SALE PADDLE FEE.

(A) There is hereby established a Lake County Tax Sale Paddle Fee to be charged to persons participating in a Treasurer's Tax Sale or a Commissioners' Certificate Sale as a bidder.

(B) The paddle fee shall be required even if the person does not purchase a property or tax sale certificate; the fee shall be set as follows:

(1) Twenty-five ($25) dollars for a person who attends no more the one tax sale in the county in any calendar year and purchases no more than one property or tax sale certificate;

(2) One hundred ($100) dollars for a person who attends as many tax sales as are offered in the county in the calendar year, and may purchase more than one property or tax sale certificate.

(C) The treasurer shall deposit the paddle fee in the County General Fund not later the 30 days after the conclusion of the tax sale and may be used only to (1) defray the expenses of the tax sale or (2) reduce the number of vacant and abandoned houses, including rehabilitation, demolition and foreclosure prevention and counseling.
(Ord. 1385A, passed 6-9-2015)

APPENDIX A: LIMITED USAGE DATA AGREEMENT AND SCHEDULE OF FEES

READ CAREFULLY BEFORE USING THE LAKE COUNTY GEOGRAPHIC INFORMATION SYSTEMS DATA

LAKE COUNTY, INDIANA IS WILLING TO PROVIDE YOU ACCESS TO ITS GEOGRAPHIC INFORMATION SYSTEM (CIS) DATA ON A LIMITED BASIS ONLY

UPON THE CONDITION THAT YOU ACCEPT ALL OF THE TERMS AND CONDITIONS CONTAINED IN THIS DATA USAGE AGREEMENT. PLEASE READ THE TERMS AND CONDITIONS CAREFULLY BEFORE USING THE LAKE COUNTY GEOGRAPHIC INFORMATION SYSTEM DATA. BY MAKING USE OF THE PROVIDED DATA, YOU ARE INDICATING YOUR ACCEPTANCE OF THE LAKE COUNTY LIMITED DATA USAGE AGREEMENT. IF YOU DO NOT AGREE TO THE TERMS AND CONDITIONS AS STATED, THEN LAKE COUNTY IS UNWILLING TO ALLOW ACCESS TO THE GEOGRAPHIC INFORMATION SYSTEM AND USAGE OF THE DATA. IN SUCH A CASE. ALL ACCESS MUST CEASE AND ALL DATA PRODUCTS MUST BE RETURNED TO THE OFFICE OF THE LAKE COUNTY SURVEYOR IMMEDIATELY.

LAKE COUNTY, INDIANA LIMITED DATA USAGE AGREEMENT

This is a limited data usage and access agreement, and not an agreement for sale, between the end user and Lake County, Indiana, located at 2293 N. Main Street, Crown Point, Indiana 46307. This Limited Data Usage Agreement gives the end user certain limited rights to use the GIS data and data products. All rights not specifically granted in this data usage agreement are reserved to Office of the Lake County Surveyor.

Lake County reserves exclusive data ownership and the right to grant usage and access rights to the Lake County GIS data and data products. Lake County hereby grants to the end user a personal, nonexclusive, nontransferable license to use the data and data products based on the terms and conditions of this Agreement. The end user agrees to use reasonable efforts to protect the data and data products from unauthorized use, reproduction, distribution, or publication.

Proprietary Rights and Copyright

The end user acknowledges that the GIS data and data products contain proprietary and confidential property of Lake County. The data and data products are owned by Lake County and are protected by United States copyright laws and applicable international copyright treaties and/or conventions.

Permitted Uses

The end user may install the data onto permanent storage device(s) and reproduce a corresponding number of copies of the data for end user's own internal use.

· Limited Data Usage Agreement

· The end user may modify the data provided by Lake County and/or merge other data sets with the data and thereby produce derivative data. Derivative data will continue to be subject to the terms and conditions of this Agreement. Derivative data must be provided back to the Office of the Lake County Surveyor in digital form.

· The end user may merge the data with other software, programs, functions, and/or digital materials and thereby create derivative works. Derivative works shall continue to be subject to the terms and conditions of this Agreement. Derivative works must be provided back to the Office of the Lake County Surveyor in digital form.

· Derivative data and derivative works shall provide the following copyright attribution notice acknowledging Lake County's proprietary rights in the data: "Portions of this material include intellectual property of Lake County, Indiana and are used herein by permission. Information shown on any map or other data provided is not warranted for accuracy or merchantability by Lake County."

· The end user may use, copy, produce, and/or distribute derivative data and derivative works only in published hard-copy and/or in static, electronic (i.e., gif, jpeg, etc.) formats.

Uses Expressly Not Permitted

· The end user shall not sell, rent, lease, sublicense, lend, assign, time-share, distribute or transfer, in whole or in part, or provide third parties access to, the GIS data, data products, any updates, or end user's rights under this Agreement.

· The end user shall not reverse engineer, decompile, or disassemble the Lake County data or data products in an attempt to duplicate the proprietary and copyright-protected Lake County data model(s) and/or export format(s).

· The end user shall not sell, market, and/or distribute the data or data products or any derivative data or derivative works in digital form.

· The end user shall not remove or obscure any Lake County copyright, proprietary, or trademark notices.

Term

The limited data usage rights granted by this Agreement shall commence upon the end user's receipt of the data and data products and shall continue until such time that:

(1) The end user has completed the contractual obligations for which the data and data products were provided to the end user;

(2) The office of the Lake County Surveyor terminates this Agreement; or

(3) The 2nd user terminates this Agreement.

Upon termination of this Agreement, the end user shall then return to Lake County all copies of the data and data products and any derivative data and derivative works in digital form. The parties hereby agree that all provisions that operate to protect the rights of Lake County shall remain in force should a breach occur.

No Warranty

GIS maps do not constitute a survey nor an engineering drawing. GIS data and data products are not warranted and the end user expressly acknowledges that the data contains or may contain some nonconformities, defects, or errors. Lake County does not warrant that the data will meet the end user's needs or expectations; that the use of the data will be uninterrupted; or that all nonconformities, defects, or errors can or will be corrected. Lake County is not inviting reliance on this data; reliance is at the end user's risk; and the end user should always verify actual data. The data and data products are provided "as is," without warranty of any kind, either express or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose.

Exclusive Remedy and Limitation of Liability

Lake County's entire liability and the end user's exclusive remedy shall be to terminate this Agreement upon the end user returning the data and data products and any derivative data and derivative works to Lake County.

In no event shall Lake County be liable for costs of procurement of substitute goods or services, lost profits, lost sales or business expenditures, investments, or commitments in connection with any business, loss of any goodwill, or for any direct, indirect, actual, special, incidental, punitive, exemplary, consequential or other damages arising out of this Agreement or use of the GIS data and data products, however caused, on any theory of liability, and whether or not Lake County has been advised of the possibility of such damage. These limitations shall apply notwithstanding any failure of essential purpose of any exclusive remedy.

No Implied Waivers

No failure or delay by Lake County in enforcing any right or remedy under this Agreement shall be construed as a waiver of any future or other exercise of such right or remedy by Lake County.

Export Regulation

The end user acknowledges that this Agreement and the performance thereof are subject to compliance with any and all applicable United States, State of Indiana, or local laws, regulations, statutes, ordinances, resolutions or orders relating to the export of data thereto. The end user agrees to comply with all applicable laws, regulations, statutes, ordinances, resolutions and orders of the United States, State of Indiana or Lake County in regard to any export of technical data. The end user agrees not to disclose or re-export any technical data received under this Agreement in or to any countries for which the United States Government requires an export license or other supporting documentation at the time of export or transfer, unless the end user has obtained prior written authorization from Lake County and the US. Office of Export Control.

Severability

If any provision(s) of this Agreement shall be held to be invalid, illegal, or unenforceable by a court or other tribunal of competent jurisdiction, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

Governing Law

This Agreement, entered into in Lake County, Indiana, shall be construed and enforced in accordance with and be governed by the laws of the United States of America and the State of Indiana without reference to conflict of law principles. The parties hereby consent to the personal jurisdiction exclusively of the courts of Lake County and waive their rights to change venue.

Entire Agreement

The parties agree that this constitutes the sole and entire agreement of the parties as to the matter set forth herein and supersedes any previous agreements, understandings, and arrangements between the parties relating hereto.

Signature

The undersigned agrees to the above listed terms of use for the Lake County CIS data and data products identified on Appendix A and warrants that he/she is duly authorized to execute this Agreement on behalf of the organization identified.

Phone: _____

By: _____

Printed Name: _____

Title: _____

E-mail: _____

Company: _____ _____

Address: _____ _____

Date: _____

For Lake County Use Only:

The undersigned representative for Lake County hereby acknowledges witnessing the signature of the above-referenced individual and receipt of the license fee shown on Exhibit A in exchange for the identified GIS data and data products.

Lake County Representative _____

_____

Date

SCHEDULE OF FEES

Lake County Surveyor

Maps and Plat Books	
Lake County plat book	$20
Preprinted Lake County map	$3
Subdivision plat	$5
Sidwell aerial print B/W	$5
Sidwell aerial - PDF file	$3
36" by 36" topographic tile print (scaled)	$35
Digital topographic tile (Autocad and ESRI format)	$200

Custom Maps and Copies	
County, Municipal and District	
24" by 36" color	$8
36" by 36" color	$10
42" by 42" color	$12
24" by 36" B/W laser	$5
36" by 36" B/W laser	$7
Oversized (over 42" by 42")	$3 per square foot
Small Maps - District and Precinct	
11" by 17" color laser map	$3
8-1/2" by 11" color laser map	$2
*All maps are available in PDF format. E-mail or ftp upload is available at no additional charge - CD creation fee is $5. For parcel information, remember to check out the GIS website at www.lakecountysurveyor.org	
Copies	
Color laser copies	
11" by 17"	$3
8-1/2" by 11"	$2
B/W	
8 -1/2" by 11"	$.50

MS4 Materials	
Stormwater ordinance (paper only)	$25
Technical standards (paper only)	$15
Stormwater ordinance and technical standards on CD	$35

GIS Information System Data	
Lake County address data (178,174 x $.01 each)	$1,781.84
Street centerlines, drainage, railroads, FIRM and other available layers CD (CD creation fee	$5
E-mailed or ftp uploaded	No charge

Parcel Distribution Fees	
Parcels	***Per Parcel***
1—200	$1.50
201—500	$.95
501—1,000	$.70
1,001—2,000	$.50
2,001—5,000	$.48
5,001—8,000	$.44
8,001—13,000	$.42
13,001—20,000	$.38
20,001—40,000	$.25
40,001—70,000	$.17
70,001—120,000	$.13
120,001—180,000	$.11
180,001—260,000	$.10

Basis for Lake County Surveyor's Office
Schedule of Fees
2011

Maps:	HP Z6100 Plotter purchased 2008	
	Cost of machine:	$16,000
	Ink:	$239—$259/color cartridge x 8 colors
		Replace every 8 to 10 months
		Based on 100 to 150 maps/month
	Paper:	Purchased by the roll: 36" by 150' at $54.02/roll
		Most maps are 24" by 36"

Copier	Okidata E3640 MFP purchased 2006	
	Cost:	$12,000
	Maintenance:	$435/3 months
	Paper:	

GIS:	Aerial Photography and Topography	
	1998 Ortophotography and Topography	
	Initial cost:	Approximately $1, million (still in use)
	2005 Statewide Ortophotography Program	
	Cost:	6" resolution Buy up $100,000 (still in use)
	2013 Statewide Ortophotography Program (prospective buy-up options)	
	Cost:	6" resolution buy-up $66,000
		LiDAR and 1 ft. topography $500,000

KIP 3000 Laser Plotter purchased 2007	
KIP Machine	
Cost:	$17,700
Maintenance (including toner)	$1,188/year

Daily Orders		
Commercial Price		
20 x 30 or 22 x 34	***Line or Aerial Only***	***Line & Aerial***
2 to 10	$10.90	$12.80
11 to 50	$9.95	$11.85
51 to 100	$8.40	$10.25
100 +	$6.85	$8.70

Government/Purchaser Price		
20 x 30 or 22 x 34	***Line or Aerial Only***	***Line & Aerial***
2 to 10	$7.50	$9.35
11 to 50	$6.15	$7.75
51 to 100	$5.05	$6.10
100 +	$4.50	$5.50

11 x 17 (Lease)	***Line or Aerial Only***	***Line & Aerial***
2 to 10	$9.90	$11.80
11 to 50	$8.95	$10.85
51 to 100	$7.40	$9.25
100 +	$5.85	$7.70

11 x 17 (Lease)	***Line or Aerial Only***	***Line & Aerial***
2 to 10	$6.50	$8.35
11 to 50	$5.15	$6.75
51 to 100	$4.05	$5.10
100 +	$3.50	$4.50

17-1/2 x 19	***Line or Aerial Only***	***Line & Aerial***
2 to 10	$5.45	$6.40
11 to 50	$4.95	$5.95
51 to 100	$4.20	$5.10
100 +	$3.45	$4.35

17-1/2 x 19	***Line or Aerial Only***	***Line & Aerial***
2 to 10	$3.75	$4.65
11 to 50	$3.05	$3.85
51 to 100	$2.50	$3.05
100 +	$2.25	$2.75

Annual Service Updates		
Commercial Price		
20 x 30 or 22 x 34	***Line or Aerial Only***	***Line & Aerial***
2 to 10	$8.50	$9.50
11 to 50	$8.00	$9.00
51 to 100	$7.00	$8.00
100 +	$6.00	$7.00

Annual Service Updates		
Commercial Price		
20 x 30 or 22 x 34	***Line or Aerial Only***	***Line & Aerial***
2 to 10	$6.60	$8.25
11 to 50	$5.40	$7.00
51 to 100	$4.80	$5.30
100 +	$4.25	$4.75

Annual Service Updates		
Commercial Price		
17-1/2 x 19	*Line or Aerial Only*	*Line & Aerial*
2 to 10	$4.25	$4.75
11 to 50	$4.00	$4.50
51 to 100	$3.50	$4.00
100 +	$3.00	$3.50

Annual Service Updates		
Commercial Price		
17-1/2 x 19	*Line or Aerial Only*	*Line & Aerial*
2 to 10	$3.30	$4.15
11 to 50	$2.70	$3.50
51 to 100	$2.40	$2.65
100 +	$2.10	$2.35

(Ord. 1334C, passed 3-30-2011; Ord. passed 4-12-2011)

APPENDIX B: LAKE COUNTY FAIRGROUNDS BUILDING RENTAL, SECURITY GUARD AND ALCOHOL POLICY

219.661.3071 fax: 219.661.3072 - lcfgso@yahoo.com
889 S. Court St., CPV IN 46307

1. The Lake County Sheriff's office provides security officers.

   1.a. All functions with merchandise or exchange of money requires a security officer.

   1.b. All functions serving/selling alcohol **requires** a security officer.

2. The fairgrounds will determine when security officers are needed and the number of security officers needed for any event. The lessee will pay each security officer **$25.00** per hour. Payment is due at the completion of the event. Security officers will be paid and stay until lights are out and doors are locked, when event is past normal closing time of dusk.

3. Reservation requests will be tentative for 14 days, **down payment shall be made within 14 days** of said request, or dates will be reopened. Reservation shall be paid in full, **31 days before event or incur 10% Late Fee**.

4. **Certificate of Liability** insurance with **the Lake County Fairgrounds and Lake County Commissioner's** named as the certificate holders is required for **Building** rental and may be required for other events. **Insurance certificates must be received 30 days prior to the event**.

   4.a. Minimum coverage: $500,000.00/$1,000,000.00. (Depending on event)

5. **The SALE of any FOOD or BEVERAGE products must be conducted in full compliance of the Lake County Health Dept. regulations (219-755-3655). Any licenses, permits, fees, etc., necessary must be obtained by the vendor.**

6. **No DUCT TAPE or Permanent MARKINGS are** allowed by exhibitor's/lessee's on the **4H or IB Bldg. Floor.**

7. The lessee will maintain the facilities and restrooms during their event. **NO SMOKING ALLOWED INSIDE BUILDINGS**.

8. The lessee will turn off all lights and lock all doors at the end of the event and leave the premises in clean condition and tables/chairs taken down. All decorations MUST be removed, including staples, tape.

9. The lessee must arrange to pick up keys between 7:00 am – 3:00 pm and return all keys and/or other equipment provided within 24 hours after event. Drop box provided at maintenance shop.

10. Music and festivities will end at midnight and the building cleaned and vacated by 1:00 am. Any outdoor music must end by 11:00 pm.

11. **Helium Balloons are not allowed inside of industrial building.**

12. Events charging admission, either a door charge or a gate charge, shall pay this additional fee within **30 days** of said event. **$.50** per head per Bldg. Admission, **$1.00** per head per Gate Admission.

13. Organizations with IRS Not-for-Profit Status MUST provide a copy for the Fairgrounds, or will not receive NFP pricing.

14. Parking in a safe manner is the responsibility of the lessee. No Parking in grass, Vehicles may be towed at lessee's expense.

15. Set-up time with paid reservation may start the previous day at 3:00 pm and end at 8:00 pm. IF available, any extra time needed will be charged a set-up fee with same time allowance.

16. NO SOLICITATIONS ON THE GROUNDS (exception: Election days.)

17. ALL USERS ARE REQUIRED TO RETURN BUILDING TO: MOVED IN CONDITION. FAIRGROUNDS WILL PERFORM CLEAN-UP SERVICES AT A NEGOTIATED RATE, IF DESIRED BY LESSEE.

LAKE COUNTY FAIRGROUNDS BUILDING
RENTAL, SECURITY GUARD AND ALCOHOL POLICY

219.661.3071 fax: 219.661.3072 - lcfgso@yahoo.com
889 S. Court St., CPV IN 46307

Please sign below to acknowledge receipt of Building Rental, Security and Alcohol Policy.

Please return with Application.

I accept and acknowledge the policies of the Lake County Fairgrounds.

Signature/Date: _____

SALE of FOOD or BEVERAGE

The sale of food or beverage products mut be conducted in full compliance of the Lake County Health Department regulations. As lessee, it is your responsibility to make sure your food or beverage vendor, including sampling and pre-packaged food has received their Temporary Food Permit.

Health Dept. Telephone #: 219-755-3655
Hrs. 8:30 am – 4:00 pm
If NO PERMIT, you may not open your event.

Signature/Date: _____

(Ord. 1320C, passed 2-23-2010)

CHAPTER 34: POLICE DEPARTMENT

Section

General Provisions

34.01 Seized cash bank account
34.02 Uniform clothing allowance

Police Reserve Unit

34.15 Established
34.16 Size and appointment
34.17 Duties

Merit System Board

34.30 Definitions
34.31 Composition of Board
34.32 Correction officers; classification of ranks, grades, and positions; appointments
34.33 County Corrections Division; creation, membership, budget, and salaries
34.34 Correction officer; appointment; qualifications; duties
34.35 Disciplinary proceedings, political activities of corrections officers, subpoena powers of Sheriff's Correction Board, appeals

GENERAL PROVISIONS

§ 34.01 SEIZED CASH BANK ACCOUNT.

(A) The County Sheriff's Department/Police Department, County Drug Task Force and the County Prosecutor's Office are authorized to jointly establish an interest bearing bank account or accounts when deposits in an open account exceed $100,000.

(B) Cash seized subject to I.C. 34-24-1 by the County Sheriff's Department/Police Department and the County Drug Task Force may be deposited into the account.

(C) The County Sheriff's Department/Police Department, County Drug Task Force, and the County Prosecutor's Office shall jointly account for deposits made to and for withdrawals from the account.

(D) The cash and interest earned thereon shall be subject to disbursement pursuant to court order.
(Prior Code, § 34.01) (Ord. 110A, passed 10-13-1992)

§ 34.02 UNIFORM CLOTHING ALLOWANCE.

(A) Full-time deputy sheriffs shall receive an annual uniform clothing allowance of $1,300; the Lake County Sheriff shall not receive a clothing allowance.

(B) Full-time correctional officers shall receive an annual uniform clothing allowance of $700.

(C) Full-time work release custody officers shall receive an annual uniform clothing allowance of $550.

(D) Full-time court security officers shall receive an annual uniform clothing allowance of $550.

(E) The clothing allowance shall be paid on or before December 1 of each calendar year, beginning on or before December 1, 2015, for the calendar year of 2016.

(F) This section shall be in full force and effect from and after the date of its passage according to law.
(Prior Code, § 34.02) (Ord. 1146F, passed 9-5-1995; Ord. 1170I, passed 9-2-1997; Ord. 1182F, passed 9-8-1998; Ord. 1195H, passed 9-14-1999; Ord. 1207F, passed 9-12-2000; Ord. 1218H, passed 9-12-2001; Ord. 1218H-1, passed 11-13-2001; Ord. 1231F, passed 9-10-2002; Ord. 1250A, passed 4-13-2004; Ord. 1255F, passed 9-7-2004; Ord. 1267F, passed 9-8-2005; Ord. 1279F, passed 9-5-2006; Ord. 1291E, passed 9-4-2007; Ord. 1305I, passed 11-25-2008; Ord. 1316M, passed 10-13-2009; Ord. 1328F, passed 10-14-2010; Ord. 1339F, passed 12-21-2011; Ord. 1353I, passed 10-9-2012; Ord. 1364E, passed 9-30-2013; Ord. 1377F, passed 10-14-2014; Ord. 1389E, passed 10-8-2015)

POLICE RESERVE UNIT

§ 34.15 ESTABLISHED.

There is hereby established the County Police Reserve Unit, a division of the County Police Department.
(Prior Code, § 34.20) (Ord. 995A, passed 5-15-1984)

§ 34.16 SIZE AND APPOINTMENT.

The number of reserves and their appointment to the reserve unit shall not exceed 400 and shall be administered by the County Sheriff's Merit Board, which shall establish rules and procedures consistent with I.C. 36-8-3-20.
(Prior Code, § 34.21) (Ord. 995A, passed 5-15-1984)

§ 34.17 DUTIES.

The County Sheriff shall adopt rules relating to the scope of authority, training, and discipline of police reserves. The Sheriff may establish subdivisions within the reserve unit and separate rules for each subdivision.
(Prior Code, § 34.22) (Ord. 995A, passed 5-15-1984)

MERIT SYSTEM BOARD

§ 34.30 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BOARD. The Corrections Board established under this subchapter.

DEPARTMENT. The County Sheriff's Department.
(Prior Code, § 34.30) (Ord. 1015C, passed 11-12-1985; Ord. 1332C, passed 4-13-2010)

§ 34.31 COMPOSITION OF BOARD.

(A) The Board shall consist of five members as follows.

(1) One member shall be appointed by the County Sheriff and serve initially for a period of two years.

(2) One member shall be elected by a majority vote of the members of the Corrections Division and initially serve for a period of four years. No correction officer may serve on the Board.

(3) One member shall be appointed by the Senior Judge of the Lake County Superior Court Criminal Division, and initially serve for a period of three years.

(4) One member shall be appointed by the President of the Lake County Bar Association, and initially serve for a period of one year.

(5) One member shall be appointed by the Chief Judge of the Lake Superior Court, Civil Division, and shall serve a four-year term.

(B) Subsequent appointments are for four years or for the remainder of an unexpired term. All members must reside in the county and shall be persons of high moral character and reputation in the

private sector business, industry and the professions. They shall not hold any elected or appointed political office or engage in any political activities. All members serve during their respective terms and until their successors have been appointed and qualified. A member may be removed for cause duly adjudicated by declaratory judgment of the Circuit or Superior Court of Lake County.

(C) As compensation for service, each member of the Board is entitled to receive from the county $50 per day for each day or fraction of a day, that he or she is engaged in transacting the business of the Board. Within 30 days after the members of the Board have been appointed, they shall meet upon the call of the Sheriff and organize by electing a President and a Secretary and organize by their membership. Three members of the Board constitute quorum for the transaction of business. The Board shall hold regular monthly meetings throughout the year as is necessary to transact the business of the Sheriff's Correction Division.

(D) This subchapter does not affect the current appointments to the Board in existence at the time of the adoption of this subchapter.
(Prior Code, § 34.31) (Ord. 1015C, passed 11-12-1985; Ord. 1015C-1, passed 12-10-1996; Ord. 1015C-3, passed 4-9-2002; Ord. 1332C, passed 4-13-2010; Ord. 1332C-1, passed 8-10-2010)

§ 34.32 CORRECTION OFFICERS; CLASSIFICATION OF RANKS, GRADES, AND POSITIONS; APPOINTMENTS.

(A) The Sheriff, with the approval of the Board, shall establish a classification of ranks, grades and positions for county corrections officers. For each rank, grade and position established, the Sheriff, with the approval of the Board, shall set reasonable standards of qualifications and fix the prerequisites of training, education and experience.

(B) The Sheriff, with the approval of the Board, shall devise and administer examinations designed to test applicants for the qualifications required for the respective ranks, grades, or positions. Only those applicants who, in the opinion of the Sheriff and the Board, best meet the prescribed standards and prerequisites may be appointed. All county correctional officers appointed under this subchapter are on probation for a period of one year from the date of appointment.

(C) The Sheriff, with approval of the Board, has the authority to set standards, policies and procedures, rules, and regulations in prescribing conduct, performance, and duties required of correction officers.
(Prior Code, § 34.32) (Ord. 1015C, passed 11-12-1985; Ord. 1332C, passed 4-13-2010)

§ 34.33 COUNTY CORRECTIONS DIVISION; CREATION, MEMBERSHIP, BUDGET, AND SALARIES.

(A) A County Corrections Division is established in the county. The members are employees of the county, and the Sheriff shall assign their duties according to law.

(B) The expenses of the County Corrections Division are part of the jail budget. The Board may recommend the number and salary of the personnel, but the county fiscal body shall determine the budget and salaries. Budgets shall be prepared according to law as prescribed by I.C. 36-2-5.

(C) The County shall furnish to the Sheriff and his or her full-time paid county corrections officers, the uniforms or other clothing they need to perform their duties. However, after one year of service in the Sheriff's Department, a Sheriff or county corrections officer may be required by the county to furnish and maintain his or her own uniform clothing upon payment to him or her by the county of an annual cash allowance of at least $300.
(Prior Code, § 34.33) (Ord. 1015C, passed 11-12-1985; Ord. 1332C, passed 4-13-2010)

§ 34.34 CORRECTION OFFICER; APPOINTMENT; QUALIFICATIONS; DUTIES.

(A) (1) The Sheriff, with the approval of the Board, shall fix the prerequisites of training, education

and experience for corrections officers, subject to the minimum requirements prescribed by this division.

(2) Applicants must:

(a) Be 21 years of age or older;

(b) Never have been convicted of a felony, or a misdemeanor involving moral turpitude;

(c) Be of good moral character; and

(d) Have sufficient training to insure the proper performance of their authorized duties.

(B) A correction officer shall wear a uniform the design and color of which is easily distinguishable from the uniforms of the state police, the regular county police force, and all municipal police and fire forces located in the county.
(Prior Code, § 34.34) (Ord. 1015C, passed 11-12-1985; Ord. 1332C, passed 4-13-2010)

§ 34.35 DISCIPLINARY PROCEEDINGS, POLITICAL ACTIVITIES OF CORRECTIONS OFFICERS, SUBPOENA POWERS OF SHERIFF'S CORRECTION BOARD, APPEALS.

(A) *Probationary corrections officers.*

(1) A corrections officer with less than one year of service in the Corrections Division is on probationary status.

(2) The Sheriff has the following disciplinary powers concerning a probationary corrections officer without the fling of formal charges and the conduct of a public hearing before the Board.

(a) The Sheriff may discharge a probationary officer for cause.

(b) The Sheriff may suspend a probationary officer for cause for up to 15 days without pay after preferring and delivering the charges in writing to the corrections officer.

(c) The Sheriff may orally reprimand a probationary corrections officer or may formally reprimand the officer by delivering a copy of a written reprimand to the corrections officer. Reports of the oral/formal reprimand shall be included in the officer's personnel file.

(B) *Non-probationary corrections officers.*

(1) A corrections officer with one year or more of service in the Corrections Division is a non-probationary corrections officer and granted permanent status.

(2) The Sheriff has the following disciplinary powers concerning a non-probationary corrections officer, without the filing of normal charges and the conduct of a public hearing before the Board.

(a) The Sheriff may suspend the non-probationary corrections officer for cause, up to 15 days, without pay, after preferring and delivering such charges, in writing, to the corrections officer.

(b) The Sheriff may orally reprimand a non-probationary corrections officer, or may formally reprimand the officer by delivering a copy of the written reprimand by the corrections officer.

(c) The Sheriff may suspend a non-probationary corrections officer, for cause, for more than 15 days, without pay, or terminate the officer, after preferring and delivering charges, in writing, to the corrections officer, obtaining the consent of the officer's waiver of a hearing before the Board. The Board shall have the authority to accept or reject the waiver. Should the Board reject the waiver, any such disciplinary action shall be taken in accordance with these rules and after a decision by the Board.

(d) The Sheriff, with the approval of the Corrections Merit Board, may revert the non-probationary corrections officer back to probationary status, for up to six months, for cause, after preferring and delivering the charges, in writing, to the corrections officer's consent, in writing, to accept the status. The consent will also be made

before the Board by the corrections officer, in person.

(e) Divisions (B)(2)(a) and (B)(2)(d) are mutually exclusive.

(C) *Dismissal, demotion and suspensions.* A county corrections officer may not be dismissed, demoted, or temporarily suspended because of political affiliation nor after his or her probationary period, except as provided in this section. In addition, an officer may be a candidate for elective office. However, when an officer is in uniform or on duty, he or she may not solicit votes or campaign funds for himself or herself or others.

(D) *Dismissal, demotion and suspension after charges and public hearing.*

(1) *Dismissal, public hearing, notice, representation and findings of fact.* The Sheriff may dismiss, demote, or temporarily suspend a county corrections officer for cause after preferring charges in writing and after a fair public hearing before the Board, which is reviewable in the circuit court. A notice of the charges and hearing must be delivered by certified mail to the officer to be disciplined. The officer may be represented by counsel. The Board shall make specific findings of fact in writing to support its decision.

(2) *Relief from duties.* When formal charges are pending with the Merit Board, the Sheriff may, without the approval of the Board relieve the corrections officer from active duty with the Department pending the hearing, before any decision by the Board. This action may be taken when retention of the corrections officer on active duty, would "not be in the best interests of the Department", based upon the nature of the violation in question.

(a) *With pay.* When a corrections officer is relieved from active duty by the Sheriff under this section, the corrections officer shall receive his or her pay and benefits as if on active duty with the Department.

(b) *Without pay/upon conviction of felony.* When a corrections officer is relieved from active duty by the Sheriff, under this section, and has been convicted of a felony by a court of competent jurisdiction, the corrections officer shall be relieved of duty and/or suspended, without pay and benefits, effective the date of the conviction.

(c) *Without pay/pending criminal felony charges.* When a corrections officer is relieved from active duty, by the Sheriff, under this section, for the reason that the Corrections Officer has been charged with the commission of a felony, then, and in that event, the corrections officer may be relieved of duty and/or suspended, without pay and benefits, effective the date of the filing of the criminal information or indictment, or at any date subsequent, thereto, as determined by the Sheriff with approval of the Merit Board at its next meeting.

(E) *Appeal under division (D).* An appeal under division (D) must be taken by filing in court, within 30 days after the date the decision is rendered, a certified complaint stating in concise manner, the general nature of the charges against the officer, the decision of the Board, and a demand for the relief asserted by the officer. A bond must also be filed that guarantees the appeal will be prosecuted to a final determination and that the plaintiff will pay all costs only if the court finds that the Board's decision should be affirmed. The bond must be approved as bonds for costs are approved in other cases. The county must be named as the sole defendant and the Plaintiff shall have a summons issued as in other cases against the county. Neither the Board nor the members of it may be made parties defendant to the complaint, but all are bound by service upon the county and the judgment rendered by the Court.

(F) *All appeals tried by the court.* All appeals shall be tried by the court. The appeal shall be heard de novo only upon any new issues related to the charges upon which the decision of the Board was made. Within ten days after the service of summons, the Board shall file in court a complete written transcript of all papers, entries, and other parts of the record relating to the particular case. Inspection of these documents by the person affected, or by the person's agent, must be permitted by the Board before the appeal is filed, if requested. The court shall review the record and decision of the Board on appeal.

(G) *Court to make specific findings*. The court shall make specific findings and state the conclusions of law upon which its decision is made. If the court finds that the decision of the Board appealed from should in all things be affirmed, its judgment should so state. The court shall make a general finding, setting out sufficient facts to show the nature of the proceeding and the court's decision on it. The court shall either:

(1) Reverse the decision of the Board; or

(2) Order the decision of the Board to be modified.

(H) *Final judgement may be appealed*. The final judgment of the court may be appealed by either party. Upon the final disposition of the appeal by the courts, the Clerk shall certify and file a copy of the final judgment of the court to the Board, which shall conform its decisions and records to the order and judgment of the court. If the decision is reversed or modified, then the county shall pay to the party entitled to it, any salary or wages withheld from the party pending the appeal and to which he or she is entitled under the judgment of the court.

(I) *Change of venue*. Either party shall be allowed a change of venue from the court of a change of judge in the same manner as such changes are allowed in civil cases. The rules of trial procedure govern in all matters of procedure upon the appeal that are not otherwise provided for by this section.

(J) *Appeal takes precedence over pending litigation*. An appeal takes precedence over other pending litigation and shall be tried and determined by the court as soon as practical.

(Prior Code, § 34.35) (Ord. 1015C, passed 11-12-1985; Ord. 1015C-1, passed 2-14-1989; Ord. 1332C, passed 4-13-2010; Ord. 1322C-1, passed 8-10-2010)

CHAPTER 35: COUNTY POLICY

Section

County-Owned Vehicles

35.01 Use of vehicles
35.02 Seal
35.03 License plates
35.04 Registration
35.05 Exceptions
35.06 Use outside county
35.07 Mileage claim policy

Worker's Compensation

35.20 Worker's compensation coverage
35.21 Definition

Project Labor Agreements

35.35 Government construction projects

Miscellaneous

35.45 Electronic data
35.46 Gasoline policy for county employees
35.47 Minimum bid policy
35.48 Responsible bidding practices and submission requirements for submitting bids to perform construction works projects
35.49 Non-discrimination policy

Internal Review Policies and Procedures for Federal and State Grant Reporting

35.60 Organization and policy
35.61 Method of operation
35.62 Internal review services

35.99 Penalty

Cross-reference:

Employment policies, see Ch. 32
Miscellaneous employee and officer information, see Ch. 39

COUNTY-OWNED VEHICLES

§ 35.01 USE OF VEHICLES.

All vehicles owned and operated by the county shall be used for official and public purposes only. (Prior Code, § 35.01) (Ord. 1051B, passed 7-12-1988) Penalty, see § 35.99

§ 35.02 SEAL.

(A) All vehicles owned and operated by the county, excluding vehicles operated by county officials and vehicles used by the Lake County Sheriff's Department and Lake County Prosecutor's Office for undercover purpose, shall bear a conspicuous identification plate.

(B) The identification plate shall be attached to the front of the vehicle and the plate shall indicate that the vehicle is county owned.

(C) The term ***COUNTY-OWNED VEHICLE*** shall include all vehicles in which the county has a possessory or ownership interest, including vehicles owned, leased or rented.
(Prior Code, § 35.02) (Ord. 1051B, passed 7-12-1988; Ord. 1051B-1, passed 12-19-2000; Ord. 1051B-2, passed 3-13-2001) Penalty, see § 35.99

§ 35.03 LICENSE PLATES.

All vehicles owned and operated by the county shall display municipal license plates issued by the State Bureau of Motor Vehicles.
(Prior Code, § 35.03) (Ord. 1051B, passed 7-12-1988)
Penalty, see § 35.99

§ 35.04 REGISTRATION.

(A) All vehicles owned and operated by the county shall be registered with the County Commissioner's Office. The County Commissioner's Office shall be responsible for supplying and keeping the registration forms which shall include the following:

(1) The county department for which the vehicle is being used;

(2) The license plate and vehicle identification number of the vehicle;

(3) The budget from which the vehicle was purchased;

(4) The budget from which the maintenance and gasoline for the vehicle is purchased;

(5) The intended use of the vehicle;

(6) The designated driver or drivers of the vehicle; and

(7) A statement signed by the county Department Head indicating that the vehicle shall be used for public purpose only.

(B) (1) Each vehicle owned and operated by the county shall be registered within 30 days of the adoption of this subchapter.

(2) All vehicles purchased by the county throughout the year shall be so registered within ten days after their purchase.
(Prior Code, § 35.04) (Ord. 1051B, passed 7-12-1988)
Penalty, see § 35.99

§ 35.05 EXCEPTIONS.

Exceptions to the above described policy and procedure would be separate taxing districts governed by policy making boards or commissions.
(Prior Code, § 35.05) (Ord. 1051B, passed 7-12-1988)

§ 35.06 USE OUTSIDE COUNTY.

No vehicle owned and operated by the county shall be operated outside the geographic boundaries of the county, except that specific trips outside the boundaries of the county may be permitted after having obtained written permission from the Board of Commissioners.
(Prior Code, § 35.06) (Ord. 1051B, passed 7-12-1988)
Penalty, see § 35.99

§ 35.07 MILEAGE CLAIM POLICY.

(A) (1) County officeholders and employees entitled to receive reimbursement for mileage driven on county businesses shall submit truthful and accurate claims.

(2) Any such claim shall only request payment for actual mileage driven on county business.

(3) Each person filing a claim must specify his or her actual starting and finishing points for each trip for which mileage is claimed.

(4) No one shall be reimbursed for any mileage incurred in commuting to and from their usual work place.

(5) Every officeholder and/or employer shall establish a usual work place for each mileage claimant which shall not be the claimant's home.

(6) Each officeholder, employer, and employee shall conduct themselves and county business in such a way so as to limit the county's liability for the payment of mileage as much as is reasonably possible.

(7) The submission of a mileage claim known to be false by the person submitting it is grounds for immediate termination of employment.

(B) Unless otherwise established by the Lake County Council, the county's mileage rate per mile for county employees duly entitled to same shall be the equivalent of the optional standard mileage rate used to calculate the deductible costs of operating an automobile for business mileage as periodically determined by the Internal Revenue Service.

(C) (1) Payment of mileage with respect to County travel shall be made in compliance with this mileage section.

(2) Mileage shall be allowed from an employee's home base, home base being the address where the employee works, or from the employee's home, whichever is the lesser amount of miles.

(3) A county employee is entitled to payment of mileage under the terms and conditions as set forth in the County's Human Resources Manual.

(D) The Lake County Council establishes the rate of $.575 per mile for county employees entitled to receive mileage expenses for the use of their vehicles for the year 2015.
(Prior Code, § 35.07) (Ord. 1051B, passed 7-12-1988; Ord. 1121D, passed 9-7-1993; Ord. 1134F, passed 9-6-1994; Ord. 1146E, passed 9-5-1995; Ord. 1170H, passed 9-2-1997; Ord. 1177A, passed 2-10-1998; Ord. 1182E, passed 9-8-1998; Ord. 1182E-1, passed 8-10-1999; Ord. 1195G, passed 9-14-1999; Ord. 1207E, passed 9-12-2000; Ord. 1213B, passed 3-13-2001; Ord. 1218G, passed 9-12-2001; Ord. 1231E, passed 9-10-2002; Ord. 1243E, passed 9-4-2003; Ord. 1243E-1, passed 4-13-2004; Ord. 1255E, passed 9-7-2004; Ord. 1255E-1, passed 12-14-2004; Ord. 1267E, passed 9-8-2005; Ord. 1255E-2, passed 9-26-2005; Ord. 1267E-1, passed 1-10-2006; Ord. 1279E, passed 9-5-2006; Ord. 1279E-1, passed 1-9-2007; 1294C, passed 12-11-2007; Ord. 1294C-1, passed 7-8-2008; Ord. 1306D, passed 12-9-2008; Ord. 1318B, passed 12-8-2009; Ord. 1330A, passed 12-14-2010; Ord. 1330A-1, passed 7-20-2011; Ord. 1342C, passed 12-21-2011; Ord. 1355I, passed 12-11-2012; Ord. 1380A, passed 1-13-2015) Penalty, see § 35.99

Cross-reference:

Human Resources Manual, Travel Guidelines, Job Travel, see Ch. 32, App. A

WORKER'S COMPENSATION

§ 35.20 WORKER'S COMPENSATION COVERAGE.

The county provides worker's compensation coverage for rostered volunteers.
(Prior Code, § 35.20) (Ord. 1135E, passed 10-11-1994)

§ 35.21 DEFINITION.

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

ROSTERED VOLUNTEER. A volunteer.
(Prior Code, § 35.21) (Ord. 1135E, passed 10-11-1994)

PROJECT LABOR AGREEMENTS

§ 35.35 GOVERNMENT CONSTRUCTION PROJECTS.

(A) It is the policy, as expressed herein, of the Board of Commissioners of Lake County, Indiana, to provide for the negotiation of mutually acceptable project labor agreements with local labor unions representing experienced and skilled construction

workers covering construction, alteration or repair work, where Lake County: Indiana, or any of its agencies, departments, boards, commissions, or any other county entity with a property interest is the owner or lessee of the property upon which the construction takes place (or lessee or the beneficiary or a separate corporation which is created to perform construction, alteration or repair work for their benefit).

(B) All solicitation for bids issued by the Board of Commissioners of Lake County, Indiana, or any of its agencies, departments, boards, commissions, or any other county entity with a property interest (or a corporation created to benefit Lake County) in construction, alteration or repair shall, except as otherwise provided herein, including the following language:

> Each successful bidder and any and all levels of subcontractors, regardless of tier, as a condition of being awarded a contract or subcontract, will agree to abide by the provisions of the (INSERT NAME OF PROJECT) Project Labor Agreement as executed and effective _____, _____, by and between the project manager and/or construction manager authorized to negotiate and enter into such a Project Labor Agreement on behalf of Lake County, Indiana or any of its agencies or departments (or a corporation created to benefit the said entity in construction, alteration or repair) and the local labor unions representing experienced and skilled construction workers and will be bound by the provisions of that Agreement in the same manner as any other provision of the contract.

(C) Any "instructions to bidders" or like document for a public works project by the Lake County, Indiana, shall, except as otherwise provided herein, include the following language:

> The general contract (and all independent subcontracts, i.e., subcontracts not included within a general contract and regardless of tier) will be awarded to the lowest responsible and responsive bidder complying with the conditions and requirements provided in these Instructions, the bids forms and other bid documents. A responsible and responsive bidder is a bidder demonstrably possessing the skill, ability and integrity necessary to faithfully perform the work called for by the contract, based upon a determination of competent workmanship and financial soundness in accordance with Indiana Code 36-1-9-3 or any successor statute. An eligible bidder is a bidder who is not debarred from bidding under any applicable law, and which shall certify that it is able to furnish labor that can work in harmony with all other elements of labor employed the project. In the interests of such harmony, the long-term supply of skilled labor, and to provide a legally enforceable means of assuring labor stability and labor peace over the life of the project, each successful bidder and any and all levels v of subcontractors, regardless of tier, as a condition of being awarded a contract or subcontract, shall be required to enter into a Project Labor Agreement for the (INSERT NAME OF PROJECT) Project with local labor unions representing experienced and skilled construction workers for the development and construction of the Project, and will be bound by the provisions of that Project Labor Agreement in the some manner as any other provision of the contract.

(D) That the Lake County Board of Commissioners of Lake County, Indiana, and its agencies, departments, boards, commissions, or any other county entity with a property interest, retains their inherent authority to adopt means to enforce compliance by any contractor or subcontractor, regardless of tier, with the provisions of any Project Labor Agreement entered into on its behalf.
(Prior Code, § 35.50) (Ord. 1135F-1, passed 8-11-1998; Ord. 1342A, passed 12-21-2011)

MISCELLANEOUS

§ 35.45 ELECTRONIC DATA.

(A) The Lake County Surveyor is authorized to prescribe conditions per I.C. 5-14-3-3 under which a person or entity who receives certain electronic data from the office may use the information.

(B) The Lake County Board of Commissioners is authorized to enter into a contract with a person or entity who receives electronic data concerning the use of geographic information system data including, among other terms, provisions that:

(1) Lake County owns the proprietary rights and copyright in the data; and

(2) Permit limited usage of the data, including derivative data and modifications; and

(3) Bar certain usages such as selling, renting or giving away the subject data, reverse engineering or decompiling the data, or distributing the data to the public or third parties; and

(4) Set forth the specific terms of the agreement and the remedies available for breach of the agreement; and

(5) Bar a person or entity who uses information in a manner contrary to a rate ordinance adopted per I.C. 5-14-3-3 from, obtaining a copy of any further data received under I.C. 5-14-3-3(d).

(C) The Lake County Council per recommendation of the Lake County Surveyor is authorized to establish a schedule of fees for distribution of the data, with higher fees per parcel for requests on data/for a small number of parcels and lower fees per parcel for a request for a higher number of parcels.

(D) Lake County Surveyor may update from time to time contract regarding the above, as well as other related matters that are required to protect Lake County's interests in the receipt and use of electronic data.
(Ord. 1307C, passed 1-13-2009)

§ 35.46 GASOLINE POLICY FOR COUNTY EMPLOYEES.

(A) *Introduction*. This policy applies to all county employees and elected officials.

(B) *Scope*. This policy applies to reimbursement for the personal use of privately owned vehicles by officials and employees as well as to government provided vehicles.

(C) *Mileage reimbursement*. Unless an elected official or employee has an authorized issued gas card for use at either the Lake County Highway Department or the Lake County Sheriff's Department, the county will pay the person the authorized per mile reimbursement rate. To obtain this reimbursement the person will have to submit on the appropriate forms required by the State Board of Accounts a record of when that person's private vehicle was used for government purposes.

(D) *Gas card issuance and use*.

(1) Only vehicles that are owned by Lake County, Indiana or leased by Lake County, Indiana are eligible for fuel at the Lake County gas pump at either the Lake County Highway Department or the Lake County Sheriff's Department. All Lake County vehicles except those that require undercover plates for security purposes will have county government municipal plates. The Sheriff shall determine what vehicles require confidential plates for security purposes.

(2) A list of gas cards issued and to whom or for what vehicle will be maintained by the Lake County Sheriff. This list must be approved by the Board of Commissioners.

(3) Only those vehicles or persons who have authorized gas cards will be allowed to fill up at the Highway Department or the Sheriff's Department.

(4) Only highway vehicles will fill up at the Highway Department. All other vehicles will fill up at the Sheriff's Department.

(5) No personal vehicles are allowed the use of gas cards to fill up either at the Lake County Highway Department or the Lake County Sheriff's Department.

(6) All above use pertains to all Lake County employees and Lake County elected officials.

(E) *Penalties.*

(1) Disciplinary action will be taken against any employee who violates this policy.

(2) Any and all violations of the policy will be referred to the Lake County Prosecutor to determine if the action qualifies for criminal prosecution.
(Ord. 1295A, passed 1-8-2008)

§ 35.47 MINIMUM BID POLICY.

(A) (1) The Lake County minimum bid policy is hereby established as follows:

(2) The Lake County Treasurer may accept a bid on a tract or an item of real property offered for sale under I.C. 6-1.1-24-1, *et seq.*, that is greater than or equal to the lesser of:

(a) The amount determined under I.C. 6-1.1-24-5(f) for the tract or item of real property; or

(b) Seventy-five percent (75%) of the gross assessed value of the tract or item of real property, as determined on the most recent assessment date.

(B) The Lake County Council shall deliver a copy of this section to the Lake County Treasurer and Lake County Auditor upon passage.
(Ord. 1347B, passed 5-15-2012)

§ 35.48 RESPONSIBLE BIDDING PRACTICES AND SUBMISSION REQUIREMENTS FOR SUBMITTING BIDS TO PERFORM CONSTRUCTION WORKS PROJECTS.

(A) *Bid submission requirements.*

(1) Contractors proposing to submit bids on any County of Lake ("county") project estimated to be at least $150,000 or more must, prior to the opening of bids, submit a statement made under oath and subject to perjury laws, on a form designated by the county and must include:

(a) A copy of a print-out of the Indiana Secretary of State's on-line records for the bidder dated within 60 days of the submission of said document showing that the bidder is in existence, current with the Indiana Secretary of State's Business Entity Reports, and eligible for a certificate of good standing. If the bidder is an individual, sole proprietor or partnership, this subsection shall not apply;

(b) A list identifying all former business names;

(c) Any determination by a court or governmental agency for violation of federal, state or local laws, including but not limited to violation of contracting or antitrust laws, tax or licensing laws, environmental laws, the Occupational Safety and Health Act (OSHA), or federal Davis-Bacon and related acts;

(d) A statement on staffing capabilities, including labor sources;

(e) Evidence of participation in apprenticeship and training programs, applicable to the work to be performed on the project, which are approved by and registered with the United States

Department of Labor's Office of Apprenticeship, or its successor organization. The required evidence includes a copy of all applicable apprenticeship certificates or standards for these training programs;

(f) A copy of a written plan for employee drug testing that: (1) covers all employees of the bidder who will perform work on the public work project; and (2) meets or exceeds the requirements set forth in I.C. 4-13-18-5 or I.C. 4-13-18-6;

(g) The name and description of the management experience of each of the bidder's project managers and superintendents that bidder intends assign to work on the project;

(h) Proof of any professional or trade license required by law for any trade or specialty area in which bidder is seeking a contract award; and disclosure of any suspension or revocation within the previous five years of any professional or trade license held by the company, or of any director, office or manager employed by the bidder;

(i) Evidence that the contract is utilizing a surety company which is on the United States Department of Treasury's listing of approved sureties;

(j) A written statement of any federal, state or local tax liens or tax delinquencies owed to any federal, state or local taxing body in the last game years;

(k) A statement that individuals who will perform work on the public work project on behalf of the bidder will be properly classified as either (1) an employee or (2) an independent contractor, under all applicable state and federal laws and local ordinances; and

(l) A list of projects of similar size and scope of work that the bidder has performed in the State of Indiana within three years prior to the date on which the bid is due.

(2) The county reserves the right to demand supplemental information from the bidder, (additional) verification any of the information provided by the bidder, and may also conduct random inquiries of the bidder's current and prior customers.

(B) *Post-bid submissions from subcontractors.*

(1) All bidders shall provide a written list that discloses the name, address, and type of work for each first-tier from whom the bidder has accepted a bid and/or intends to hire on any part of the public work project, including individuals performing work as independent contractors, within five business days after the date the bids are due.

(2) In addition, each such first-tier subcontractor shall be required to adhere to the requirements of division (A) of this section as though it were bidding directly to the county, except that first-tier subcontractors shall submit the required information (including the name, address, and type of work for each of their first-tier subcontractors) to the successful bidder no later than five business days after the subcontractor's first day of work on the public work project and the bidder shall then forward said information to the county. Payment shall be withheld from any first-tier subcontractor who fails to timely submit said information until such information is submitted and approved by the county.

(3) Upon request, the county may require any second and lower-tier subcontractors to provide the required information (including name, address, type of work on the project and the name of the higher-tier subcontractor). Payments shall be withheld from any second or lower-tiered contractor who fails to timely submit this information until this information is submitted and approved by the County. Additionally, the county may require the successful bidder and relevant subcontractor to remove the second or lower-tier subcontractor from the project and replace it with a responsive and responsible subcontractor.

(4) Failure of a subcontractor to submit the required information shall not disqualify the successful bidder from performing work on the project and shall not constitute a contractual default and/or breach by the successful bidder. However, the county may

withhold all payments otherwise due for work performed by a subcontractor, until the subcontractor submits the required information and the county approves such information. The county may also require that successful bidder to remove the subcontractor from the project and replace it with a responsive and responsible subcontractor.

(5) The disclosure of a subcontractor ("disclosed subcontractor") by a bidder or a subcontractor shall not create any rights in the disclosed subcontractor. Thus, a bidder and/or subcontractor may substitute another subcontractor ("substitute subcontractor") for a disclosed subcontractor by giving the county written notice of the name, address, and type of work of the substitute subcontractor. The substitute subcontractor is subject all of the obligations of a subcontractor under this section.

(C) *Validity of pre qualification classification.*

(1) Upon designation by the county that a contractor's or subcontractor's submission in anticipation of a bid is complete and timely, and upon any further consideration deemed necessary by the county, the contractor or subcontractor may be pre-qualified for future county public works projects. A contractor's classification as ''qualified'' shall exempt the contractor or subcontractor from the comprehensive submission requirements contained herein for a period of 12 months. Thereafter, contractors or subcontractors who are pre-qualified must submit a complete application for continuation of "pre-qualified" standing, on a form provided by the County, (also referred to as the "short form") by December 31 for the upcoming calendar year. Failure by any pre-qualified contractor or subcontractor to timely submit its complete application for continuation of "prequalified" standing shall result in automatic removal of the designation, effective January 1 of the upcoming year. However, the "removed" contractor or subcontractor shall still be permitted to bid on county public works projects.

(2) Any material changes to the contractor's status, at any time, must be reported in writing within ten days of its occurrence to the county. The pre-qualification designation is solely within the discretion of the county and the county specifically reserves the right to change or revoke the designation for a stated written reason(s).

(3) Denial of pre-qualification shall be in writing and shall be forwarded to the contractor within seven working days of such decision. Any contractor denied or losing pre-qualification status may request reconsideration of the decision by submitting such request in writing to the county within five business days of receipt of notice of denial.

(D) *Incomplete submissions by bidders.* It is the sole responsibility of the potential bidder to comply with all submission requirements applicable to the bidder in division (A) of this section by no later than the public bid opening. Post-bid submissions must be submitted in accordance with division (B) of this section. Submissions deemed inadequate, incomplete, or untimely by the county may result in the automatic disqualification of the bid.

(E) *Responsive and responsible bidder determination.* The county after review of complete and timely submissions, shall, in its sole discretion, after taking into account all information in the submission requirements, determine whether a bidder is responsive and responsible. The county specifically reserves the right to utilize all information provided in the contractor or subcontractor's submission or any information obtained by the county through its own independent verification of the information provided by the contractor.

(F) *Certified payroll.*

(1) For projects in which the cost is at least $250,000, the successful bidder and all subcontractors working on a public work project shall submit a certified payroll report utilizing the federal form now known as a WH-347 which must be prepared on a weekly basis and submitted to the county within ten calendar days after the end of each week in which the bidder or subcontractor performed its work on the public work project. These certified payroll reports

shall identify the job title and craft o each employee on the project, e.g. journeyman electrician or apprentice electrician. In the event any contractor or subcontractor uses independent contractors to perform work on the project, such individual must be identified on the WH-347 form with the same information as is required for employees.

(2) The county may withhold payment due for work performed by a bidder if the bidder fails to timely submit its certified payroll reports until such time as such certified payroll is submitted. The county may also withhold payment due for work performed by a subcontractor if the subcontractor fails to timely submit its certified payroll reports until such time as such certified payroll reports are submitted. The county shall not withhold payment to a bidder for work performed by the bidder or for work performed by subcontractors who have submitted their certified payroll reports, because one or more other subcontractors failed to timely submit their certified payroll reports.

(G) *Public records*. All information submitted by a bidder or a subcontractor pursuant to this section, including certified payrolls, are public records subject to review pursuant to the Indiana Access to Public Records Law (I.C. 5-14-3).

(H) *Penalties for false, deceptive, or fraudulent statements/information*. Any bidder that willfully makes, or willfully causes, to be made, a false, deceptive or fraudulent statement, or willfully submits false, deceptive or fraudulent information in connection with any submission made to the county shall be disqualified from bidding on all county projects for a period of three years.
(Ord. 1391B, passed 12-8-2015)

§ 35.49 NON-DISCRIMINATION POLICY.

(A) The county hereby affirms its policy that no vendor, contractor, grant recipient, or anyone receiving public funds or benefits of any kind shall discriminate on the basis of race, religion, color, disability, sexual orientation, gender identity, national origin, ancestry, age, or United States military service status, and any breach of this policy shall continue to be considered a material breach of the relationship with the county.

(B) The county hereby requests the Indiana General Assembly and the Governor to expressly add sexual orientation and gender identity as protected classes in state law.

(C) The county hereby requests the Indiana General Assembly and the Governor to expressly exempt the county's ordinances, resolutions, executive or administrative orders, regulations, customs, and usages from RFRA's application.
(Ord. 1384A, passed 5-12-2015)

INTERNAL REVIEW POLICIES AND PROCEDURES FOR FEDERAL AND STATE GRANT REPORTING

§ 35.60 ORGANIZATION AND POLICY.

(A) *Purpose*. This subchapter establishes the official policies and procedures for the Internal Review Division within the Office of the Auditor. It explains the purpose, authority and responsibility of the internal review function and the duties of the Internal Review Division, which consists of the Grant Committee, Grant Supervisor, and the Budget Liaison Director.

(B) *Authority*.

(1) The powers and duties of the Office of the Lake County Auditor (Auditor) are authorized under I.C. 32-2-9.5. The Auditor serves as the Fiscal Officer of the County with oversight responsibility of all financial books and records of county offices. The Auditor is an elected official and is organizationally independent of the operating activities of the Board of County Commissioners (Commissioners), the Lake County Council (Council), and the county departments.

(2) Recognizing the importance of government compliance with federal laws, policies, established procedures and accountability for the use of federal funds while performing its duties, the Auditor, Commissioners and Council have established the Internal Review Division.

(3) The Internal Review Division is responsible for reviewing the activities of the federal grant programs under the direction of the Commissioners. The Internal Review Division is

organizationally independent and has no direct responsibility for, or authority over, any Commissioner function, activity, or program subject to review.

(4) The Internal Review Division has the authority and responsibility to review all departments receiving federal financial assistance and federal cost-reimbursement contracts and to issue reports thereon.

(C) M*ission statement*. The mission of the Internal Review Division is to assure compliance by the county departments that are receiving federal financial assistance and federal cost-reimbursement contracts received directly from federal awarding agencies or indirectly from pass-through entities through the performance of independent, objective reviews and evaluations of relevant activities under the Commissioners. In performing these duties, the Internal Review Division will endeavor to assist Commissioner administrators and county department managers in achieving compliance with financial reporting. These efforts are intended to ensure county compliance in order to fulfil the county's fiduciary responsibilities to the federal government

(D) *Mission strategy*. The Internal Review Division will accomplish its mission to provide Lake County with an efficient, proactive and comprehensive internal review program through the conduct of:

(1) Performance review to test that required internal controls are in place and to evaluate cost effectiveness and efficiency with which federal resources are employed. Recommendations will be reported as appropriate.

(2) Assistance to the Auditor's Finance and Accounting Division and/or the external auditors in the performance of the annual audit of the county's financial statements.

(3) Compliance reviews to ensure conformance with the requirements of federal and Indiana laws and/or federal and Indiana grants.

(E) *Required access to records*. The Auditor must have full access to all county records, properties and personnel related to federal grants in order to properly conduct required review activities. Accordingly, county officials and employees shall furnish any requested information and records within their custody and respond to any questions regarding powers, duties, activities, organization, property, financial transactions and methods of business related to federal grants.
(Ord. 1376A, passed 9-24-2014)

§ 35.61 METHOD OF OPERATION.

(A) *Internal review functions*. The following describes the functional operation of the Internal Review Division and the requirements for accomplishing its mission:

(1) *Definition and objective of internal review*. Internal review is an independent objective assurance activity designed to add value and improve operations of the county as a service to management and elected officials. The fundamental objective of internal review is to assist all members of management to discharge their responsibilities. This objective is met by furnishing management with periodic reviews and recommendations concerning the federal grant related activities.

(2) *Scope of operations*. The Internal Review Division's scope of operations encompasses revenues and expenditures of federal grant awards. This requires going beyond the accounting and financial records to obtain a full understanding of the operations under review and involves such activities as, but is not limited to:

(a) Perform a periodic review of the financial statement(s) for the federal program in accordance with generally accepted government auditing standards issued by the Comptroller General of the United States (GAGAS);

(b) Obtain an understanding of internal control and perform tests of internal control over the

federal program consistent with the requirements of §___.500(c) for a major program;

(c) Perform procedures to determine whether the county department has complied with laws, regulations, and the provisions of contracts or grant agreements that could have a direct and material effect on the federal program consistent with the requirements of §___.500(d) for a major program; and

(d) Follow up on prior SBOA audit findings, perform procedures to assess the reasonableness of the summary schedule of prior audit SBOA findings prepared by the county department §___.500(e).

(3) *Responsibility and authority.*

(a) The Internal Review Division has no direct responsibility for, or authority over any activity under review.

(b) Any review performed by the Internal Review Division does not relieve the county department or Auditor employees of their assigned responsibilities.

(c) The Internal Review Division is comprised of the Grant Committee, the Grant Supervisor and the Budget Liaison Director.

1. The Grant Committee is comprised of three members of the Lake County Council. Pursuant to Lake County ordinance, all county departments prior to submission and/or award of the grant application shall schedule a meeting with the Grant Committee in order to review previous and ongoing compliance.

2. Where internal control and contractual compliance is involved with federal grants, the Grant Supervisor and Budget Liaison Director will:

a. Review and evaluate policies, plans and procedures, but have no responsibility for establishing same; and

b. Review the existing and proposed procedures and make recommendations and/or comments regarding acceptable standards.

(4) *Responsibility of county department.* The county department shall:

(a) Identify, in its accounts, all federal awards received and expended and the federal programs under which they were received. Federal program and award identification shall include, as applicable, the CFDA title and number, award number and year, name of the federal agency, and name of the pass-through entity.

(b) Maintain internal control over federal programs that provides reasonable assurance that the county department is managing federal awards in compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a material effect on each of its federal programs.

(c) Comply with laws, regulations, and the provisions of contracts or grant agreements related to each of its federal programs.

(d) Prepare appropriate financial statements, including the schedule of expenditures of federal awards in accordance with §___.310.

(e) Ensure that the audits required by this part are properly performed and submitted when due. When extensions to the report submission due date required by §___.320(a) are granted by the cognizant or oversight agency for audit, promptly notify the federal clearinghouse designated by Office of Management and Budget and each pass-through entity providing federal awards of the extension.

(f) Follow up and take corrective action on review recommendations, including preparation of a summary schedule of prior review recommendations and a corrective action plan in accordance with §___.315(b) and §_.315(c), respectively.

(B) *Independence, objectivity and ethics.*

(1) The Internal Review Division is responsible directly to the Auditor for the performance of internal review activities and for the reporting of recommendations. The Internal Review Division is therefore considered to be independent of the county departments operations being reviewed.

(2) Objectivity is essential to the review function. Therefore, the Internal Review Division should not devise or install procedures that will be later reviewed. In the installation of new systems, the Internal Review Division can offer suggestions for minimum controls and program implementation without impairing objectivity.

(3) The Internal Audit Division shall maintain high standards of conduct, honor and character so that credibility and integrity are not open to question. The Internal Review Division will subscribe to the Codes of Professional Ethics and Standards as promulgated by the county's personnel and ethics policies.

(C) *Review planning, conduct and communication.*

(1) The Internal Review Division shall, on a periodic basis, develop a plan of review with respect to internal control and compliance requirements. The annual review plan shall include identification of each review to be conducted in terms of the financial records and activities to be reviewed.

(2) Reviews shall be conducted in compliance with generally accepted government auditing standards issued by the Comptroller General of the United States (GAGAS). These standards are contained and detailed in the Circular A-I33, issued pursuant to the Single Audit Act of 1984, P.L. 98-502, and the Single Audit Act Amendments of 1996, P.L. 104-156. It sets forth standards for obtaining consistency and uniformity among federal agencies for the audit of states, local governments, and non-profit organizations expending federal awards.

(3) The Internal Review Division shall notify the appropriate county department management of the nature and purpose of the review. During the course of the review, the Internal Review Division will inform the Auditor and department management, to the fullest extent practicable, of any significant recommendations.
(Ord. 1376A, passed 9-24-2014)

§ 35.62 INTERNAL REVIEW SERVICES.

(A) *Types of services.* The following are general descriptions of the types of services provided by the Internal Review Division. The annual review plan can include any combination of these types.

(1) Revenue review. Review includes review of county departments responsible for the billing, collection and administration of federal grant revenues.

(2) Compliance review. These reviews generally are performed to ensure compliance with federal or state laws and/or requirements of federal grants. These can include reviews of management practices and financial data to determine the extent to which a unit complies with applicable Indiana Statutes, County Code and policies and procedures.

(3) Fraud investigations.

(a) Any suspected criminal act (e.g., theft, robbery, etc.) should be promptly reported to the appropriate county officials and proper law enforcement agency.

(b) Suspicions of fraud, misappropriation of county assets, unethical behavior of county employees or other irregularities may be reported to the Auditor through the Internal Review Division. Callers may remain anonymous if they wish. As directed by the Auditor, an independent investigation may be performed by the proper law enforcement agency, or other appropriate agency.

(B) *Review reports*. Upon completion of the review, the Grant Supervisor and/or Budget Liaison Director will prepare an original draft of the review report. The report will communicate to county management, in a clear and concise manner, the results of the review. The format of the report will depend upon the type of review performed.
(Ord. 1376A, passed 9-24-2014)

§ 35.99 PENALTY.

(A) Any person in violation of this chapter for which a penalty is not prescribed shall be subject to § 10.99.

(B) Any individual found in violation of §§ 35.01 through 35.07 without good cause shall be fined at least $5 but nor more than $100. The County Attorney shall be responsible for the enforcement of §§ 35.01 through 35.07, and prosecuting violations.
(Prior Code, § 35.99) (Ord. 1051B, passed 7-12-1988)

CHAPTER 36: COUNTY COUNCIL

Section

General Provisions

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GENERAL PROVISIONS

§ 36.01 PAYMENT OF JUDGES' DUES.

The County Council authorizes the payment of the dues of the Lake County judges in various local, regional, state and national associations, of a civil, educational or governmental nature which have as their purpose the betterment and improvement of the court operations, including but not limited to bar associations, and fees for the Supreme Court Disciplinary Commission.
(Prior Code, § 36.01) (Ord. 1058B, passed 2-14-1989)

ADMINISTRATION

§ 36.15 ELECTION OF OFFICERS.

(A) At the monthly meeting in January of each calendar year, the Council shall elect by roll call from its membership, the following officers: President and Vice-President.

(B) The officers so elected shall hold such office until the regular monthly meeting in January of the next calendar year.
(Prior Code, § 36.20) (Ord. 930B, passed 12-11-1984)

§ 36.16 MEETINGS.

The County Council shall meet in public session on the second Tuesday of each month. At the monthly meeting in January of each year, the Council President as elected under § 36.15 shall designate the time meetings are to be held for the remainder of that calendar year and for January of the following year.
(Prior Code, § 36.21) (Ord. 930B, passed 12-11-1984)

VOTING PROCEDURES

§ 36.30 ADDITIONAL APPROPRIATION, DEFINITION.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ADDITIONAL APPROPRIATION. An appropriation for an item which was not funded during the annual meeting of the fiscal body held pursuant to I.C. 36-2-3-7(b)(2).
(Ord. 1212B, passed 2-13-2001)

§ 36.31 PASSAGE BY SIMPLE MAJORITY VOTE.

A simple majority vote of the Lake County Council is required to pass an ordinance for an additional appropriation.
(Ord. 1212B, passed 2-13-2001)

§ 36.32 SIMPLE MAJORITY VOTE, DEFINITION.

A requirement that an ordinance for an additional appropriation be passed by a simple majority vote means it must be passed by a majority of the elected members.
(Ord. 1212B, passed 2-13-2001)

CHAPTER 37: FUNDS

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Cross-reference:

County Revolving Loan Fund, see §§ 31.083 and 31.084

§ 37.001 PARK AND RECREATION FUND, ESTABLISHED; MODIFICATIONS.

(A) The County Council has enacted an ordinance establishing a special non-reverting operating fund.

(B) The ordinance was established pursuant to Public Law 305 of the acts of 1971, of the General Assembly of the state.

(C) Certain amendments were made to Public Law 372, § 1, of the acts of 1983, of the General

Assembly of the state, being I.C. 36-10-3-21, empowering the County Council to establish by ordinance upon request of the Park and Recreation Board a special non-reverting operating fund for park purposes from which expenditures may be made by appropriation by the Board, and that the amended law further provides that the County Council shall designate the fund or funds into which the unit's fiscal officer shall deposit fees from golf courses, swimming pools, skating rinks, or other major facilities requiring major expenditures for management or maintenance.

(D) The County Council Ord. 874A of 8-12-1974, and the special non-reverting operating fund created thereby shall remain in full force and effect with the following modifications:

(1) Expenditures from the non-reverting operating fund may be made by appropriation by the County Park and Recreation Board and upon approved claims and signed by the President and Secretary of the Board.

(2) The County Treasurer shall deposit fees from golf courses, swimming pools, skating rinks, or other major facilities requiring major expenditures for management and maintenance into the special non-reverting operating fund from which expenditures may be made by appropriation by the County Park and Recreation Board, and upon approved claims allowed an signed by the president and secretary of the Board, or into the County Parks and Recreation Board Operating Fund as directed by the County Parks and Recreation Board.
(Prior Code, § 37.001) (Ord. 994B, passed 5-15-1984)

§ 37.002 SELF-INSURANCE FUNDS.

(A) *Created.*

(1) Two special non-reverting funds are hereby created to be known as the Lake County Self-insurance Funds for the payment of uninsured claims, settlements and judgment, and of the administration of a program of self-insurance including but not limited to, the payment of legal defense and investigation fees.

(2) Upon presentation of an accounting and bank reconciliation of all claims and expenses paid by the T.P.A. during a month, the Insurance Oversight Committee shall authorize the reimbursement of the Property/Casualty Working Account to its original cap of $150,000 from Fund 541. The Council's line item 413421 "Property/Casualty Self Insurance ," 413422 "Property/Casualty Private Insurance," and 411260 "Workman's Compensation" shall automatically replenish Fund 541 in an amount equal to all monthly claims and expenses paid by the respective T.P.A.'s. Any surplus appropriation existing in line items 413421, 413422, and 411260 shall, before the end of each budget year, be transferred into and become a part of Fund 541.

(3) The funds shall maintain an aggregate minimum level of $8,000,000. Any monies in excess may be transferred for purposes listed in § 37.002(B)(2)(a) to (d) below. A transfer pursuant to this section shall not be considered a loan under I.C. 36-1-8-4.

(4) There is a $2,000,000 cap applying to the Hospital/Medical Working Account.

(5) Upon presentation of an accounting and bank reconciliation of all claims and expenses paid by the Health T.P.A., the Insurance Oversight Committee shall authorize the reimbursement of the Hospital/Medical Working Account to its original cap $2,000,000 from Fund 514. The Council's line item 411240 "Group Insurance" shall automatically replenish Fund 514 in an amount equal to all monthly claims and expenses paid by the Health T.P.A. Any surplus appropriation existing in line item 411240 shall, before the end of each budget year, be transferred into and become a part of Fund 514.
(Prior Code, § 37.010)

(B) *Purpose.*

(1) Those funds are established to maintain and protect both the Medical/Hospital and Property/Casualty Self-Insurance Programs in the event of an unforeseen shock loss. Any remaining monies at the end of a fiscal year shall not revert to the General Fund and shall remain within each respective fund.

(2) Deposits in Funds 514 and 541 can be utilized for the following purpose only:

(a) To subsidize the respective funds and to protect the respective programs in the event of a shock loss;

(b) To provide an alternative source of General Fund financing in lieu of tax anticipation warrants;

(c) To provide a reserve for the General Fund in case of insufficient appropriation and/or cash in the General Fund to support the aforementioned claim against each respective fund; and

(d) To provide advanced funding for capital projects approved by the Board of Commissioners and the County Council. Funds approved for capital projects shall be appropriated by the County Council in accordance with I.C. Title 36.

(3) In addition to the state approved claim processing procedure any transfer of funds from 514 and 541 must be countersigned by the President of the County Council or the Chairperson of the Health Insurance Oversight Committee.
(Prior Code, § 37.011)

(C) *Working accounts.*

(1) Three insurance working accounts are hereby created: Property/Casualty Account No. 1001825; Worker's Compensation Account, currently with Bank One of Merrillville Account No. 4425458; and Medical/Hospital currently with Bank of Whiting Account No. 1002112.

(2) The working accounts are under the direct jurisdiction of the third party administrator (T.P.A.) having contractual authority in the separate areas and are created to provide a method of payment for day-to-day claims and expenses submitted to and approved by the respective T.P.A.'s.
(Prior Code, § 37.012)

(D) *Procedure for working accounts.*

(1) There is a $100,000 cap applying to the property/casualty and worker's compensation working accounts.

(2) Upon presentation of an accounting and bank reconciliation of all claims and expenses paid by the T.P.A. during a month, the Insurance Oversight Committee shall authorize the reimbursement of the Property/Casualty Working

Account to its original cap of $100,000 from Fund 541. The Commissioner's line item 413241 "Property/Casualty Self Insurance," 413422 "Property/Casualty Private Insurance," and 411260 "Workman's Compensation" shall automatically replenish Fund 541 in an amount equal to all monthly claims and expenses paid by the respective T.P.A.'s. Any surplus appropriation existing in line items 413421, 413422, and 411260 shall, before the end of each budget year, be transferred into and become a part of Fund 541.

(3) All monies received by agreement or subrogation from third parties as a result of Property/Casualty losses suffered in the county shall be deposited in Fund 541.

(4) There is an $2,500,000 cap applying to the Hospital/Medical Working Account.

(5) Upon presentation of an accounting and bank reconciliation of all claims and expenses paid by the Health T.P.A., the Insurance Oversight Committee shall authorize the reimbursement of the Hospital/Medical Working Account to its original cap of up to $2,500,000 from Fund 514. The current "Cost Center Contribution for Health Care Ordinance" in force at the time shall automatically replenish Fund 514 for monthly claims and expenses paid by Health T.P.A., at the terms and amount per pay period stated in the ordinance Any surplus appropriation existing in the County Council "Group Insurance" line item 411240 shall, before the end of each budget year, be transferred into and become a part of Fund 514.

(6) All funds deducted from payroll for employee participation in the Medical/Hospital Plan and any other funds collected for participation in the program shall be made payable to Fund 514.

(7) All refunds due from Property/Casualty or Medical/Hospital accounts shall be made by the respective T.P.A.'s from the respective working accounts.

(8) Notwithstanding division (D)(4) above, the cap with respect to the Hospital/Medical working accounts, may be increased beyond $800,000 upon the written agreement of the President of the Lake County Council, President of the Lake County Board of Commissioners and Chairperson of the Health Insurance Oversight Committee.

(9) Cost Center Contributions for Workers Compensation Benefits for each full-time and part-time employee is established at the rate of $16.50 per pay period per employee effective 1-1-2013.

(10) All deductions shall be charged to Line Item 41260/Workers Compensation and deposited into and become part of Fund No. 541.

(11) A list of eligible funds to be charged that may change from time to time is attached as Appendix A, attached at the end of this chapter.
(Prior Code, § 37.013) (Ord. 1031-A, passed 8-1-1991; Ord. 1031A-1, passed 8-13-1991; Ord. 1031A-2, passed 7-14-1992; Ord. 1031A-3, passed 1-9-1996; Ord. 1031A-4, passed 5-14-1996; Ord. 1031A-5, passed 9-14-1999; Ord. 1031A-6, passed 2-29-2000; Ord. 1256A, passed 10-12-2004; Ord. 1031A-7, passed 10-12-2004; Ord. 1031A-8, passed 1-10-2006; Ord. 1031A-9, passed 1-10-2006; Ord. 1031A-10, passed 3-9-2010; Ord. 1031A-11, passed 6-12-2012; Ord. 1031A-12, passed 12-11-2012)

§ 37.003 LOCAL HEALTH MAINTENANCE FUND; ALLOCATION OF FUNDS.

(A) The county contains the Gary, Hammond, East Chicago, and Lake County Boards of Health.

(B) The Gary, Hammond, East Chicago, and Lake County Boards of Health shall each receive an allocation of funds in the local maintenance health fund by percentage of population served by the respective board as follows:

(1) Lake County Board of Health, shall receive 54.968%;

(2) Gary Board of Health, shall receive 21.204%;

(3) Hammond Board of Health, shall receive 17.139%; and

(4) East Chicago Board of Health, shall receive 6.689%.
(Prior Code, § 37.020) (Ord. 1041C, passed 11-10-1987; Ord. 1041C-3, passed 12-14-1999; Ord. 1041C-4, passed 10-16-2001)

§ 37.004 PROPERTY SEIZURE FUND.

(A) *Fund established.* A non-reverting fund known as the County Property Seizure Fund is now established in the County Treasury.
(Prior Code, § 37.030)

(B) *Depositing of money and property.*

(1) Money and property seized pursuant to I.C. 34-24-1-1 *et seq.* shall be deposited in the Fund.

(2) All money and property deposited in the County Property Seizure Fund shall be subject to appropriation by the County Council pursuant to I.C. 34-24-1-1 *et seq.*
(Prior Code, § 37.031)

(C) *Appropriation.* Appropriations shall include money to provide for and defray expenses of the County Prosecutor's Office and County Sheriff's Office associated with the cost of the action in seizing the property.
(Prior Code, § 37.032) (Ord. 1076A, passed 6-12-1990; Ord. 1076A-1, passed 5-14-1991)

§ 37.005 SPECIAL ADVOCATE/GUARDIAN AD LITEM NON-REVERTING FUND.

(A) Pursuant to I.C. 31-40-3-1 *et seq.*, the Court Appointed Special Advocate/Guardian Ad Litem Non-Reverting Fund is hereby created.

(B) Funds from all lawful sources shall be placed in the non-reverting fund, and appropriated by the County Council pursuant to law.
(Prior Code, § 37.040) (Ord. 1077B, passed 7-10-1990)

§ 37.006 RICO FUND.

(A) *Fund created; appropriation.*

(1) A non-reverting fund known as the Racketeer Influences and Corrupt Organization Fund is hereby established in the County Treasury.

(2) The fund is not subject to appropriation per I.C. 36-2-5-2(b).
(Prior Code, § 37.050)

(B) *Depositing of fund.* Property forfeited to the County Prosecutor of the County Chief of Police may make separate claims against this fund to defray costs and expenses incurred as an aggrieved person as determined by court order.
(Prior Code, § 37.051)

(C) *Claim against fund.* The County Prosecutor and County Chief of Police may make separate claims against this fund to defray costs and expenses incurred as an aggrieved person as determined by court order.
(Prior Code, § 37.052)

(D) *Balances within fund.* The County Prosecutor and County Chief of Police shall have separate balances within this Fund as determined by court order for credits and approved claim as debits.
(Prior Code, § 37.053) (Ord. 1088B, passed 4-9-1991)

§ 37.007 BAD CHECK CLEARING ACCOUNT AND SERVICE CHARGE FUND.

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BAD CHECK or ***DISHONORED CHECK.*** Means any check, draft, or order as described at I.C. 35-43-5-5(a).
(Prior Code, § 37.060)

(B) *Service fee.* The office of the County Prosecuting Attorney is authorized to charge a service fee, in accordance with the provisions of I.C. 35-43-5-5, for each dishonored check which it processes for collection and/or prosecution.
(Prior Code, § 37.061)

(C) *Collection.*

(1) The Prosecuting Attorney may establish a program through his or her office whereby any person who is the payee or holder of a bad check and who refers the same to the Prosecuting Attorney for collection and/or prosecution may:

(a) Authorize the Prosecuting Attorney to contact the issuer of the bad check to determine if that person wishes and intends to make the check good in accordance with I.C. 35-43-5-5(e);

(b) Authorize the Prosecuting Attorney to collect the amount of the bad check on behalf of the payee or holder of the bad check in conjunction with a protest and service fee in such amount as the Prosecuting Attorney may stipulate and fix on a uniform basis (which may be a fixed dollar amount or percentage of the value of the bad check) but which may not exceed the amount permitted under I.C. 35-43-5-5(e)(2); and

(c) Authorize the prosecuting attorney to retain or agree to pay over to the prosecuting attorney, for the benefit of the county, all protest and service fees collected by the prosecuting attorney pursuant to division (C)(1)(b) above in consideration of the services provided to the payee or holder by the prosecutor's office.

(2) The County Treasurer shall collect amounts after notice by and as determined by the County Prosecutor for bad checks and service charges.
(Prior Code, § 37.062)

(D) *Bad Check Clearing Account.* All payments for delinquent amounts collected by the County Treasurer shall be receipted and posted to the Bad Check Clearing Account.
(Prior Code, § 37.063)

(E) *Receipts of fees.* All receipts of protest and service fees charged by the prosecuting attorney and collected by the County Treasurer under this section shall be considered General Fund Miscellaneous Revenue and shall become the property of the County General Fund.
(Prior Code, § 37.064)

(F) *Monthly report.* The County Treasurer shall prepare a report of bad check and service charge deposits on a monthly basis for presentation as a certified claim to the County Auditor who shall quietus any and all amounts reflected in that report either to the Bad Check Clearing Account or the service charge as determined by payments received.
(Prior Code, § 37.065)

(G) *Disbursing funds.* The County Auditor shall disburse funds from the Bad Check Clearing Account upon presentation of certified claims by the County Treasurer.
(Prior Code, § 37.066)

(H) *Transferring funds.*

(1) Service charge proceeds deposited in the County General Fund pursuant to this chapter shall be immediately transferred to the County Service Charge Fund, a non-reverting fund, within the County Treasury.

(2) All proceeds transferred to the County Service Charge Fund shall be subject to appropriation by the County Council pursuant to I.C. 36-2-5-2(b).
(Prior Code, § 37.067)

(I) *Appropriation of revenues.* The County Council shall appropriate these miscellaneous revenues generated by the prosecutor's collections for the purposes of the Prosecutor's office.
(Prior Code, § 37.068)

(J) *Non-sufficient funds fee.* A $25 charge is hereby established for each check presented to the county for which a non-sufficient funds notice is received by the county. These monies shall be deposited in a separate fund known as the Non-Sufficient Check Fund of the Lake County Treasurer which is to be used for making up any deficiencies in the cash accounts of the Treasurer. The Treasurer shall submit a report to the Lake County Council annually indicating the amount of monies collected and the Fund balance.
(Prior Code, § 37.069) (Ord. 1097B, passed 12-10-1991; Ord. 1132B, passed 7-12-1994)

§ 37.008 SYD GARNER SCHOLARSHIP FUND; COMMITTEE APPOINTMENT, VACANCIES.

The County Council at its regular December meeting shall appoint two of its members to the Garner Scholarship Committee which will choose the recipient of the Syd Garner Scholarship in accordance with the Fund Administration Agreement for the Syd Garner Scholarship Fund. Each Council person appointed to the Committee shall serve for 12 months. Vacancies, if any, shall be filled by the County Council within 30 days of receipt of notice of the vacancy, and the Council person so appointed shall serve the time remaining in the term.
(Prior Code, § 37.075) (Ord. 1112A, passed 12-8-1992)

§ 37.009 CLERK'S RECORD PERPETUATION FUND.

(A) *Established.* The County Clerk's Record Perpetuation Fund is established pursuant to I.C. 33-37-5-2, hereinafter called the Fund.
(Prior Code, § 37.080)

(B) *Monies deposited.* The County Clerk shall deposit in the Fund all monies received for transmitting documents by facsimile machine to persons as provided by I.C. 5-14-3.
(Prior Code, § 37.081)

(C) *Purpose.* The Clerk shall use any of the money in the Fund for the following purposes:

(1) Preservation of records; and/or

(2) Improvement of record-keeping systems and equipment in the Clerk's office.
(Prior Code, § 37.082)

(D) *Non-Reverting fund.* The Fund shall be a non-reverting fund. Any money in the Fund at the end of the year shall remain, and not revert to the County General Fund.
(Prior Code, § 37.083) (Ord. 1120A, passed 8-10-1993)

§ 37.010 CAMPAIGN FINANCE ENFORCEMENT ACCOUNT.

(A) *Established.* Pursuant to I.C. 3-9-4-17, a special non-reverting fund known as the Lake County Campaign Finance Enforcement Account is hereby established.
(Prior Code, § 37.085)

(B) *Monies deposited.* All civil penalties assessed by the County Election Board for the late filing of campaign reports required under I.C. 3-9-5-10 shall be deposited in the Account.
(Prior Code, § 37.086)

(C) *Purpose.* The funds shall be made available, with approval of the County Council, to the County Election Board to augment and supplement the funds appropriated for the administration of I.C. 3-9-1-1 *et seq.*, Political Campaigns.
(Prior Code, § 37.087)

(D) *Non-Reverting fund.* The money in the Lake County Campaign Enforcement Account at the end of the county fiscal year does not revert to the County General Fund, but will remain in the account.
(Prior Code, § 37.088) (Ord. 1120B, passed 8-10-1993; Ord. 1145-1, passed 8-8-1995)

§ 37.011 CUMULATIVE CAPITAL DEVELOPMENT FUND.

(A) *Established.* A fund is established and known as the Lake County Capital Development Fund, pursuant to I.C. 36-9-14.5 *et seq.*
(Prior Code, § 37.090)

(B) *Purpose.* Monies held in the County Capital Development Fund shall be used as follows:

Building and structure improvements	$198,900
Furniture and fixtures	$160, 300
Office machines	$301,000
Law books	$35,000
Motor vehicles	$472,500
Other equipment	$192,610
Other capitol outlay	$700,000
Excess to be used for other county capitol needs as allowed by I.C. 36-9-14.5 *et seq.*	

(Prior Code, § 37.091)

(C) *Tax levy.*

(1) Monies raised for the Lake County Cumulative Development Fund by a tax levy shall be made in calendar year 2002, on the taxable property within the county.

(2) The said tax levy shall be at the following rates: $2.33 per hundred dollars assessed valuation in 2002, or whichever is in effect.
(Prior Code, § 37.092) (Ord. 1121G, passed 9-7-1993; Ord. 1121G-1, passed 9-7-1993; Ord. 1134I, passed 9-6-1994; Ord. 1146H, passed 9-5-1995; Ord. 1160J, passed 9-3-1996; Ord. 1182H, passed 9-8-1998; Ord. 1195J, passed 9-14-1999; Ord. 1207H, passed 9-12-2000; Ord. 1218J, passed 9-12-2001)

§ 37.012 RIVERBOAT GAMBLING SPECIAL ELECTION FUND.

(A) *Established.* A special fund entitled Riverboat Special Election Fund is established per I.C. 4-33 (Pub. Law No. 277-1993(ss)) for the purpose of receiving amounts made in advance of the special election concerning the question of riverboat gambling in the county.
(Prior Code, § 37.095)

(B) *Accounts in fund.* Three separate accounts shall be in the Fund as follows:

(1) City of Hammond account.

(2) City of East Chicago account.

(3) City of Whiting account.
(Prior Code, § 37.096) (Ord. 1121G, passed 9-7-1993)

§ 37.013 CORRECTIONS FUND.

(A) *Established.* There is created a Corrections Fund. The fund shall consist of deposits received from the Department of Correction in accordance with I.C. 11-12-6.
(Prior Code, § 37.100)

(B) *Purpose.* The County Corrections Fund may be used only for funding the operations 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.
(Prior Code, § 37.101)

(C) *Deposits.*

(1) The County Council elects to receive deposits from the Department of Correction in accordance with I.C. 11-12-6.

(2) The County Council elects to receive such deposits at Level 3 funding.
(Prior Code, § 37.102) (Ord. 1115A, passed 3-9-1993; Ord. 1127A, passed 2-8-1994; Ord. 1140A, passed 3-14-1995; Ord. 1152A, passed 2-13-1996; Ord. 1166A, passed 4-24-1997; Ord. 1176C, passed 2-10-1998; Ord. 1188D, passed 2-9-1999; Ord. 1202D, passed 4-11-2000; Ord. 1212A, passed 2-13-2001; Ord. 1226A, passed 4-9-2002)

§ 37.014 AUDITOR'S INCENTIVE FUND AND TREASURER'S INCENTIVE FUND.

(A) *Established.* Four non-reverting funds, to be known as the Auditor's Incentive Fund and the Treasurer's Incentive Fund, the Lake County Board of Commissioners' Incentive Fund and Recorder's Incentive Fund, are established.
(Prior Code, § 37.105)

(B) *Deposit.* After deducting the advertising, legal, and professional service costs associated with the sale of the Lake County Commissioners' real estate sales, the County Auditor is directed to deposit monthly into each fund 10% of the revenue received as a direct result of the County Commissioner's real estate sales.
(Prior Code, § 37.106)

(C) *Distribution.* Distribution from the funds shall be made to the Auditor's Office, the Treasurer's Office, the Lake County Board of Commissioners', and Recorder's Office, respectively, by appropriation from the county fiscal body, as provided by law.
(Prior Code, § 37.107)

(D) *Excess deposits.* Each of the four funds shall receive deposits pursuant to this section until the sum of $100,000 is reached in each calendar year. After the sum of $100,000 is reached in a respective fund, revenue destined for the particular respective fund, shall remain in the Commissioners' Tax Sale Fund, Fund No. 583 for sales made up to 4-8-2003 and in Fund No. 383 for sales made subsequent to 4-8-2003.
(Prior Code, § 37.108) (Ord. 1113B, passed 1-12-1993; Ord. 1113B-1, passed 12-14-1999; Ord. 1113B-2, passed 4-8-2003; Ord. 1113B-2, passed 7-8-2003; Ord. 1113B-3, passed 6-13-2005)

§ 37.015 COUNTY JAIL MEDICAL INMATE FUND.

(A) *Co-payment required.* Except as provided in division (B) below, a person confined to the county jail will be required to make a co-payment in an amount of not more than $15 for each provision of any of the following services:

(1) Medical care;

(2) Dental care;

(3) Eye care; and

(4) Any other health care related service.
(Prior Code, § 37.120)

(B) *Co-payment exceptions.*

(1) A person confined to a county jail is not required to make the co-payment under division (A) above if:

(a) The person does not have funds in the person's commissary account or trust account at the time the service is provided;

(b) The person does not have funds in the person's commissary account or trust account within 30 days after the service is provided;

(c) The service is provided in an emergency;

(d) The service is provided as a result of an injury received in the county jail; or

(e) The service is provided at the request of the Sheriff or jail administrator.

(2) This section does not apply to a person confined to a county jail who:

(a) Maintains a policy of insurance from a private company covering:

1. Medical care;

2. Dental care;

3. Eye care; or

4. Any other health care related service.

(b) Is willing to pay for the person's own medical care; or

(c) Is committed to the department of correction.
(Prior Code, § 37.121)

(C) *Money collected to be deposited.* Money collected must be deposited into the County Medical Care for Inmates Fund. Any money remaining in this fund at the end of the year does not revert to any other fund but remains in the County Medical Care for Inmate Fund.
(Prior Code,§ 37.122) (Ord. 1132A, passed 7-12-1994; Ord. 1132A-1, passed 8-14-2012)

§ 37.016 COUNTY RECORDER'S ENHANCED ACCESS FEE FUND.

(A) Pursuant to I.C. 36-2-7-10(b)(11), the County Recorder shall charge a supplemental fee of $3 per document, which shall be paid at the time of recording of the document.

(B) The supplemental recording fee of $3 is in addition to all other recording fees required by law for services rendered by the County Recorder's Office.

(C) Pursuant to I.C. 36-2-7-10(c) the supplemental recording fee shall be placed in the Recorder's Records Perpetuation Fund, along with the fees collected per I.C. 36-2-7-10(b)(5), I.C. 36-2-7-10(b)(6), and I.C. 36-2-7-10(b)(9), to be used by the County Recorder without appropriation, for the preservation of records and the improvement of record keeping systems and equipment.
(Prior Code, § 37.135) (Ord. 1143A, passed 6-13-1995)

§ 37.017 LAKE COUNTY ANIMAL SHELTER NON-REVERTING FUND.

(A) There is hereby established a non-reverting fund titled Lake County Animal Shelter Non-Reverting Fund, to be used for the deposit of charitable contributions made on behalf of the Lake County Animal Shelter.

(B) Appropriations from the Fund shall be approved by the County Council for the benefit of the County Animal Shelter, its employees and animals cared for at the shelter, at the request of the Lake County Animal Shelter Department only.

(C) All funds in the Fund not appropriated by the end of the year shall not revert to the General Fund, but remain in the Fund subject to appropriation by the County Council.
(Prior Code, § 37.145) (Ord. 1139A, passed 2-14-1995)

§ 37.018 JUVENILE CENTER/JUVENILE DIVISION PAY TELEPHONE NON-REVERTING FUND.

(A) *Established.* The Lake County Juvenile Center/Lake Superior Court Juvenile Division Pay Telephone Fund is established. All money received from the use of pay telephones at the Center and Court shall be deposited in a non-reverting fund.
(Prior Code, § 37.150)

(B) *Appropriation of funds*. Monies from the Fund shall be appropriated by the Lake County Council pursuant to I.C. Title 36 for use by the Center and Court.
(Prior Code,§ 37.151) (Ord. 1155A, passed 5-14-1996; Ord. 1155B, passed 5-14-1996)

§ 37.019 GAMBLING ADMISSION TAX FUND.

(A) *Established*. All monies placed in the Lake County General Fund per I.C. 4-33-12-1 *et seq*. shall be immediately transferred to a non-reverting fund hereby established and called the Gambling Admission Tax Fund.
(Prior Code, § 37.155)

(B) *Allocation of fund*. All monies placed in the Lake County General Fund and the Gambling Admission Tax Fund pursuant to I.C. 4-33-12-1 *et seq*., and this section, after 3-1-1997, be allocated as follows:

(1) Seventy percent of the funds shall be appropriated to Lake County Government;

(2) Twenty-five percent shall be appropriated to cities and towns not covered by I.C. 4-33-12-6(b)(1), pursuant to inter-local agreements adopted by all cities and towns covered by this section; and

(3) Five percent to the Lake County Highway Department.
(Prior Code, § 37.156)

(C) *Use of gambling admission tax funds by cities and towns*. The 25% portion of the Gambling Admission Tax appropriated to cities and towns not covered by I.C. 4-33-12-6(b)(1) shall be used for the following.

(1) *Infrastructure*.

(a) Infrastructure within the city or town, and for equipment used for the construction, repair or maintenance of infrastructure including, but not limited to trucks and road working vehicles.

(b) ***INFRASTRUCTURE*** shall be defined as streets, roads, bridges, sewers and drains, public buildings, including projects and services defined in the interlocal cooperation agreement between the cities and towns and Lake County filed with the Lake County Recorder as document number 397039517.

(2) *Repayment to the county of funds received by each city and town participating in the 2% circuit breaker program established by the memorandum of understanding between Lake County and the State of Indiana dated 9-14-2004*. Repayment shall be based on the formula for distribution and repayment provided in the interlocal cooperation agreement between the cities and towns and Lake County, filed with the County Recorder as document number 97039517.

(D) *Lake County Highway Department Infrastructure and Equipment/Non-Reverting Lake County Highway Department Fund*. Pursuant to division (B) above, 5% of the funds shall be deposited in the non-reverting Lake County Highway Department Fund, and appropriated only for infrastructure and equipment under the jurisdiction of the Lake County Highway Department. Infrastructure shall be defined as roads and bridges. Equipment shall be defined as any machinery, tools, supplies, services and processes used by the Lake County Highway in the course of their duties and responsibilities.
(Prior Code, § 37.158)

(E) *Two-thirds vote*. Notwithstanding I.C. 36-2-4-5 (majority vote to pass an ordinance) at least a two-thirds vote shall be necessary to amend division (B) above.
(Prior Code, § 37.159)

(F) *HB 1135*. Notwithstanding divisions (B) and (G) below, the allocation of the Fund and the distribution pursuant to termination of the Fund shall not apply in the event less than $1 of the Admission Tax is provided to Lake County per I.C. Title 4, Article 33, Riverboat Gambling, or subsequent amendments.
(Prior Code, § 37.160)

(G) *Termination of fund.* In the event of a repeal of I.C. 4-33-12-1 *et seq.*, the balance of monies in the Gambling Admission Tax Fund shall be disbursed pursuant to the categories in division (B) above.
(Prior Code, § 37.161) (Ord. 1156A, passed 6-11-1996; Ord. 1156A-1, passed 3-25-1997; Ord. 1156A-2, passed 6-8-1999; Ord. 1156A-3, passed 9-14-1999; Ord. 1156A-4, passed 1-11-2005; Ord. 1156A-5, passed 5-9-2006; Ord. 1156A-5, passed 7-14-2009)

§ 37.020 COMMUNITY ALERT NETWORK SYSTEM FUND.

(A) *Community alert network system.* Lake County Council hereby adopts and approves the establishment of a community alert network system to notify the citizens of Lake County, Indiana, of emergency situations through computer driven emergency notification. The community alert network system shall be funded through fines collected from spillers of dangerous, hazardous or toxic materials and substances in Lake County and fees from those storing dangerous, hazardous, or toxic materials and substances in Lake County.
(Prior Code, § 37.170)

(B) *Community alert network system fund.* Lake County Council now creates and the Lake County Auditor is hereby authorized to establish a non-reverting fund called the Community Alert Network System Fund. Any monies received as a result of fines from spills of dangerous, hazardous, or toxic materials and substances in Lake County, and fees from the storage of dangerous, hazardous, or toxic materials or substances in Lake County shall be deposited in the Fund. The fund shall be used only for the establishment and maintenance of the community alert network system. Appropriations shall be made from the Fund upon approval of the Lake County Council.
(Prior Code, § 37.171) (Ord. 1159A, passed 8-13-1996)

§ 37.021 COUNTY PRISONER REIMBURSEMENT FUND.

(A) *Established.*

(1) The Lake County Council, the fiscal and legislative body for Lake County, elects to implement I.C. 36-2-13-15 by establishing $30, as a per diem cost to be assessed an inmate of Lake County Jail held on either a felony or misdemeanor, payable through a reimbursement plan as directed by the Court for costs described in I.C. 36-2-13-15.

(2) The Lake County Council hereby establishes a non-reverting County Prisoner Reimbursement Fund, which all deposits from reimbursement plans shall be placed, to be appropriated by the county fiscal body only for the operation, construction, repair, remodeling, enlarging and equipping of a county jail or juvenile detention center to be operated under I.C. 31-31-8 or 31-31-9.
(Prior Code, § 37.185)

(B) *Cost imposed.* All costs imposed on inmates covered by this section shall be established and collected, pursuant to the provisions of I.C. 35-50-5-4, I.C. 36-2-13-15, and I.C. 36-2-13-16.
(Prior Code, § 37.186) (Ord. 1179A, passed 5-26-1998)

§ 37.022 GED FUND.

(A) *Established.* There is hereby established a non-reverting fund titled non-reverting GED, to be used for a GED Program by which inmates at the Lake County Jail may work towards completion of their high school education.
(Prior Code, § 37.190)

(B) *Appropriation of funds.* All funds contributed to the GED Program from individuals, businesses, and corporations be placed in the non-reverting GED Fund, to be appropriated by the Lake County Council.
(Prior Code, § 37.191) (Ord. 1173C, passed 11-21-1997)

§ 37.023 COMBINED TASK FORCE/HIDTA FUND.

(A) *Established.*

(1) A non-reverting fund known as Lake County Combined Task Force/HIDTA Fund for moneys obtained pursuant to I.C. 34-24-1-1 *et seq.* is hereby established in the Lake County Treasury.

(2) The fund is not subject to appropriation per I.C. 36-2-5-2(b).
(Prior Code, § 37.200)

(B) *Actions of prosecutor and Chief of Police.*

(1) The property forfeited to the Lake County Prosecutor or the Lake County Chief of Police pursuant to I.C. 34-24-1-1 *et seq.* is to be deposited in the Fund as determined by court order.

(2) The Lake County Prosecutor and Lake County Chief of Police may make separate claims against this fund to defray costs and expenses incurred as an aggrieved person as determined by court order.

(3) The Lake County Prosecutor and Lake County Chief of Police shall have separate balances within this fund as determined by court order for credits and approved claims as debits.
(Prior Code, § 37.201)

(C) *Actions of treasurer and auditor.* The Lake County Treasurer and Lake County Auditor shall take appropriate actions to set-up and administrate the non-reverting fund.
(Prior Code, § 37.202) (Ord. 1179C, passed 5-26-1998; Ord. 1179D, passed 5-26-1998)

§ 37.024 POLICE OFFICERS' SALARIES FUND.

All state and federal grants which are used for salaries of Lake County Police Officers shall be placed in a fund which is hereby established and shall be known as the Police Officers' Salary Grant Fund. All salaries shall be approved by, and all monies in the Fund shall be appropriated by, the Lake County Council pursuant to federal, state, and local law.
(Prior Code, § 37.210) (Ord. 1176B, passed 2-10-1998)

§ 37.025 FAIRGROUNDS OPERATION FUND.

(A) *Established.* There is hereby established a special non-reverting operating fund created for monies and fees procured from fairgrounds activities which shall be deposited with the Treasurer of Lake County.
(Prior Code, § 37.220)

(B) *Expenditures; deposits.*

(1) Expenditure from the Special Non-Reverting Operating Fund may be made by appropriation by the Lake County Council to the 100, 200, and 300 series.

(2) The Lake County Treasurer shall deposit fees from fee generating fairground activities into the Special Non-Reverting Operating Fund.
(Prior Code, § 37.221) (Ord. 1169A, passed 7-8-1997; Ord. 1169A-1, passed 6-11-2002)

§ 37.026 COMMISSIONERS' PROPERTY SALES FUND.

Fund 590, Commissioners's Property Sales Fund, shall be established for the initial clearing and holding account fund containing security deposits from property bidders who are bidding on county real estate sold pursuant to state law, by the Lake County Board of Commissioners.
(Prior Code, § 37.230) (Ord. 1183C, passed 9-8-1998; Ord. 1186D, passed 12-15-1998; Ord. 1186D-1, passed 12-14-1999)

§ 37.027 CHILD SUPPORT PERFORMANCE AND INCENTIVE ACT FUND.

(A) *Established*. The Child Support Performance and Incentive Act Fund in the Lake County Treasury is hereby established.
(Prior Code, § 37.240)

(B) *Deposit*. The receipt and use of all IV-D incentive monies shall be deposited in the Fund for the receipt and disbursement of the incentive monies effective with the October, 1999 receipts.
(Prior Code, § 37.241)

(C) *Disbursement*. Disbursement of the receipts deposited in the Fund shall be made pursuant to the Child Support Performance and Incentive Act of 1998, I.C. 31-25-4.
(Prior Code, § 37.242) (Ord. 1197B, passed 11-9-1999)

§ 37.028 EMPLOYEE DIRECT DEPOSIT FUND.

(A) The Lake County Council hereby establishes the Employee Direct Deposit Fund for the purpose of providing the service of depositing county employees payroll checks directly in their personal bank accounts.

(B) All appropriations and transfers from the Employees Direct Deposit Fund shall be made only upon approval of the Lake County Council except as otherwise provided by law.
(Prior Code, § 37.250) (Ord. 1195A, passed 10-12-1999; Ord. 1196A, passed 10-12-1999)

§ 37.029 COURT IMPROVEMENT GRANT FUND.

(A) *Established*. The Lake County Council hereby establishes the Lake Superior Court, Juvenile Division, Court Improvement Grant Fund for the purpose of depositing all funds received from the Lake County Superior Court, Juvenile Division, Court Improvement Grant.
(Prior Code, § 37.270)

(B) *Appropriation of funds*. All appropriations and transfers from the Lake County Superior Court, Juvenile Division, Court Improvement Grant Fund shall be made only upon approval by the Lake County Council, except as otherwise provided by law.
(Prior Code,§ 37.271) (Ord. 1193B, passed 7-13-1999)

§ 37.030 NON-REVERTING LAKE COUNTY HIGHWAY DEPARTMENT FUND.

(A) *Established*. The Lake County Council establishes the Non-Reverting Lake County Highway Department Fund for the deposit of 5% of the Gambling Admissions Tax Fund pursuant to I.C. 4-33-12-1 *et seq.*, as provided in Lake County Ord. 1156A.
(Prior Code, § 37.280)

(B) *Appropriation of funds*. The 5% of the Gambling Admission Tax allocated to the Fund shall be appropriated only for infrastructure and equipment under the jurisdiction of Lake County Highway Department. ***INFRASTRUCTURE*** shall be defined as roads and bridges. ***EQUIPMENT*** shall be defined as any machinery and tools used by the Lake County Highway Department in the course of their duties and responsibilities. Appropriations shall be made only by the Lake County Council, except as otherwise provided by law.
(Prior Code, § 37.281) (Ord. 1192C, passed 6-8-1999; Ord. 1192C-1, passed 9-14-1999)

§ 37.031 JAIL EXPANSION CONSTRUCTION AND RECONSTRUCTION FUND.

(A) *Established*. The Lake County Council hereby establishes the Lake County Jail Expansion, Construction and Reconstruction Fund (Fund No. 355) for the purpose of depositing the proceeds from the Lake County Jail Bonds and the supplemental appropriation of $7,500,000 from the County Riverboat Fund (Fund No. 196), to pay for the cost and expenses of the Lake County Jail Expansion, Construction and Reconstruction Project.
(Prior Code, § 37.300)

(B) *Appropriation of funds*. All appropriations and transfers from the Lake County Jail Expansion, Construction and Reconstruction Fund be made only upon approval of the Lake County Council, except as otherwise provided by law.
(Prior Code, § 37.301) (Ord. 1188C, passed 2-9-1999)

§ 37.032 BOND REDEMPTION FUND.

(A) *Established*. The Lake County Council hereby establishes the Lake County Bond Redemption Fund (Fund No. 320) for the purpose of redeeming the principal and interest on the Lake County Jail Bonds.
(Prior Code, § 37.310)

(B) *Appropriation of funds*. All appropriations and transfers from the Lake County Bond Redemption Fund shall be made only upon approval of the Lake County Council, except as otherwise provided by law.
(Prior Code, § 37.311) (Ord. 1188B, passed 2-9-1999)

§ 37.033 HERMITS LAKE SEWAGE TREATMENT PLANT REPAIR AND RECONSTRUCTION FUND.

(A) *Established*. The Lake County Council hereby establishes the Hermits Lake Sewage and Treatment Repair and Reconstruction Fund for the deposit of funds used for repair and reconstruction of the Hermits Lake Sewage Treatment Plant, including the Build Indiana Grant in the sum of $550,000.
(Prior Code, § 37.320)

(B) *Appropriation of funds*. All appropriations and transfer from the Hermits Lake Sewage and Treatment Repair and Reconstruction Fund shall be made only upon approval of the Lake County Council, except as otherwise provided by law.
(Prior Code, § 37.321) (Ord. 1186G, passed 12-29-1998; Ord. 1186H, passed 12-29-1998)

§ 37.034 NON-REVERTING BOND FUND.

The County Auditor is specifically authorized to establish a continuing non-reverting fund and to deposit such bonds as are collected pursuant to Ord. 1181D, passed 7-7-1998.
(Prior Code, § 37.330) (Ord. 1181D, passed 7-7-1998)

§ 37.035 JUVENILE BLOCK GRANT.

The Lake County Council hereby establishes a Juvenile Block Grant Fund for the deposit of grant funds for equipment furniture and fixtures, office machines, motor vehicles, petroleum products, and other services and charges.
(Ord. 1202C, passed 4-11-2000)

§ 37.036 COUNTY CORRECTIONS FUND.

(A) *Election to receive deposits*. The County Council hereby elects to receive deposits from the Department of Correction in accordance with I.C. 11-12-6.

(B) *Election to receive deposits as Level 3 Funding*. The County Council hereby elects to receive such deposits at Level 3 Funding.

(C) *Established*. There is hereby created a County Corrections Fund. The fund shall consist of deposits received from the Department of Correction in accordance with I.C. 11-12-6.

(D) *Use of funds, non-reverting fund*. The County Corrections Fund may be used only for funding the operation of the county jail, jail pro-only for funding the operation of the county jail, jail programs, or other local correctional facilities. Any money remaining in a County Correctional Fund at the end of the year does not revert to any other fund but remains in the County Corrections Fund.
(Ord. 1202D, passed 4-11-2000)

§ 37.037 LAKE COUNTY EMERGENCY MANAGEMENT AGENCY GRANT FUND.

(A) *Established.* The Lake County Council hereby establishes the Lake County Emergency Management Agency Grant Fund for the deposit of grant funds to be used to purchase specialized equipment.

(B) *Approval of appropriations.* That all appropriations from the Lake County Emergency Management Agency Grant Fund shall be approved by the Lake County Council unless otherwise provided by law.
(Ord. 1203B, passed 5-9-2000)

§ 37.038 NATIONAL CASA GRANT FUNDS.

(A) The National CASA Grant Fund (fund) is hereby established for the deposit of monies received from National CASA Grants to be used for the Lake County CASA program.

(B) The fund shall be a non-reverting fund and any monies in the Fund at the end of the fiscal year shall remain in the Fund and not revert to the General Fund.

(C) All requests for appropriations from the National CASA Grant Fund shall be made by the Lake County Superior Court, Juvenile Division Senior Judge, and approved by the Lake County Council as provided by law.
(Ord. 1204A, passed 6-13-2000; Ord.1242B, passed 8-12-2003)

§ 37.039 CRIMINAL DIVISION PUBLIC DEFENDERS FUND.

The Lake County Council hereby establishes the Criminal Division Public Defender Fund for the deposit of monies received to provide services to indigent defendants. That monies from the Fund shall be appropriated pursuant to state and federal law.
(Ord. 1204D, passed 6-13-2000)

§ 37.040 LAKE COUNTY PARKS AND RECREATION BOARD SELF INSURANCE AND EMPLOYEE BENEFITS FUND.

(A) *Established.*

(1) A special non-reverting fund is hereby created to be known as the Lake County Parks and Recreation Self Insurance and Employee Benefits Fund, for the payment of uninsured liability claims, settlements and judgement by the Board, and for the administration of a program of self insurance including, but not limited to the payment of legal defense and investigation fees.

(2) The special Non-Reverting Fund shall also be used for the following employee benefits:

(a) Flexible spending accounts;

(b) Thrift saving plans; and/or

(c) Expanded insurance programs.

(B) *Funding.* The Special Non-Reverting Fund shall be funded from time to time by such appropriation or additional appropriation as shall be deemed necessary to operate the program by the Board.

(C) *Non-Reverting.* Any remaining monies at the end of the Board's fiscal year shall not revert to the Parks Board General Fund.

(D) *Transfer of excess funds.* At the Board's discretion, any monies which accumulate in the Non-Reverting Fund that it deems excess may be transferred by the Board to its Non-Reverting Land and Land Improvements Fund and or Non-Reverting Operating Fund.

(E) *Effective date.* This section shall be in full force and effect from the date of passage of Ord. 1282C.
(Ord. 1027A-1, passed 9-12-2000; Ord. 1281A, passed 11-14-2006; Ord. 1282C, passed 12-12-2006)

§ 37.041 LAKE COUNTY SHERIFF'S DEPARTMENT NON REVERTING PROPERTY SEIZURE FUND.

The Lake County Council hereby creates the Lake County Sheriff's Department Non-Reverting Property Seizure Fund. All monies made through illegal activities, seized by the Lake County Sheriff in conducting its law enforcement activities, be deposited into the Lake County Sheriff's Department Non-Reverting Property Seizure Fund to be held in the Fund until the Sheriff receives a court order awarding the distribution of the monies in the Fund. While the monies are in the Fund they shall be used only for law enforcement purposes.
(Ord. 1212D, passed 2-13-2001)

§ 37.042 DUI TASK FORCE INDIANA GRANT FUND.

The Lake County Council hereby creates a non-reverting fund to be called the DUI Task Force Indiana Grant Fund in the Sheriff's Budget Department 0500. The Fund shall have one line item called the overtime line item. Revenues shall be appropriated from the Fund to cover overtime for Sheriff's police officers patrolling the county's highways to enforce the state's DUI laws.
(Ord. 1220A, passed 10-16-2001)

§ 37.043 LAKE COUNTY RAINY DAY FUND.

(A) *Established*. The Lake County Council establishes the Lake County Rainy Day Fund (fund) to receive transfers of unused and unencumbered funds which were raised by a general or special tax levy on all the taxable property in Lake County.

(B) *Limit of transfers*. The Lake County Council should not transfer more than 10% of Lake County's total budget into the Fund for any budget year.

(C) *Appropriations process*. The Lake County Rainy Day Fund shall be subject to the same appropriation process as all other funds that receive tax money.

(D) *Appropriation approval*. Appropriations may be made from the Rainy Day Fund by the Lake County Council only upon a finding that the proposed use of the appropriation is consistent with the intent of the Fund.

(E) *Use of funds*. The funds shall only be used for the following purpose: county roads and streets.
(Ord. 1221A, passed 11-13-2001; Ord. 1221A-1, passed 1-14-2003)

§ 37.044 SALES DISCLOSURE FORM FEE FUND.

(A) *Established*. There is hereby established a Lake County Sales Disclosure Fund.

(B) *Appropriation*. The fees collected for filing a sales disclosure form (I.C. 6-1.1-5.5-4) shall be deposited into the Fund to be appropriated by the Lake County Council, pursuant to the request of assessing official of Lake County, Indiana for the following purposes only:

(1) Administration of I.C. 6-1.1-5.5-1 *et seq.*;

(2) Verification of the information contained on a sales disclosure form;

(3) Training of assessing officials; or

(4) Purchasing computer software or hardware for a property record system.
(Ord. 1223B, passed 1-8-2002; Ord. 1246C, passed 12-15-2003)

§ 37.045 HERMITS LAKE LOAN REPAYMENT FUND.

(A) *Repeal.* The Lake County Council now repeals Ord. 1223D, the ordinance establishing the Hermits Lake Loan Repayment Fund adopted on 1-24-2002.

(B) *Transfer.* Any monies currently in Fund No. 358 shall be transferred in to Fund No. 356.
(Ord. 1223D, passed 1-24-2002; Ord. 1271A, passed 1-10-2006)

§ 37.046 LAKE COUNTY TREASURER'S TAX SALE FUND.

(A) *Funding.* Pursuant to I.C. 6-1.1-24 *et seq.*, the Lake County Council establishes a fee of $50 to be added to the sale price of each parcel of real estate sold in a Lake County Treasurer's Tax Sale pursuant to I.C. 6-1.1-24 *et seq.*

(B) *Established.* The Lake County Treasurer's Tax Sale Fee Fund is hereby established. All fees established by this section shall be deposited into the Fund and shall be appropriated by the Lake County Council as provided by law. Pursuant to I.C. 6-1.1-24-2 appropriations shall be made to cover actual costs incurred by the county that are directly attributable to the tax sale.
(Ord. 1224B, passed 2-12-2002)

§ 37.047 PROJECT IMPACT GRANT FUND.

(A) *Established.* The Lake County Council hereby establishes the Lake County Project Impact Grant Fund for deposit of all funds received from the Project Impact Grant approved by the Lake County Emergency Management Agency.

(B) *Appropriations.* All funds received from the Project Impact Grant for the Lake County Emergency Management Agency shall be place in the Fund and appropriations made by the Lake County Council as provided by law.
(Ord. 1224D, passed 2-12-2002)

§ 37.048 NON-REVERTING FUND FOR PAYMENT OF ATTORNEY FEES FOR COLLECTION OF DELINQUENT PERSONAL PROPERTY TAXES.

(A) *Established.* The Lake County Council hereby establishes a non-reverting fund for payment of attorney fees for collection of delinquent personal property taxes.

(B) *Funding.* Delinquent personal property taxes collected through the employment of attorneys hired by Lake County and the Lake County Treasurer shall be placed in the Fund.

(C) *Appropriations.* Monies for attorney fees associated with the collection of delinquent personal property taxes shall be paid from the Fund pursuant to appropriation by the Lake County Council, as provided by law.

(D) *Closure of former fund.* The current fund, Fund No. 223, used for payment of attorneys fees for collecting delinquent personal property taxes shall be closed. Any remaining monies in Fund No. 223 shall be placed in the new fund created by this section.
(Ord. 1225D, passed 3-12-2002)

§ 37.049 LAKE RIDGE FIRE PROTECTION DISTRICT CUMULATIVE FIREFIGHTING AND BUILDING FUND.

(A) *Established.* The Lake County, as legislative and fiscal body of the Lake Ridge Fire Protection District (district) establishes a Non-Reverting Cumulative Building and Equipment Fund under I.C. 6-1.1-41 *et seq.*

(B) *Use of funds*. The Fund shall be established pursuant to the requirements of I.C. 6-1.1-41 *et seq.*; and be used for the purposes provided in I.C. 36-8-14-2 as follows:

(1) The purchase, construction, renovation, or addiction to building used by the Fire Department or a volunteer fire department serving the unit;

(2) The purchase of fire-fighting equipment for use of the Fire Department or volunteer fire department serving the unit, including making the required payments under a lease rental with option to purchase agreement made to acquire the equipment;

(3) In a municipality, the purchase of police radio equipment; and

(4) The purchase, construction, renovation or addition to a building, or the purchase of equipment, for use of a provider of emergency medical services under I.C. 16-31-5 to the unit establishing the Fund.

(C) *Appropriations*. All appropriations from the Fund shall be made by the Lake County Council, as provided by law.
(Ord. 1229A, passed 7-9-2002)

§ 37.050 SHERIFF'S LOCAL LAW ENFORCEMENT BLOCK GRANT FUND.

(A) *Established*. The Lake County Council now establishes the Sheriff's Local Law Enforcement Block Grant Fund for receipt of the $337,747 for Lake County from the U.S. Department of Justice Fiscal Year 2002 Local Law Enforcement Block Grant Program.

(B) *Appropriations*. Appropriations from the Local law Enforcement Block Grant Fund shall be made pursuant to federal and state law.
(Ord. 1232A, passed 10-21-2002)

§ 37.051 LAKE COUNTY SHERIFF'S DEPARTMENT GRANTS FUND.

(A) *Established*. The Lake County Council now establishes the Lake County Sheriff's Department Grants Fund to receive money from various grants for the operations of the Lake County Sheriff's Department.

(B) *Appropriations*. Appropriations from the Lake County Sheriff's Department Grants Fund shall be made pursuant to Federal and State Law.
(Ord. 1232B, passed 10-21-2002)

§ 37.052 LOCAL EMERGENCY PLANNING SUB-GRANT FUND.

(A) *Established*. The Lake County Council establishes the Local Emergency Planning Sub-Grant Fund, a non-reverting fund to be used for the purposes as stated in the local emergency planning sub-grant agreement entered into on 3-19-2003.

(B) *Appropriations*. All expenditures from the Fund shall be approved by the Lake County Council as provided by law.
(Ord. 1238C, passed 4-8-2003)

§ 37.053 COMMUNITY EMERGENCY RESPONSE TEAM FUND.

(A) *Established*. The Lake County Council hereby establishes the Community Emergency Response Team Fund, a non-reverting fund to be used for the purposes as stated in the Community Emergency Response Team Agreement entered into by Lake County on 3-19-2003.

(B) *Appropriations*. All expenditures from the Fund shall be approved by the Lake County Council as provided by law.
(Ord. 1238D, passed 4-8-2003)

§ 37.054 ADOPT-A-CAR EQUIPMENT FUND.

(A) *Established*. The Lake County Council hereby establishes the Lake County Sheriff's Adopt-A-Car Equipment Fund, a non-reverting fund to be used for the purpose of depositing donations received from participating sponsors for vehicle equipment used by the Lake County Sheriff's Department.

(B) *Appropriations*. All expenditures from the Fund shall be approved by the Lake County Council as provided by law.
(Ord. 1238E, passed 4-8-2003)

§ 37.055 SPECIAL NON-REVERTING FUND FOR THE SHERIFF'S GRANT MANAGER'S ASSOCIATION.

(A) *Established*. A special non-reverting fund is established in the budget of the Lake County Sheriff's Department entitled the Sheriff's Grant Managers' Association Non-Reverting Fund.

(B) *Use of funds, non-reverting*. All revenues donated to or received for administrative training or other expenses related to the operation of the Sheriff's Grant Managers' Association shall be deposited in the Sheriff's Grant Managers' Association Non-Reverting Fund shall remain in the Fund and not revert to the County General Fund.

(C) *Restrictions on expenditures*. The expenditure of revenues from the Grant Managers' Association Non-Reverting Fund shall be limited to expenditures related to the administrative, training and operational costs of the Grant Manager's Association as approved by the Lake County Sheriff.

(D) *Cost of association*. The Grant Managers' Association will be operated at no cost to Lake County taxpayers.

(E) *Appropriations*. That all appropriations made out of the special non-reverting fund shall be approved by the Lake County Council pursuant to I.C. 36-2-3.

(F) *Effective date*. This section shall be in full force and effect upon passage and adoption of Ord. 1239C.
(Ord. 1239C, passed 5-13-2003)

§ 37.056 NON-REVERTING PROPERTY SALES FUND FOR COMMISSIONERS' REAL ESTATE SALES WHICH OCCUR SUBSEQUENT TO 4-8-2003.

(A) *Funding*. Fund 590 (Commissioners' Property Sales Fund) shall continue as the initial clearing and holding account containing security deposits from property bidders, who are bidding on county owned real estate sold pursuant to state law by the Lake County Board of Commissioners (Commissioners' real estate sales). Security deposits made by successful bidders shall be transferred to Fund No. 383, the Auditor's Property Sales Fund, and the security deposits of unsuccessful bidders shall be returned to the bidder.

(B) *Use of funds*. Fund 383 (Auditor's Property Sale Fund) shall be established as an Auditor's Working Fund Account from which property sales related expenses are paid for Commissioners' real estate sales which occur subsequent to 4-8-2003. Fund No. 383 shall also act as a clearing house for the sales proceeds that are due to the cities, towns, and other entities where the property is located, minus administrative expenses which are determined and documented, and payments to the Auditor's Incentive Fund, the Treasurer's Incentive Fund, and the Lake County Board of Commissioner's Incentive Fund, created pursuant to Lake County Ord. 1113B-1.

(C) *Allocation of proceeds*. The responsibility, timing, and methodology for allocating proceeds that are due to the cities, towns, and other entities where the property is located, shall be the responsibility of the Lake County Board of Commissioners.

(D) *Rescission of prior ordinance*. This section rescinds Ord. 1239B, adopted on 5-13-2003.
(Ord. 1239B, passed 5-13-2003; Ord. 1241A, passed 7-8-2003)

§ 37.057 LAKE COUNTY SHERIFF'S COMMUNITY FOUNDATION FUND, A NON-REVERTING FUND.

(A) *Established*. The Lake County Sheriff's Community Fund is hereby established for the deposit of charitable contributions made to the Lake County Sheriff's Department to be used for law enforcement purposes by the Lake County Sheriff.

(B) *Non-Reverting*. The fund shall be a non-reverting fund and any monies in the Fund at the end of the fiscal year shall remain in the Fund an not revert to the General Fund.

(C) *Appropriations*. All requests for appropriations from the Fund shall be made by the Lake County Sheriff and approved by the Lake County Council as provided by law.
(Ord. 1242C, passed 8-12-2003)

§ 37.058 LAKE COUNTY WEB SITE DEVELOPMENT FUND.

(A) *Established*. The Lake County Web Site Development Fund (fund) is hereby established for the deposit of monies received for the development and maintenance of a Lake County web site.

(B) *Non-Reverting*. The fund shall be a non-reverting fund and any monies in the Fund at the end of the fiscal year shall remain in the Fund and not revert to the General Fund.

(C) *Appropriations*. All requests for appropriations from the Fund shall be made by the Lake County Data Board and approved by the Lake County Council as provided by law.
(Ord. 1242D, passed 8-12-2003)

§ 37.059 LAKE COUNTY SUPPLEMENTAL ADULT PROBATION SERVICES FUND, A NON-REVERTING FUND.

(A) *Established*. The Lake County Supplemental Adult Probation Services Fund, a non-reverting fund, is established for the deposit of probation administrative fees collected pursuant to I.C. 35-38-2-1(d) and I.C. 35-38-2-1(e).

(B) *Collection and transfer of funds*. Pursuant to I.C. 35-38-2-1(f) all money collected by the Probation Department or the Clerk of the Court under I.C. 35-38-2-1(d) and I.C. 35-38-2-1(e) shall be transferred to the County Treasurer, who shall deposit the money into the County Supplemental Adult Probation Services Fund.

(C) *Appropriations*. The Lake County Council shall appropriate money from the County Supplemental Adult Probation Services Fund:

(1) To the court that provides probation services to adults to supplement adult probation services; and

(2) To supplement the salaries of probation officers in accordance with the schedule adopted by the Lake County Council pursuant to I.C. 35-38-2-1.

(D) *Use of funds*. Pursuant to I.C. 35-38-2-1(h), the Supplemental Adult Probation Services Fund may be used only to supplement probation services and to supplement salaries for probation officers. The Supplemental Adult Probation Services Fund may not be used to replace other funding of probation services.

(E) *Non-Reverting*. Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the County Supplemental Adult Probation Services Fund.
(Ord. 1243G, passed 9-9-2003)

§ 37.060 LAKE COUNTY SUPPLEMENTAL JUVENILE PROBATION SERVICES FUND, A NON-REVERTING FUND.

(A) *Established*. The Lake County Supplemental Juvenile Probation Services Fund, a non-reverting fund, is established for the deposit of juvenile probation administrative fees collected pursuant to I.C. 31-40-2-1(a)(3).

(B) *Collection and transfer of funds*. All money collected by the Probation Department or the Clerk of

the Court under this section shall be transferred to the County Treasurer, who shall deposit the money into the Lake County Supplemental Juvenile Probation Service Fund.

(C) *Appropriations*. The Lake County Council shall appropriate money from the Lake County Supplemental Juvenile Probation Services Fund to the Juvenile Court of the county for use by the Court in supplementing probation services to juvenile and to supplement the salaries of juvenile probation officers in accordance with the salary schedule set by the Lake County Council under I.C. 36-2-16.5 *et seq.*;

(D) *Use of funds*. Money in the Lake Supplemental Juvenile Probation Services Fund shall be used only for supplementing probation services and to supplement salaries for probation officers in accordance with I.C. 36-2-16.5 *et seq*.

(E) *Non-Reverting*. Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the Lake County Supplemental Juvenile Probation Services Fund.
(Ord. 1243H, passed 9-9-2003)

§ 37.061 INTERSTATE COMPACT FEE FUND, A NON-REVERTING FUND.

(A) *Established, funding*. The Interstate Compact Fee Fund, a non-reverting fund, is established for the deposit of the application fees paid by adult offenders on parole or probation who apply for adult supervision in another state, pursuant to I.C. 11-13-4 *et seq*.

(B) *Application fee*. Pursuant to I.C. 11-13-4 *et seq.*, the application fee shall be used to cover the costs of administrating the interstate compact for adult supervision and shall be appropriated by the Lake County Council as provided by law.

(C) *Non-Reverting*. Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the Interstate Compact Fee Fund.
(Ord. 1243I, passed 9-9-2003)

§ 37.062 SURVEYOR'S ELECTRONIC MAPPING DATA FUND, A NON-REVERTING FUND.

(A) *Established*. The Surveyor's Electronic Mapping Data Fund, a non-reverting fund, is established for the deposit of proceeds from the sale of electronically generated computer mapping data by the Lake County Surveyor.

(B) *Appropriations*. The appropriations from the Fund shall be approved by the Lake County Council, at the request of the Lake County Surveyor, for the specific benefit and enhancement of electronic mapping data, including the hardware/software necessary to generate and/or store electronic mapping data and for the employees who work with the generations, maintenance and production of electronic mapping data.

(C) *Non-Reverting*. Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continues in the Surveyor's Electronic Mapping Data Fund subject to appropriation by the Lake County Council.
(Ord. 1245A, passed 11-12-2003)

§ 37.063 LAKE COUNTY SUB-GRANT - FFY 03 OFFICE OF DOMESTIC PREPAREDNESS (OPD) PART 2 - DEPARTMENT OF HOMELAND SECURITY (DHS) FUND, A NON-REVERTING FUND.

(A) *Established*. The Lake County Sub-Grant FFY 03 Office of Domestic Preparedness (OPD) Part 2 - Department of Homeland Security (DHS) Fund is established for the deposit of funds of sub-grant monies received from the State of Indiana Sub-Grant FFY 03 Office of Domestic Preparedness (OPD) Part 2 - Department of Homeland Security (DHS).

(B) *Funding*. All monies collected from the Sub-Grant FFY 03 Office of Domestic Preparedness (OPD) Part 2 - Department of Homeland Security (DHS) shall be deposited into the Lake County Sub-Grant FFY 03 Office of Domestic Preparedness (OPD) Part 2 - Department of Homeland Security (DHS) Fund, a non-reverting fund.

(C) *Appropriations*.

(1) The Lake County Council shall appropriate money from the Sub-Grant FFY 03 Office of Domestic Preparedness (OPD) Part 2 - Department of Homeland Security (DHS) Fund for use by Lake County Emergency Management Agency in accordance with state and federal law.

(2) The money in the Sub-Grant FFY 03 Office of Domestic Preparedness (OPD) Part 2 - Department of Homeland Security (DHS) Fund shall be used only for appropriations approved by state and federal law.

(D) *Non-Reverting*. Any money remaining in the Fund at the end of the year shall not revert to any other fund but continue in the Sub-Grant FFY 03 Office of Domestic Preparedness (OPD) Part 2 - Department of Homeland Security (DHS) Fund.
(Ord. 1245C, passed 11-12-2003)

§ 37.064 LAKE COUNTY JURY PAY FUND, A NON-REVERTING FUND.

(A) *Established*. The Lake County Jury Pay Fund, a non-reverting fund, is established for the deposit of fees collected pursuant to I.C. 33-37-11-2.

(B) *Fees deposited*. All of the fees obtained pursuant to I.C. 33-37-11-2 shall be deposited into the Lake County Jury Pay Fund.

(C) *Appropriations*. The Lake County Council shall appropriate money from the Lake County Jury Pay Fund for use by the courts served by the clerk collecting the fees pursuant to I.C. 33-37-11-2, pursuant to state and federal law.

(D) *Restriction on use*. The money in the Lake County Jury Pay Fund shall be used only for purposes in accordance with I.C. 33-37-11-2.

(E) *Non-Reverting*. Any money remaining in the Fund at the end of the year shall not revert to any other fund but continue in the Lake County Jury Pay Fund.
(Ord. 1245D, passed 11-12-2003)

§ 37.065 LAKE COUNTY REGIONAL TRANSPORTATION AUTHORITY FUND.

(A) *Established*. The Lake County Council hereby creates the Lake County Regional Transportation Authority Fund for the deposit of all monies received for the operation and maintenance of the Lake County Regional Transit Authority.

(B) *Appropriations*. Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except as otherwise provided by law.

(C) *Non-Reverting*. Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the Lake County Regional Transportation Authority Fund.
(Ord. 1247A, passed 1-13-2004)

§ 37.066 LAKE CIRCUIT COURT, AND LAKE SUPERIOR DOMESTIC RELATIONS COURT, FAMILY COURT INITIATIVE GRANT FUND, A NON-REVERTING FUND.

(A) *Established*. The Lake County Council hereby establishes the Lake Circuit Court and Lake Superior Domestic Relations Court, Family Court Initiative Grant Fund, a non-reverting fund.

(B) *Deposit of funds*. All monies received from the Family Court initiative to implement the Family Court project to be administered by the Lake Circuit Court and Lake Superior Domestic Relations Court be deposited in the Fund, and appropriated for the purposes specified by the grant.

(C) *Appropriations*. Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except as otherwise provided by law.

(D) *Non-Reverting*. Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continues in the Lake Circuit Court and Lake Superior Domestic Relations Court, Family

Court Initiative Grant Fund subject to appropriation by the Lake County Council.
(Ord. 1247B, passed 1-13-2004)

§ 37.067 DOMESTIC RELATIONS COUNSELING BUREAU FUND, A NON-REVERTING FUND.

(A) *Established*. The Lake County Council hereby establishes the Domestic Relations Counseling Bureau Fund, Fund No. 992343800-32130, a non-reverting fund, for the deposit of gifts and donations to be used in providing counseling services for all parties in domestic relations litigations, and counseling and educational purposes, to supplement the Bureau's budget.

(B) *Appropriations*. Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except as otherwise provided by law.

(C) *Non-Reverting*. Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continues in the Domestic Relations Counseling Bureau Fund, Fund No. 992343800-32130 subject to appropriation by the Lake County Council.
(Ord. 1247C, passed 1-13-2004)

§ 37.068 LAKE COUNTY VOTING SYSTEM PURCHASE CUMULATIVE FUND, A NON-REVERTING FUND.

(A) *Established*. The Lake County Council hereby creates the Lake County Voting System Purchase Cumulative Fund to provide funds for the purchase of voting machines, ballot cards, voting systems, or electronic voting systems.

(B) *Funding*. The Fund shall be supported by a tax levy imposed specifically to purchase voting machines, ballot cards, voting systems, or electronic voting systems pursuant to I.C. 3-11-6-1.

(C) *Appropriations*. Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except as otherwise provided by law.

(D) *Non-Reverting*. Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the Lake County Voting System Purchase Fund.
(Ord. 1249A, passed 3-9-2004)

§ 37.069 LAKE CIRCUIT COURT AND LAKE SUPERIOR COURT ALTERNATIVE DISPUTE RESOLUTION FUNDS, NON-REVERTING FUNDS FOR THE DEPOSIT OF ALTERNATIVE DISPUTE RESOLUTION FEES, AND CO-PAYMENTS MADE BY LITIGANTS FOR ALTERNATIVE DISPUTE RESOLUTION SERVICES.

(A) *Established*. The Lake Circuit Court Alternative Dispute Resolution Fund, a non-reverting fund, is established for the deposit of fees collected at the time of filing in Circuit Court a petition for legal separation, paternity or dissolution of marriage, and to be used for the purposes set forth in I.C. 33-23-6-1 *et seq*.

(B) *Funding - type one*. The Lake Superior Court Alternative Dispute Resolution Fund, a non-reverting fund, is established for the deposit of fees collected at the time of filing in Superior Court a Petition for Legal Separation, Paternity or Dissolution of Marriage, and to be used for the purposes set forth in I.C. 33-23-6-1 *et seq*.

(C) *Funding - type two*. The Lake Circuit Court Alternative Dispute Resolution Co-Payment Fund is established for the deposit of co-payments made by litigants for alternative dispute resolution services received through Circuit Court pursuant to I.C. 33-23-6-2.

(D) *Funding - type three*. The Lake Superior Court Alternative Dispute Resolution Co-Payment Fund is established for the deposit of co-payments made by litigants for alternative dispute resolution services received through Superior Court pursuant to I.C. 33-23-6-2.

(E) *Appropriations*. Appropriations from the separate funds shall be subject to approval by the Lake County Council, or as otherwise provided by law, at the request of the circuit and superior court, to be used to foster domestic relations alternative dispute resolution, including mediation, reconciliation, non-binding arbitration, and parental counseling.

(F) *Non-Reverting*. Any money remaining in the separate funds at the end of the year shall not revert to the General Fund but continue in the respect fund, subject to appropriation by the Lake County Council, or as otherwise provided by law.
(Ord. 1249D, passed 3-9-2004)

§ 37.070 LAKE SUPERIOR COURT, JUVENILE DIVISION ALTERNATIVE DISPUTE RESOLUTION FUNDS, NON-REVERTING FUNDS FOR THE DEPOSIT OF ALTERNATIVE DISPUTE RESOLUTION FEES, AND CO-PAYMENTS MADE BY LITIGANTS FOR ALTERNATIVE DISPUTE RESOLUTION SERVICES.

(A) *Established*. The Lake Superior Court, Juvenile Division Alternative Dispute Resolution Fund, a non-reverting fund, is established for the deposit of fees collected at the time of filing in Superior Court, Juvenile Division, a petition for paternity and to be used for the purposes set forth in I.C. 33-23-6-1 *et seq*.

(B) *Funding*. The Lake Superior Court, Juvenile Division Alternative Dispute Resolution Co-Payment Fund is established for the deposit of co-payments made by litigants for alternative dispute resolution services received through Superior Court, Juvenile Division, pursuant to I.C. 33-23-6-2.

(C) *Appropriations*. Appropriations from the separate funds shall be subject to approval by the Lake County Council, or as otherwise provided by law, at the request of the circuit and superior court, to be used to foster domestic relations alternative dispute resolution, including mediation, reconciliation, non-binding arbitration, and parental counseling.

(D) *Non-Reverting*. Any money remaining in the separate funds at the end of the year shall not revert to the General Fund, but continue in the respective fund, subject to appropriation by the Lake County Council, or as otherwise provided by law.
(Ord. 1249E, passed 3-9-2004)

§ 37.071 LAKE COUNTY ANTI-BIOTERRORISM FUND, A NON-REVERTING FUND.

(A) *Established*. The Lake County Council hereby creates the Lake County Anti-Terrorism Fund, Fund No. 253 for the deposit of all monies received for the operation and maintenance of the anti-bioterrorism functions of the Lake County Health Dept.

(B) *Appropriations*. Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except as otherwise provided by law.

(C) *Non-Reverting*. Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the Lake County Bio-Terrorism Fund.
(Ord. 1255I, passed 9-14-2004)

§ 37.072 CIRCUIT BREAKER REPOSITORY FUND.

(A) *Established*. The Circuit Breaker Repository Fund is hereby established for the deposit of the Advance from the State of Indiana pursuant to the Resolution of the Property Tax Replacement Fund Board and the memorandum of understanding adopted on 9-14-2004.

(B) *Distribution of funds*. The funds deposited shall be distributed pursuant to the circuit breaker program established by the memorandum of understanding adopted on 9-14-2004, and the memorandums of understanding adopted with the City of Gary, City of East Chicago, City of Hammond, and the 16 non-casino towns and cities.

(C) *Method of distribution.* The repository shall also interact with the settlement to link the cash to a credit, for a qualified taxpayer, and provide the taxing unit with the necessary dollars to supplement the shrinkage in collections anticipated.
(Ord. 1256B, passed 10-12-2004)

§ 37.073 CIRCUIT BREAKER DEBT SERVICE FUND.

(A) *Established.* The Circuit Breaker Debt Service Fund is hereby established to be used as a Debt Service Fund to repay the State of Indiana in accordance with the repayment schedule incorporated in the memorandum of understanding adopted on 9-14-2004.

(B) *Fund use.* The Circuit Breaker Debt Service Fund shall also act as a clearinghouse for receipts from the various units of government to retire their obligation to the State of Indiana, and/or county, under the circuit breaker program established in the memorandum of understanding adopted on 9-14-2004.
(Ord. 1256C, passed 10-12-2004)

§ 37.074 LAKE COUNTY PARKS AND RECREATION REVENUE BOND REDEMPTION FUND, A NON-REVERTING FUND, FUND NO. 317.

(A) A special non-reverting fund is hereby created to be known as The Lake County Park and Recreation Board Exempt Revenue Bond Redemption Fund, to be used for the repayment of bonds issued by the Board, and purposes provided for in H.E.A. 1001, and applicable state law.

(B) The special non-reverting Fund shall be funded by revenues generated from various facilities and programs, operated by the Lake County Parks and Recreation Board.

(C) Any remaining monies at the end of the Board's fiscal year shall not revert to the Park Board's General Fund.

(D) At the Board's discretion, any monies which accumulate in the non-reverting Fund that it deems excess may be transferred by the Board to any of it's non-reverting funds.
(Ord. 1258A, passed 12-14-2004; Ord. 1316A, passed 10-13-2009)

§ 37.075 LAKE COUNTY WEIGHTS AND MEASURES USER FEE FUND, A NON-REVERTING FUND.

(A) *Established.* The Lake County Council hereby creates the Lake County Weights and Measures User Fee Fund for the deposit of all money received by the Lake County Weights and Measures Department under the Ordinance Establishing the Rules and Penalties for Weights and Measures in Lake County, Chapter 110 of this code.

(B) *Appropriations.* Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except as otherwise provided by law.

(C) *Non-Reverting.* Any money remaining in the Fund at the end of the year shall not revert any other fund but continues in the Lake County Weights and Measures User Fee Fund, subject to appropriation by the Lake County Council.
(Ord. 1258B, passed 12-14-2004)

§ 37.076 COMMUNITY CORRECTIONS PROGRAM GRANT FUND, A NON-REVERTING FUND.

(A) *Established.* The Lake County Council hereby creates the Community Corrections Program Grant Fund, for the deposit of all monies received for the operation and maintenance of the Forensic Diversion Program, a component of the Lake County Community Correction.

(B) *Appropriations.* Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.

(C) *Non-Reverting*. Any money remaining in the fund at the end of the year shall not revert to any other fund but continues in the Community Corrections Program Grant Fund.
(Ord. 1258E, passed 12-14-2004; Ord. 1301B, passed 7-8-2008)

§ 37.077 WEBSITE MAINTENANCE FUND, A NON-REVERTING FUND.

(A) *Established*. The Lake County Council now establishes the Website Maintenance Fund, a non-reverting fund, established for the deposit of fees collected for internet access services.

(B) *Use of funds*. The fees collected for internet access shall be deposited in the Website Maintenance Fund (fund) a non-reverting fund and used only for the maintenance of the website, upgrades to the website or hardware or uses related to the website or hardware or uses related to the website, operating expenses, incurred in providing enhanced access to public information including the salaries of employees of the Lake Circuit Court, Lake Superior Courts and Lake County Courts and Administrative Staff.

(C) *Appropriations*. Appropriations from the separate funds shall be subject to approval by the Lake County Council, or as otherwise provided by law.

(D) *Non-Reverting*. Any money remaining in the separate funds at the end of the year shall not revert to the General Fund but continue in the respect fund, subject to appropriation by the Lake County Council, or as otherwise provided by law.
(Ord. 1258G, passed 12-14-2004; Am. Ord. 1258G-1, passed 6-10-2014)

§ 37.078 STATE MORTGAGE FUND FOR THE DEPOSIT OF RECORDING FEES TO BE DISTRIBUTED TO THE AUDITOR OF THE STATE OF INDIANA.

The State Mortgage Fund, a non-reverting fund, is established for the deposit of $2.50 in recording fees collected at the time of a mortgage is recorded with the Lake County Recorder. The funds shall be distributed to the State Auditor on or before June 20 and December 20 of each year.
(Ord. 1262A, passed 4-12-2005)

§ 37.079 NON-REVERTING PROPERTY SALES FUND FOR COMMISSIONER'S TAX SALE CERTIFICATE PROCEEDS FOR SALES WHICH OCCUR SUBSEQUENT TO 8-1-2004.

(A) *Established, distribution, appropriations and deposit limitations*. Fund 385 (Auditor's Property Sale Fund for Commissioners' Tax Sale Certificates) shall be established as an Auditor's Working Fund Account from which tax certificate sales related expenses are paid. Fund No. 385 shall also act as a clearinghouse for the sales proceeds that are due to the taxing units where the property is located, minus administrative expenses which are determined and documented as follows.

(1) The Auditor's Incentive Fund, the Treasurer's Incentive Fund, the Lake County Board of Commissioners' Incentive Fund and the Recorder's Incentive Fund are hereby established.

(2) Distribution to the four funds shall be made by the Lake County Auditor who is directed to deposit monthly into each fund, 10% of the revenue received as a direct result of the Lake County Commissioners' tax sale certificate auction.

(3) Distribution from the Funds shall be made to the Auditor's office, the Treasurer's office, the Lake County Board of Commissioners and Recorder's Office respectively by appropriation from the county fiscal body as provided by law.

(4) Each of the four funds shall receive deposits pursuant to the this section until the sum of $100,000 is received in each calendar year. After the sum of $100,000 is reached in a respective fund, revenue destined for the particular fund shall remain in Fund No. 385.

(B) *Distribution of remaining funds*. The balance of the sale proceeds after deduction of expenses and the incentive funds shall be distributed in accordance with I.C. 6-1.1-24-6.4 out of Fund No. 385.
(Ord. 1254B, passed 8-10-2004; Ord. 1264E, passed 6-13-2005)

§ 37.080 INTERPRETER SERVICES GRANT FUND FOR LAKE CIRCUIT COURT AND LAKE SUPERIOR COURT.

(A) *Established*. The Lake Circuit Court and Lake Superior Court Interpreter Services Grant Fund, Fund No. 259, is hereby established for the deposit and use of grant funds for foreign language interpreter services required by the Lake Circuit Court and Lake Superior Court.

(B) *Distribution of funds*. Appropriations made from the Fund shall be made for foreign language interpreter services only, approved by the Lake County Council, pursuant to state and federal law.
(Ord. 1265A, passed 7-12-2005)

§ 37.081 U.S. STEEL PROPERTY TAX SETTLEMENT FUND.

(A) *Established*. The U.S. Steel Property Tax Settlement Fund, Fund No. 596, a non-reverting fund, is established for the deposit funds received from the U.S. Steel Settlement.

(B) *Distribution of funds*. Funds shall be disbursed from the U.S. Steel Property Tax Settlement Fund, Fund No. 596, pursuant to law.
(Ord. 1266B, passed 8-9-2005)

§ 37.082 JUSTICE ASSISTANCE GRANT FUND, A NON-REVERTING FUND.

(A) *Established*. The Justice Assistance Grant Fund, a non-reverting fund, is established for the deposit of $409,548 from the Justice Department to fortify law enforcement programs within the county.

(B) *Appropriations*. Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except as otherwise provided by law.

(C) *Non-Reverting*. Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the Justice Assistance Grant Fund.
(Ord. 1266C, passed 8-9-2005)

§ 37.083 CREDIT CARD FEE AND THE CREDIT CARD SERVICE FEE FUND, FOR PAYMENT OF LAKE COUNTY REAL ESTATE AND PERSONAL PROPERTY TAXES.

(A) *Funding*. The Lake County Council establishes a credit card service fee not to exceed 3% of the amount charged, in order to pay a credit card company the credit card fee for the use of a credit card to pay Lake County real estate and personal property tax.

(B) *Established*. The Lake County Council hereby establishes the Credit Card Service Fee Fund for the deposit of the credit card service fees for the use of a credit card to pay Lake County real estate and personal property tax.

(C) *Appropriations*. The credit card service fee shall be placed in the Credit Card Service Fee Fund and distributed to respective credit card companies to cover their fees for use of their credit card to pay real estate and personal property tax, and shall be appropriated by the Lake County Council pursuant to law.

(D) This section becomes effective on passage pursuant to I.C. 36-2-8-4.
(Ord. 1268E, passed 10-12-2005)

§ 37.084 HAVA TITLE III VOTING SYSTEM FUND, A NON-REVERTING FUND.

(A) *Funding*. The HAVA Title III Voting System Fund, a non-reverting fund, is established for the deposit of monies received from HAVA Title III and state matching funds and to pay any outstanding obligations incurred by the county for purposes set out in HAVA Title III, including voting system purchased subject to the reimbursement.

(B) *Use of funds*. The Lake County Council pledges that Title III requirement monies and state matching funds received by the county will be used to pay any outstanding obligations incurred by the county for the voting system purchase subject to the reimbursement.

(C) *Use of excess funds*. The Lake County Council pledges that if the obligations incurred by the county to obtain this voting system have been paid in full or in part as of this date, that the remaining HAVA Title III requirement monies and state matching funds will be used to improve the administration of elections for federal office in the county.

(D) *Establishment of related fund*. No later than 30 days after adoption of Ord. 1268F, the county will establish a separate non-reverting account in which all HAVA Title III requirement monies and state matching funds will be deposited.

(E) *Refund of funds*. Lake County agrees to refund the an amount equal to the HAVA Title III requirement monies and state matching funds received by the county if the Secretary of the State of Indiana and the co-directors of the Indiana Election Division determine on 4-1-2006, that the county has not:

(1) Provided at least one voting system in each polling place of the county no later than 4-1-2006 to permit a voter who is blind or visually impaired to vote privately and independently in accordance with I.C. 3-11-15; or

(2) Honored one or more of the certifications made by the county in this resolution regarding polling place accessibility or the permitted uses of those funds.

(F) *Appropriations*. Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except as otherwise provided by law.

(G) *Reversion of remaining funds*. Any money remaining in the Fund at the end of the reimbursement period pursuant to HAVA Title III shall revert to the State of Indiana.
(Ord. 1268F, passed 10-12-2005)

§ 37.085 HAVA SECTION 101 VOTING SYSTEM FUND, A NON-REVERTING FUND.

(A) *Funding*. The HAVA Section 101 Voting System Fund, a non-reverting fund, is established for the deposit of monies received from HAVA Section 101 and state matching funds and to pay any outstanding obligations incurred by the county for purposes set out in HAVA Section 101, including voting system purchased subject to the reimbursement.

(B) *Use of funds*. The Lake County-Council pledges that Section 101 requirement monies and state matching funds received by the county will be used to pay any outstanding obligations incurred by the county for the voting system purchase subject to the reimbursement.

(C) *Use of excess funds*. The Lake County Council pledges that if the obligations incurred by the county to obtain this voting system have been paid in full or in part as of this date, that the remaining HAVA Section 101 requirement monies and state matching funds will be used to improve the administration of elections for federal office in the county.

(D) *Establishment of related fund*. No later than 30 days after adoption of Ord. 1268G, the county will establish a separate non-reverting account in which all HAVA Section 101 requirement monies and state matching funds will be deposited.

(E) *Refund of funds*. Lake County agrees to refund the State of Indiana no later than May 1, 2006, an amount equal to the HAVA § 101 requirement monies and state matching funds received by the county if the Secretary of the State of Indiana and the co-directors of the Indiana Election Division determine on 4-1-2006, that the county has not:

(1) Provided at least one voting system in each polling place of the county no later than 4-1-2006

to permit a voter who is blind or visually impaired to vote privately and independently in accordance with I.C. 3-11-15; or

(2) Honored one or more of the certifications made by the county in this resolution regarding polling place accessibility or the permitted uses of those funds.

(F) *Appropriations*. Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except as otherwise provided by law.

(G) *Reversion of remaining funds*. Any money remaining in the Fund at the end of the reimbursement period pursuant to HAVA Section 101 shall revert to the State of Indiana.
(Ord. 1268G, passed 10-12-2005)

§ 37.086 LAKE COUNTY IDENTIFICATION SECURITY PROTECTION FUND, A NON-REVERTING FUND.

(A) The Identification Security Protection Fund, a non-reverting fund, is established for the deposit of $.50 of the identification security protection fee charged for recording a document pursuant to I.C. 36-2-7.5-6. The Fund shall be administered by the Recorder and used to purchase, upgrade, implement and maintain the redacting technology for the Recorder's Office.

(B) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.

(C) Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the Identification Security Protection Fund.
(Ord. 1336D, passed 6-15-2011)

§ 37.087 LAKE COUNTY SUPERIOR COURT, COUNTY DIVISION III, ALCOHOL AND DRUG PROGRAM/MONITORING FEE FUND.

(A) *Established*. The Lake Superior Court, County Division III Alcohol and Drug Program/ Monitoring Fee Fund is hereby established for the deposit of all fees collected pursuant to I.C. 12-23-14-16, for the court's alcohol and drug services program.

(B) *Fee collections*. A fee of $100 per defendant shall be collected at the time of sentencing and referral to an alcohol and drug program.

(C) *Appropriations of funds*. Pursuant to I.C. 36-2-5-2(b), the County Council shall appropriate all money to be paid out of the Fund, except as otherwise provided by law.

(D) *Non-Reverting fund*. Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the Lake Superior Court, County Division III Alcohol and Drug Program/Monitoring Fee Fund.
(Ord. 1270C, passed 12-13-2005)

§ 37.088 VETERANS SERVICES FUND.

(A) *Established*. The Veterans Services Fund is hereby established for the deposit of all donations collected for the aid, assistance, relief and comfort of needy or disabled veterans or members of the armed forces and their dependents and the widows and orphans of deceased veterans.

(B) *Appropriation of funds*. Pursuant to I.C. 36-2-5-2(b) the County Council shall appropriate all money paid out of the Fund except as otherwise provided by law.

(C) *Non-Reverting fund*. Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the Veterans Services Fund.
(Ord. 1270D, passed 12-13-2005)

§ 37.089 AUTOMATED CASE MANAGEMENT SYSTEM FUND.

(A) The Automated Case Management System Grant Fund, a non-reverting fund, is established for the deposit of funds received from the grant from the Indiana Judicial Technology Automation Committee (JTAC).

(B) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except as otherwise provided by law.

(C) Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the Automated Case Management System Grant Fund.
(Ord. 1271B, passed 1-10-2006)

§ 37.090 STORM WATER MANAGEMENT AND CLEAN WATER REGULATIONS FUND, A NON-REVERTING FUND.

(A) The County Auditor shall establish a continuing non-reverting fund and to deposit such fees as are collected pursuant to Stormwater Management and Clean Water Regulations Ordinance for Lake County, Indiana, as to the applicable provisions for the creation of a fund and payment and collection of fees in fulfillment of the requirements contained in the state and federally mandated municipal separate storm sewer system law.

(B) The Lake County Council shall appropriate monies the deposited in the Fund, except where provided otherwise by law.
(Ord. 1277A, passed 7-11-2006)

§ 37.091 MAJOR MOVES CONSTRUCTION FUND, A NON-REVERTING FUND.

(A) The Lake County Council hereby establishes the Lake County Major Moves Construction Fund, a non-reverting fund, pursuant to Pub. Law No. 47/H.E.A. 1008, being I.C. 8-14-16 *et seq.* for the deposit of a special distribution from the County Auditor made pursuant to the Major Moves Initiative.

(B) The money in the Fund may be expended for only the following purposes:

(1) Construction of highways, roads, and bridges;

(2) In a county that is a member of the Northwest Indiana Regional Development Authority, or in a city or town located in such a county, any purpose for which the Regional Development Authority may make expenditures under I.C. 36-7.5;

(3) Providing funding for economic development projects;

(4) Matching federal grants for a purpose described in I.C. 8-14-16-5;

(5) Providing funding for interlocal agreements under I.C. 36-1-7 for a purpose described in I.C. 8-14-6-5; and

(6) Providing for the county's contribution to the Northwest Indiana Regional Development Authority, in the case of a county described in I.C. 36-7.5-2-3(e).

(C) The Lake County Major Moves Construction Fund must be appropriated as part of the annual budget for the calendar year in accordance with I.C. 6-1.1-17 *et seq.*

(D) Appropriations shall be made out of the Major Moves Construction Fund pursuant to law.

(E) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Major Moves Construction Fund, subject to appropriation by the Lake County Council or as otherwise provided by law.
(Ord. 1278D, passed 8-22-2006)

§ 37.092 ENVIRONMENTAL LAW ENFORCEMENT TASK FORCE FUND, A NON-REVERTING FUND.

(A) The Lake County Environmental Law Enforcement Task Force Fund (Fund) is hereby established for the deposit of money from loans, grants, penalties, and other sources received in the execution and enforcement of the Lake County Environmental Protection Ordinance, Lake County Ord. 1264A.

(B) All funds collected from loans, grants, penalties, and other sources received in connection with the execution and enforcement of the Lake County Environmental Protection Ordinance, Ord. 1264A, shall be deposited in the Fund.

(C) The Fund shall be a non-reverting Fund and any money remaining at the end of the year shall not revert to the General Fund but continue in the Fund, subject to appropriation by the Lake County Council or as otherwise provided by law.
(Ord. 1279H, passed 9-12-2006)

§ 37.093 BP/AMOCO SETTLEMENT FUND, A NON-REVERTING FUND.

(A) The BP/Amoco Settlement Fund (Fund) is hereby established for the deposit of money from the settlement between Lake County and several political subdivisions in Lake County and BP/Amoco regarding the payment of disputed taxes for the taxable years 2000, 2001, and 2002.

(B) All money collected from the settlement shall be deposited in the Fund.

(C) The money deposited in the Fund shall be distributed/appropriated as per the Agreement Concerning Allocation of Settlement Proceeds, incorporated herein by reference as if appearing in total.

(D) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but to the Fund subject to distribution/appropriation pursuant to this section, or as otherwise provided by law.
(Ord. 1279I, passed 9-12-2006)

§ 37.094 SHERIFF'S SALE PROGRAM AND SERVICE FEE FUND, A NON-REVERTING FUND.

(A) The Lake County Council establishes the Sheriff's Sale Program and Service Fee Fund, a non-reverting fund established for the deposit of all monies received as a result of foreclosure costs fees.

(B) The monies collected pursuant to the foreclosures costs fees shall be deposited in the Sheriff's Sale Program and Service Fee Fund, a non-reverting fund.

(C) Appropriations from the non-reverting Fund shall be subject to approval by the Lake County Council or as otherwise provided by law.

(D) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Sheriff's Sale Program and Service Fee Fund, subject to appropriation by the Lake County Council or as otherwise provided by law.
(Ord. 1341C, passed 12-21-2011)

§ 37.095 STOP VIOLENCE AGAINST WOMEN ACT GRANT FUND, A NON-REVERTING FUND.

(A) The Lake County Council hereby establishes the Stop Violence Against Women Act Grant Fund, a non-reverting fund.

(B) All monies received from the Indiana Criminal Justice Institute to implement the purposes specified in the grant to be administered by the Lake Sheriff's Department shall be deposited in the Fund, and appropriated for the purposes specified by the Grant.

(C) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except as otherwise provided by Law.

(D) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continues in the Stop Violence Against Women Act

Grant Fund subject to appropriation by the Lake County Council.
(Ord. 1282D, passed 12-12-2006)

§ 37.096 SHERIFF'S AVIATION GRANT FUND, A NON-REVERTING FUND.

(A) The Lake County Sheriff's Aviation Grant Fund, a non-reverting fund, is hereby established for the deposit and use of grant funds to support the Lake County Sheriff's Aviation Operations.

(B) The moneys collected from the grant shall be deposited in the Lake County Sheriff's Aviation Grant Fund and only be used for the Lake County Sheriff's Aviation Operations, as provided by the Grant.

(C) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Lake County Sheriff's Aviation Grant Fund, subject to appropriation by the Lake County Council or as otherwise provided by law.
(Ord. 1283B, passed 1-9-2007)

§ 37.097 LAKE COUNTY PUBLIC WORKS DEPARTMENT'S REIMBURSABLE RECYCLING GRANT FUND, A NON-REVERTING FUND.

(A) The Lake County Public Works Department's Reimbursable Recycling Fund, a non-reverting fund is hereby established for the deposit and use of grant funds to pay for 50% of new portable screening equipment.

(B) The moneys collected from the grant shall be deposited in the Lake County Public Works Department's Reimbursable Recycling Grant Fund shall be used as provided by the grant.

(C) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in Lake County Public Works Department's Reimbursable Recycling Grant Fund, subject to appropriation by the Lake County Council or as otherwise provided by law.
(Ord. 1284B, passed 2-20-2007)

§ 37.098 LAKE COUNTY HIGHWAY MAINTENANCE GARAGE FUND, A NON-REVERTING FUND.

(A) The Lake County Highway Department Fund 351, a non-reverting fund, is hereby established to manage the expenditures for construction of the new Lowell Highway Garage and for bonding expenses. That payment of expenditures for the construction of the garage and payment of bonding expenses shall be paid from this Fund.

(B) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Lake County Highway Department Fund No. 351, subject to appropriation by the Lake County Council or as otherwise provided by law.
(Ord. 1286A, passed 4-10-2007)

§ 37.099 AUDITOR'S REAL PROPERTY ENDORSEMENT FEE FUND, A NON-REVERTING FUND.

(A) The Auditor's Real Property Endorsement Fee Fund (Fund), a non-reverting fund is established for the deposit of all monies received as a result of the Auditor's real property endorsement fees.

(B) The monies collected pursuant to the Auditor's real property endorsement fees shall be deposited in the Auditor's Real Property Endorsement Fee Fund, a non-reverting fund, and used for maintaining plat books, pursuant to I.C. 36-2-9-18(d).

(C) Appropriations from the non-reverting Fund shall be subject to approval by the Lake County Council or as otherwise provided by law.

(D) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Auditor's Real Property Endorsement Fee Fund, subject to appropriation by the Lake County Council or as otherwise provided by law.
(Ord. 1286C, passed 4-10-2007)

§ 37.100 COUNTY BOND IMPROVEMENTS FUND, A NON-REVERTING FUND.

(A) The County Bond Improvements Fund, Fund No. 352, a non-reverting fund is established for the use as an operating fund for the Ameresco Energy Savings Agreement for deposit of bond proceeds for the improvements and manage expenditures for the construction of the improvements and bonding expenses.

(B) Appropriations from the non-reverting Fund shall be subject to approval by the Lake County Council or as otherwise provided by law.

(C) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the County Bond Improvements Fund, Fund No. 352, subject to appropriation by the Lake County Council or as otherwise provided by law.
(Ord. 1287A, passed 5-14-2007)

§ 37.101 SIG GRANT FUND FOR THE LAKE COUNTY SHERIFF'S DRUG FREE ALLIANCE, A NON-REVERTING FUND.

(A) The Lake County Council hereby establishes the SIG Grant Award Fund for the Lake County Sheriff's Drug-Free Alliance, a non-reverting fund.

(B) All monies received from the Strategic Prevention Framework State Incentive Grant shall be used to implement the purposes specified in the grant. The grant to be administered by the Lake Sheriff's Department and the Funds shall be deposited in the Fund, and appropriated for the purposes specified by the grants.

(C) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except as otherwise provided by law.

(D) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continues in the SIG Grant Award Fund subject to appropriation by the Lake County Council.
(Ord. 1289A, passed 7-10-2007)

§ 37.102 LAKE COUNTY ASSESSOR'S POLITICAL CONTRIBUTION FUND, A NON-REVERTING FUND.

(A) The Lake County Assessor's Political Campaign Fund, a non-reverting fund, is hereby established for the deposit of voluntary contributions of 1% of the gross income of employees of the Lake County Assessor to be used by the Assessor for his or her political campaigns.

(B) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Lake County Assessor's Political Campaign Fund.

(C) Any money in the Fund may be expended by the Lake County Assessor without appropriation.
(Ord. 1289B, passed 7-10-2007)

§ 37.103 SHERIFF'S TOBACCO COMPLIANCY GRANT FUND, A NON-REVERTING FUND.

(A) The Lake County Sheriff's Tobacco Compliancy Grant Fund, a non-reverting fund, is hereby established for the deposit and use of grant funds to support the Lake County Sheriff's Tobacco Compliancy Grant.

(B) The moneys collected from the grant shall be deposited in the Lake County Sheriff's Tobacco Compliancy Grant Fund and only be used for the Lake County Sheriff's Tobacco Compliancy Operations, as provided by the grant.

(C) Any money remaining in the Fund at the end of the year shall not revert to the General Fund, but continue in the Lake County Tobacco Compliancy Fund.

(D) All expenditures from the Fund shall be subject to appropriation by the Lake County Council or as otherwise provided by law.
(Ord. 1291H, passed 9-11-2007)

§ 37.104 SEX AND VIOLENT OFFENDER ADMINISTRATION FUND, A NON-REVERTING FUND.

(A) The Lake County Sex and Violent Offender Administration Fund (Fund), a non-reverting fund, is established for the deposit of all monies received as a result of the annual sex or violent offender registration and address change fees, collected pursuant to I.C. 36-2-13-5.6.

(B) The Lake County annual sex or violent offender registration fee and address change fee collected pursuant to I.C. 36-2-13-5.6 shall be deposited by the Lake County Auditor as follows.

(1) Ninety percent of fees collected shall be deposited in the Lake County Sex and Violent Offender Administration Fund, a non-reverting fund, and used to defray the expenses of administering or ensuring compliance with the laws concerning the Indiana sex and violent offender registry.

(2) Ten percent of the fees to the Treasurer of the State for deposit in the State Sex and Violent Offender Administration Fund under I.C. 11-8-8-21.

(C) Pursuant to I.C. 36-2-13-5.6(g) the Lake County Council may appropriate money from the Fund to an agency or organization involved in the administration of the sex or violent offender's registry to defray the expenses of administering or ensuing compliance with the laws concerning the Indiana Sex or Violent Offender's Registry, to approval by the Lake County Council or as otherwise provided by law.

(D) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Lake County Sex and Violent Offender Administration Fund, subject to appropriation by the Lake County Council or as otherwise provided by law.
(Ord. 1292B, passed 10-9-2007)

Cross-reference:

Lake County annual sex and violent offender registration fee and address change fee, see § 33.080

§ 37.105 LAKE COUNTY HOMESTEAD CREDIT FUND, A NON-REVERTING FUND.

(A) Lake County's HEA 1001-2008 State Homestead Credit Fund, a non-reverting fund, is hereby established for the deposit and use of funds distributed to Lake County by the State of Indiana pursuant to HEA 1001-2008.

(B) The moneys received from the state shall be deposited in the Lake County HEA1001-2008 State Homestead Credit Fund and only be used for the purposes as provided in HEA 1001-2008.

(C) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in Lake County's HEA 1001-2008 State Homestead Credit Fund.

(D) All expenditures from the fund shall be subject to appropriation by the Lake County Council or as otherwise provided by law.

(E) Ord. 1302B rescinds and replaces Ord. 1294B adopted on 12-11-2007.
(Ord. 1294B, passed 12-11-2007; Ord. 1302B, passed 8-12-2008)

§ 37.106 JUVENILE CENTER GRANTS FUND, A NON-REVERTING FUND.

(A) The Juvenile Center Grants Fund (FUND) is hereby established for the deposit of monies received from Grants to be used for the Lake County Juvenile Center.

(B) The Fund shall be a non-reverting fund and any monies in the Fund at the end of the fiscal year shall remain in the Fund and not revert to the General Fund.

(C) All requests for appropriations from the Juvenile Center Grants Fund shall be made by the Lake County Superior Court, Juvenile Division Senior Judge, and approved by the Lake County Council as provided by law.
(Ord. 1296A, passed 2-12-2008)

§ 37.107 HERMITS LAKE DEBT RESERVE FUND.

(A) A non-reverting fund is established to be known and Hermits Lake Debt Reserve Fund.

(B) Deposits received from customers billed for payment of Hermits Lake sewer use fees and operating expenses shall be transferred from the Hermits Lake Seer Users Fee and Operating Expense Fund, Fund No. 356, to the Hermits Lake Debt Reserve Fund and used to repay the State Revolving Fund loan.

(C) All appropriations shall be approved by the Lake County Council unless otherwise provided by law.
(Ord. 1296B, passed 2-12-2008)

§ 37.108 PROSECUTOR'S PCA FEES FUND, A NON-REVERTING FUND.

(A) The Prosecutor's PCA Fees Fund (Fund), a non-reverting fund is established for the deposit of all monies as a result of an agreement with a state-approved collection agency to collect support amounts which are older than two years.

(B) The monies collected shall be deposited in the Prosecutor's PCA Fees Fund, a non-reverting fund, with a percentage of the funds collected to the Auditor. The spending of the funds received is to be discretionary with the prosecutor.

(C) Appropriations from the non-reverting Fund shall be subject to approval by the Lake County Council or as otherwise provided by law.

(D) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Prosecutor's PCA Fees Fund, subject to appropriation by the Lake County Council or as otherwise provided by law.
(Ord. 1298A, passed 4-8-2008)

§ 37.109 TOBACCO LAWSUIT SETTLEMENT FUND, A NON-REVERTING FUND.

(A) The Lake County Health Department's Tobacco Lawsuit Settlement Fund, a non-reverting fund, is hereby established for the deposit and use of funds received from the State Tobacco Lawsuit Settlement.

(B) The moneys collected from the State Tobacco Lawsuit Settlement shall be deposited in the Lake County Health Department's Tobacco Lawsuit Settlement Fund and only be used for the dedicated services identified by the Health Department.

(C) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Lake County Health Department's Tobacco Lawsuit Settlement Fund, subject to appropriation by the Lake County Council or as otherwise provided by law.
(Ord. 1300B, passed 6-10-2008)

§ 37.110 DRIVE FUND, A NON-REVERTING FUND.

(A) Lake County's DRIVE Fund, a non-reverting fund, is hereby established for the deposit of voluntary payroll deductions for Teamster Members employed by Lake County who have signed a DRIVE authorization card.

(B) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in Lake County's DRIVE Fund.

(C) Every month, contributions by all Lake County DRIVE participants should be calculated using the per-week contribution amounts and automatically deducted from the pay. A check for the aggregate amount shall be sent to National DRIVE on a monthly basis.
(Ord. 1302C, passed 8-12-2008)

§ 37.111 CUMULATIVE HELICOPTER IMPROVEMENT FUND, A NON-REVERTING FUND.

(A) The Lake County Cumulative Helicopter Improvement Fund, a non-reverting Fund (Fund) is hereby established for deposit and use of money to support the purchase of the American Eurocopter helicopter as specified in the contract between American Eurocopter, Inc. and the Lake County Board of Commissioners.

(B) The money used for the purchase of the American Eurocopter helicopter shall be deposited in the Fund as required in order to make payments to American Eurocopter, Inc. for its contract approved by the Lake County Board of Commissioners.

(C) The money in the Fund shall be appropriated only by the Lake County Council as provided by law.

(D) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Lake County Cumulative Helicopter Improvement Fund, a non-reverting Fund.
(Ord. 1302F, passed 8-20-2008)

§ 37.112 SHERIFF'S COPS INTEROPERABILITY FUND, A NON-REVERTING FUND.

(A) The Lake County Council establishes the Sheriffs COPS Interoperability Fund, a non-reverting fund established for the deposit of all monies received as a result of the Interoperability Grant Award through the Department of Justice.

(B) The monies deposited in the COPS Interoperability Fund shall be used for the following purchases identified in the grant: administration, fringe benefits, equipment, supplies, travel/training, consulting and delivery and warranty of goods.

(C) Appropriations from the non-reverting Fund shall be subject to approval by the Lake County Council or as otherwise provided by law.

(D) Any money remaining in the Fund at the end of the year shall not revert to the General Fund bu continue in the Sheriffs COPS Interoperability fund, subject to appropriation by the Lake County Council or as otherwise provided by law.
(Ord. 1305B, passed 11-10-2008)

§ 37.113 ACCIDENT REPORT ACCOUNT FUND, A NON-REVERTING FUND.

(A) The County Council establishes the Accident Report Account Fund (Fund) for the deposit and expenditure of fees collected pursuant to I.C. 9-29-11-1 for supplying accident and/or crash reports.

(B) Pursuant to I.C. 9-29-11-1(b)(2) money collected in the Fund may be expended at the discretion of the Chief Administrative Officer of the Lake County Sheriff's Department for any purpose reasonably related to the keeping of accident reports and records, or prevention of street and highway accidents.

(C) Money remaining in the Fund at the end of the year shall remain in the fund and not revert to the General Fund.
(Ord. 1306C, passed 12-9-2008)

§ 37.114 PAYROLL COURT JUDGMENT FUND, A NON-REVERTING FUND.

(A) Lake County's Payroll Court Judgment Fund, Fund No. 441, a non-reverting fund, is hereby established for the deposit of judgment bond funds to be used to pay all court judgments regarding payroll issues to be disbursed through the Lake County Treasurer.

(B) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in Lake County's Payoll Court Judgment Fund, Fund No. 441.

(C) All expenditures from the Fund shall be subject to appropriation by the Lake County Council or as otherwise provided by law.
(Ord. 1306G, passed 12-9-2008)

§ 37.115 HUD NEIGHBORHOOD STABILIZATION GRANT FUND, A NON-REVERTING FUND.

(A) Lake County's HUD Neighborhood Stabilization Grant Fund, a non-reverting fund, is hereby established for the deposit and use of grant funds distributed to Lake County through HUD'S Neighborhood Stabilization Program.

(B) The moneys received from HUD shall be deposited in the Lake County HUD Neighborhood Stabilization Grant Fund and only be used for the purposes as provided under the Housing and Economic Recovery Act of 2008.

(C) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in Lake County's HUD Neighborhood Stabilization Grant Fund.

(D) All expenditures from the Fund shall be subject to appropriation by the Lake County Council or as otherwise provided by law.
(Ord. 1310A, passed 4-14-2009)

§ 37.116 ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) FUND, A NON-REVERTING FUND.

(A) The Energy Efficiency and Conservation Block Grant (EECBG) Fund is hereby established as a non-reverting fund to be used solely for the receipt and disbursement of the federal grant funds Lake County receives from the U.S. Department of Energy as an Energy Efficiency and Conservation Block Grant.

(B) That all EECBG grant monies, and any earnings thereon, shall be credited to the Fund and shall only be expended to increase the energy efficiency of government buildings by installing new, energy efficient lighting, doors and windows, and HVAC systems, or as otherwise specified in the grant.

(C) Pursuant to I.C. 6-1.1-18-7.5 , the Council hereby appropriates all EECBG grant monies, and any earnings thereon, for the aforesaid purposes and all funds may be expended from the Fund without further action of the Council.

(D) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but shall continue in the EECBG Fund to be expended for the purposes stated above consistent with all EECBG Grant requirements.

(E) The grant shall be administered by the Lake County Board of Commissioners and their designee.
(Ord. 1314C, passed 8-11-2009)

§ 37.117 LAKE COUNTY WIRELESS EMERGENCY TELEPHONE SYSTEM FUND AND LAKE COUNTY WIRE LINE EMERGENCY TELEPHONE SYSTEM FUND, BOTH NON-REVERTING FUNDS.

(A) The Lake County Wireless Emergency Telephone System Fund and the Lake County Wire Line Emergency Telephone System Fund, both non-reverting funds, are established for the deposit and disbursement of State Wireless Emergency Enhanced Funds and State Wire Line Emergency Enhanced Funds.

(B) Disbursements shall be made for the lease, purchase, or maintenance of wireless and wire line enhanced emergency telephone equipment, including necessary computer hardware, software, and data base equipment; personnel expense and teaming; the provision of wireless enhanced emergency service wire line enhanced emergency service or educating consumers about the operations, limitations, role and responsible use of enhanced 911 service.

(C) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the funds, except as otherwise provided by law.

(D) Any money remaining in the funds at the end of the year shall not revert to any other fund but continues in the Lake County Wireless Emergency

Telephone System Fund and the Lake County Wire Line Emergency Telephone System Fund.
(Ord. 1315A, passed 9-8-2009)

§ 37.118 CHILD SUPPORT TITLE IV-D FUND, A NON-REVERTING FUND.

(A) The Child Support Title IV-D Fund (Fund), a non-reverting fund, is established for the deposit and disbursement of IV-D incentive monies received pursuant to Title IV-D of the Federal Social Security Act.

(B) All IV-D incentive money received shall be deposited in the Fund for disbursement of the incentive money effective as of the date of this section.

(C) Disbursement of the money deposited in the Fund shall be made pursuant to Title IV-D of the Federal Social Security Act.

(D) Pursuant to I.C. 31-25-4-15, Indiana courts with jurisdiction over Title IV-D child support enforcement proceedings may appoint court commissioners, hearing examiners, masters and referees to assist with the timely processing of Title IV-D child support cases. The salaries of other necessary administrative and support personnel to the court assistant, including a bailiff, stenographer and court reporter may be paid as sustainable by this Fund.

(E) Pursuant to I.C. 36-2-5-2(b) the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.

(F) Any money remaining in the fund at the end of the year shall not revert to any other fund but continues in the Child Support IV-D Fund.
(Ord. 1315B, passed 9-8-2009)

§ 37.119 HOMELESS PREVENTION AND RAPID RE-HOUSING PROGRAM (HPRP) GRANT FUND FOR THE LAKE COUNTY COMMUNITY ECONOMIC DEVELOPMENT DEPARTMENT, A NON-REVERTING FUND.

(A) The Homeless Prevention and Rapid Re-Housing Program (HPRP) Grant Fund is hereby established as a non-reverting fund to be used solely for the receipt and disbursement of the federal grant funds Lake County receives from the U.S. Department of Housing and Urban Development in the amount of $550,643.

(B) All HPRP grant monies, and any earnings thereon, shall be credited to the Fund and shall only be expended to provide temporary housing assistance, housing relocation and stabilization services, data collection and evaluation and administrative costs for individuals and families who are homeless or would be homeless but for this assistance.

(C) Pursuant to I.C. 6-1.1-18-7.5, the Council hereby appropriates all HPRP Grant monies, and any earnings thereon, for the aforesaid purposes and all funds may be expended from the Fund without further action of the Council.

(D) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but shall continue in the HPRP Fund to be expended for the purposes stated above consistent with all HPRP Grant requirements.

(E) The Grant shall be administered by the Lake County Community Economic Development Department and their designee.
(Ord. 1315C, passed 9-8-2009)

§ 37.120 EXEMPT PARK BOND REDEMPTION FUND, A NON-REVERTING FUND, FUND NO. 316.

(A) That a special non-reverting fund is hereby created to be known as The Lake County Park and

Recreation Board Exempt Park Bond Redemption Fund, to be used for the repayment of bonds issued by the Board, and purposes set out in H.E.A. 1001, and applicable state law.

(B) The special non-reverting Fund shall be funded by revenues generated from various facilities and programs, operated by the Lake County Parks and Recreation Board.

(C) Any remaining monies at the end of the Board's fiscal year shall not revert to the Park Board's General Fund.

(D) At the Board's discretion, any monies which accumulate in the non-reverting Fund that it deems excess may be transferred by the Board to any of it's non-reverting funds.
(Ord. 1316B, passed 10-13-2009)

§ 37.121 EXEMPT BOND REDEMPTION FUND, A NON-REVERTING FUND, FUND NO. 322.

(A) The Lake County Council hereby establishes the Lake County Exempt Bond Redemption Fund, a non-reverting Fund, Fund No. 322, for the purpose of redeeming the principal and interest on the Lake County Jail Bonds, and purposes provided for in H.E.A. 1001, and applicable state law.

(B) All appropriations and transfers from the Lake County Exempt Bond Redemption Fund be made only upon approval of the Lake County Council, except as otherwise provided by law.
(Ord. 1316C, passed 10-13-2009)

§ 37.122 SHERIFF'S VICTIMS OF CRIME ACT (VOCA) FUND, A NON-REVERTING FUND.

(A) The Lake County Sheriffs Victims of Crime Act (VOCA) Fund, a non-reverting fund, is established for the deposit and disbursement of grant funds received from the Indiana Criminal Justice Institute.

(B) All monies received from the grant shall be used for the purposes specified by the grant. The grant is to be administered by the Lake County Sheriff and the funds shall be deposited in the Fund, and appropriated for the purposes specified by the grant.

(C) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except as otherwise provided by Law.

(D) Any money remaining in the fund at the end of the year shall not revert to the General Fund but continues in the Lake County Sheriff's Victims of Crime Act (VOCA) Fund subject to appropriation by the Lake County Council, or as otherwise provided by law.
(Ord. 1316F, passed 10-13-2009)

§ 37.123 SPECIAL VEHICLE INSPECTION FUND, A NON-REVERTING FUND.

(A) The Lake County Council now establishes the Special Vehicle Inspection Fund, a non-reverting fund, established for the deposit of fees collected by the Lake County Sheriff for vehicle inspections performed pursuant to I.C. 9-17-2-12.

(B) The fees collected for vehicle inspections shall be deposited in the Special Vehicle Inspection Fund (Fund) a non-reverting Fund and pursuant to I.C. 9-29-4-2(3)(B) the fees shall be used for law enforcement purposes pursuant to I.C. 9-29-4-2.

(C) Appropriations from the separate funds shall be subject to approval by the Lake County Council, or as otherwise provided by law.

(D) Any money remaining in the separate funds at the end of the year shall not revert to the General Fund but continue in the Special Vehicle Inspection Fund, subject to appropriation by the Lake County Council, or as otherwise provided by law.
(Ord. 1317E, passed 11-10-2009; Ord. 1317E-1, passed 1-10-2012)

§ 37.124 ARRA-SPILLMAN UPDATE FOR INDIANA CRIMINAL JUSTICE INSTITUTE AMERICAN RECOVERY AND REINVESTMENT GRANT FUND, A NON-REVERTING FUND.

(A) The Lake County Council hereby establishes the ARRA-Spillman Update for Indiana Criminal Justice Institute American Recovery and Reinvestment Grant Fund for the Lake County Sheriff, a non-reverting fund.

(B) All monies received from the ARRA-Spillman Update for Indiana Criminal Justice Institute American Recovery and Reinvestment Grant shall be used to implement the purposes specified in the Grant. The Grant to be administered by the Lake Sheriff's Department and the funds shall be deposited in the Fund, and appropriated for the purposes specified by the Grant.

(C) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except as otherwise provided by law.

(D) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continues in the ARRA-Spillman Update for Indiana Criminal Justice Institute American Recovery and Reinvestment Grant Fund subject to appropriation by the Lake County Council.
(Ord. 1317F, passed 11-10-2009)

§ 37.125 ANIMAL CONTROL S.N.A.P. FUND, A NON-REVERTING FUND.

(A) The Lake County Animal Control S.N.A.P. Fund, a non-reverting fund, is established for the deposit of fees collected from the owners of Animal Control adopted pets in purchasing a certificate to have the pet spayed or neutered, which certificate the owner redeems at a veterinarian and the veterinarian forwards the certificate to Animal Control for reimbursement.

(B) All money collected by the Lake County Animal Control under this section shall be transferred to the County Treasurer, who shall deposit the money into the Lake County Animal Control S.N.A.P. Fund.

(C) Any money remaining in the fund at the end of the year shall not revert to any other fund but continues in the Lake County Animal Control S.N.A.P. Fund.
(Ord. 1317G, passed 11-10-2009)

§ 37.126 DEFENSIVE DRIVING COURSE FEE NON-REVERTING FUND.

(A) A Lake County Court, Division III Defensive Driving Course Fee Non-Reverting Fund is hereby established. All fees collected by Lake County Court, Division III from individuals enrolled in a defensive driving course shall be deposited in the fund in the County Treasury.

(B) Money deposited in the fund shall not revert to the General Fund at the end of the year.

(C) Money shall be appropriated from the fund at the request of the Court with approval of the Lake County Council.
(Prior Code, § 37.340) (Ord. 1184A, passed 10-13-1998)

§ 37.127 REIMBURSEMENT FOR LAWFUL DETENTION IN LAKE COUNTY JAIL.

(A) The Lake County Council hereby elects by ordinance to implement a procedure whereby a person incarcerated in the Lake County Jail after sentencing shall reimburse the county for the maximum amount of the total cost of their incarceration after sentencing.

(B) The Lake County Council as the fiscal body fixes this per diem at $30 per day because in accordance with a cost of service analysis performed on 2009 budgeted expenditures the total cost of incarceration per day in the Lake County Jail

including overhead is $61.80 per prisoner and the total cost per day without overhead is $38.10 per prisoner.

(C) The Lake County Council has determined that the total budgeted cost per day in the Lake County Jail and the total cost including indirect overhead cost exceeds $30 per day per prisoner.

(D) In accordance with I.C. 36-2-13-15(d) a prisoner shall reimburse the county for the sum of $30 per day multiplied by each full or partial day that a person is lawfully detained in the Lake County Jail for more than six hours after sentencing.

(E) A person detained in the Lake County Jail after sentencing is personally liable for the payment of this daily fee of $30.

(F) The Lake County Sheriff shall collect the amounts due from any prisoner sentenced to the Lake County Jail in accordance with the judicial sentencing order.

(G) The court that sentences a person to a term of imprisonment in the Lake County Jail shall include the total cost of incarceration in the sentencing order.

(H) That to facilitate the determination, the sentencing court shall make the following findings:

(1) The person sentenced to the Lake County Jail is being sentenced for a felony or misdemeanor;

(2) The sentence of lawful detention in the Lake County Jail must be for a period of more than 72 hours;

(3) The person sentenced to the Lake County Jail is a member of a family that makes more than 150% of the federal income poverty level; and

(4) That the person being sentenced is not being detained as a child subject to the jurisdiction of the juvenile court.

(I) The courts who are mandated to utilize this section shall periodically apprise themselves of the current federal income poverty level.

(J) The most recent federal poverty guidelines last updated April 5, 2010 relating to size of family unit to 150% of the poverty guidelines are listed below:

Size of Family Unit	***150% of Poverty***
1	$ 16,245
2	21,855
3	27,465
4	33,075
5	38,685
6	44,295
7	49,905
8	55,515
9	61,125

(K) As the Federal Government modifies the Federal Poverty Guidelines, the courts will apply any such modification to determine whether an inmate is to be assessed and pay the $30 per day fee.

(L) For purposes of defying the term ***FAMILY*** the definition utilized for ***TEMPORARY ASSISTANCE FOR NEEDY FAMILIES*** by the Indiana Family and Social Services Administration shall be used.

(M) A family as defined by the Indiana Family and Social Services Administration for Temporary Assistance for Needy Families is a group of people related by blood living as one economic unit at the same address as the person who is being sentenced to the Lake County Jail.

(N) The Lake County Prosecutor in any plea agreement shall include a statement indicating whether the inmate is to pay the $30 per day fee levied by this section.

(O) In cases where there is a plea agreement submitted and a presentence report ordered by the court, the presentenced report shall contain an analysis of whether the defendant to be incarcerated in the Lake County Jail should pay the $30 per day fee.

(P) That where a defendant is given credit for time served and is ordered to pay the $20 per day fee, the amount due from the defendant for incarceration in the Lake County Jail chill include the days for which the inmate was given credit for time served.

(Q) That the monies collected from the payments by the prisoners sentenced shall be deposited in a special fund established by the Lake County Council.
(Ord. 1333D, passed 3-30-2011)

§ 37.128 PRISONER REIMBURSEMENT FUND FOR THE COUNTY SHERIFF, NON-REVERTING FUND.

(A) The Lake County Council establishes the County Prisoner Reimbursement Fund (Fund) for the deposit and expenditure of fees collected pursuant to I.C. 36-2-13-15.

(B) Pursuant to I.C. 36-2-13-16 money collected in the Fund may be used for the operation, construction, repair, remodeling, enlarging and equipment of the County Jail or Juvenile Detention Center to be operated under I.C. 31-31-8 or I.C. 31-31-9.

(C) Deposits and expenditures from the Fund shall be reported to the Lake County Auditor who shall keep a record for public inspection.

(D) Money remaining in the Fund at the end of the year is to remain in the Fund and not revert to the General Fund.
(Ord. 1323A, passed 5-11-2010)

§ 37.129 JAIL/SHERIFF COMMISSARY PAYROLL PASS THROUGH FUND, FUND NO. 332, FOR THE LAKE COUNTY SHERIFF, A NON-REVERTING FUND.

(A) The Lake County Council now establishes the Jail/Sheriff Commissary Payroll Pass Through Fund, Fund No. 332 for the Lake County Sheriff, a non-reverting fund, established for the deposit of commissary funds collected by the Lake County Sheriff to fund four merit officers positions in the Lake County Sheriff's 2011 budget pursuant to I.C. 36-8-10-21(d)(9).

(B) Sufficient funds collected from the commissary shall be deposited in the Jail/Sheriff Commissary Payroll Pass Through Fund, Fund No. 332 for the Lake County Sheriff, a non-reverting fund and the funds shall be used for payroll, along with group insurance, lateral pay, differential, merit retirement, clothing allowance, holiday pay and any other related benefits for four merit officers in the Sheriff's 2011 Budget.

(C) Appropriations from the fund for the four merit officer positions shall be subject to approval by the Lake County Council, or as otherwise provided by law.

(D) Any money remaining in the fund at the end of the year shall not revert to the General Fund but continue in the Jail/Sheriff Commissary Payroll Pass Through Fund, Fund No. 332 subject to appropriation by the Lake County Council, or as otherwise provided by law.
(Ord. 1330E, passed 12-14-2010)

§ 37.130 CORONER FACILITY FEE FUND, NON-REVERTING FUND.

(A) The Lake County Council establishes the Lake County Coroner - Facility Fee Fund (Fund) for the deposit of fees collected from organ and tissue donor service agencies utilizing the Lake County Morgue for procurements and fees collected for performing autopsies for other counties.

(B) The money collected in the Fund shall be used to offset the Lake County Coroner's budget.

(C) Deposits and expenditures from the Fund shall be reported to the Lake County Auditor who shall keep a record for public inspection.

(D) Money remaining in the Fund at the end of the year shall remain in the Fund and not revert to the General Fund.
(Ord. 1330G, passed 12-14-2010; Ord. 1330G-1, passed 12-11-2012)
Cross-reference:
Coroner facility fee, see § 33.175

§ 37.131 DETENTION ENHANCEMENT PROJECT GRANT FUND 365 FOR THE LAKE COUNTY JUVENILE CENTER DEPT. 4200, A NON-REVERTING FUND.

(A) The Detention Enhancement Project Grant Fund 365, a non-reverting fund, is established for the deposit of $50,000 from the Indiana Criminal Justice Institute for funding for a contract with an individual to serve as a Local Coordinator for the Lake County Juvenile Center to participate in a statewide initiative to improve the practices of detention centers.

(B) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.

(C) Any money remaining in the fund at the end of the year shall not revert to any other fund but continues in the Detention Enhancement Project Grant Fund 365 for the Lake County Juvenile Center Dept. 4200.
(Ord. 1331A, passed 1-12-2011)

§ 37.132 LAKE CIRCUIT AND SUPERIOR COURTS EXCESS INTERNET ACCESS FEE FUND.

(A) The Lake Circuit and Superior Courts Excess Internet Access Fee Fund, a non-reverting fund, is established for the deposit of fees in excess of those funds needed to maintain and enhance the online docket system which fees are collected pursuant to the ordinance establishing fees for internet access.

(B) All funds collected in excess of those funds needed to maintain and enhance the online docket system will be distributed equally among the 17 judges of the Lake Circuit and Superior Courts for inclusion in their respective budgets, subject to appropriations by the Lake County Council, or as otherwise provided by law.

(C) Any money remaining in the fund at the end of the year shall not revert to the general fund but continue in the fund, subject to appropriation by the Lake County Council, or as otherwise provided by law.
(Ord. 1334A, passed 4-20-2011)

§ 37.133 ANIMAL CONTROL SHELTER PETTY CASH FUND.

(A) There is hereby established a petty cash fund for the Lake County Sheriffs Animal Control Shelter known as the Animal Control Shelter Petty Cash Fund, which shall contain no more than $2,000 cash at any one time.

(B) The funds to open the account and replenish it shall come from Fund 163, Lake County Animal Shelter non reverting fund.

(C) The Animal Control Director shall be the custodian of the Fund and be responsible for the account which shall be opened at a bank which is an approved depository.

(D) The Animal Control Director shall manage the Fund and account pursuant to I.C. 36-1-8-3(b) and I.C. 36-1-8-3(c).
(Ord. 1334B, passed 4-20-2011)

§ 37.134 VOCA GRANT FUND, A NON-REVERTING FUND.

(A) The VOCA Grant Fund, a non-reverting band, is established for the deposit of $29,000 from the Indiana Criminal Justice Institute for funding for direct services to crime victims.

(B) The direct services to crime victims are defined as efforts that respond to the emotional and physical needs of crime victims, assist primary and secondary victims of crime to stabilize their lives after victimization, assist victims to understand and participate in the criminal justice system and provide victims of crime with a measure of safety and security.

(C) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.

(D) Any money remaining in the fund at the end of the year shall not revert to any other fund but continues in the VOCA Grant Fund for the Lake County Prosecutor's Office.
(Ord. 1341F, passed 12-21-2011)

§ 37.135 LAKE COUNTY SHERIFF'S PENSION TRUST FUND, A NON-REVERTING FUND.

(A) The Lake County Sheriff's Pension Trust Fund, Fund No. 287, a non-reverting fund is hereby established.

(B) The Fund shall be used for the deposit of process fees collected under I.C. 33-37-5-15 and for the deposit of money for each verified claim under I.C. 33-37-7-11, and for the deposit of money collected pursuant to I.C. 6-8.1-8-3, to be deposited by the Auditor in the Sheriff's Pension Trust Fund pursuant to statute.

(C) Any remaining money in the Fund at the end of the calendar year shall not revert to the General Fund but continue in the Sheriff's Pension Trust Fund, Fund No. 287, a non-reverting fund.
(Ord. 1341E, passed 12-21-2011)

§ 37.136 SHERIFF'S TOWING FEE AND TOWING COMPANY FRANCHISE FEE FUND, A NON-REVERTING FUND.

(A) The Lake County Council establishes the Sheriff's Towing Fee and Towing Company Franchise Fee Fund (Fund) a non-reverting fund for the deposit of all towing fees and towing company franchise fees collected under the county ordinance establishing the towing fee and towing company franchise fee.

(B) Money collected from the towing fees and towing company franchise fees shall be deposited in the Fund and subject to appropriation by the Lake County Council, except otherwise provided by law.

(C) Any remaining money in the Fund at the end of the calendar year shall not revert to the General Fund but continue in the Sheriff's Towing Fee and Towing Company Franchise Fee Fund.
(Ord. 1341D, passed 12-21-2011)

§ 37.137 STATE CRIMINAL ALIEN ASSISTANCE FUND, A NON-REVERTING FUND.

(A) The Lake County Jail's State Criminal Alien Assistance Fund, a non-reverting fund is hereby established for deposit of funds awarded by the Bureau of Justice Assistance.

(B) The Fund shall be a dedicated fund and the monies deposited therein shall be used pursuant to the State Criminal Assistance Program Use of Funds list.

(1) *Construction*. Construction for inmate housing, inmate programs, prison industries in ADA compliance.

(2) *Training/education for offender.*

(a) Specific trade employment skills.

(b) GED testing.

(c) Job preparedness.

(3) *Training for corrections officers to help manage offender population.*

(a) Bilingual language skills.

(b) Less than lethal technology training

(c) Diversity training.

(C) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except as otherwise provided by law.

(D) Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the Lake County Jail's State Criminal Alien Assistance Fund.
(Ord. 1342E, passed 12-21-2011)

§ 37.138 [RESERVED].

§ 37.139 LAKE DALECARLIA GRANT FUND, A NON-REVERTING FUND.

(A) The Lake Dalecarlia Grant Fund, a non-reverting fund, is established for the deposit of a grant award received from OCRA of $1,830,000 with a local match contribution of $160,000, to be used to complete essential repairs to two dams located on Lake Dalecarlia.

(B) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.

(C) Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the Lake Dalecarlia Grant Fund.
(Ord. 1338A, passed 8-9-2011)

§ 37.140 COUNTY OFFENDER TRANSPORTATION FUND, A NON-REVERTING FUND.

(A) The County Offender Transportation Fund is hereby established for the deposit of the application fee of $125 from offenders on probation or parole who apply to be transferred out of state under the interstate compact for adult offender supervision.

(B) The Fund shall be a non-reverting fund and any monies in the Fund at the end of the fiscal year shall remain in the Fund and not revert to the General Fund.

(C) Fifty percent of the application fee shall be deposited in the County Offender Transportation Fund and the remaining 50% shall be transmitted to the Indiana Judicial Center.
(Ord. 1336G, passed 6-15-2011)

§ 37.141 JUVENILE INTERSTATE TRANSPORTATION FUND, A NON-REVERTING FUND.

(A) The Juvenile Interstate Transportation Fund is hereby established for the deposit of the application fee of $125 from juveniles on probation who apply to be transferred out of state under the interstate compact for juveniles.

(B) The Fund shall be a non-reverting fund and any monies in the Fund at the end of the fiscal year shall remain in the Fund and not revert to the General Fund.

(C) Fifty percent of the application fee shall be deposited in the Juvenile Interstate Transportation Fund and the remaining 50% shall be transmitted to the Indiana Judicial Center.
(Ord. 1336F, passed 6-15-2011)

§ 37.142 LAKE COUNTY RECORDER'S ENHANCED ACCESS FUND, A NON-REVERTING FUND.

(A) The Lake County Recorder's Enhanced Access Fund, a non-reverting fund is hereby established to receive those fees received by the Recorder for the provisions of enhanced public access to public records under the Recorder's charge, as described in Ordinance No. 1336E.

(B) The Fund shall be a dedicated Fund and the monies deposited therein shall be used:

(1) For the replacement, improvement, and expansion of capital expenditures in the Lake County Recorder's Office; and/or

(2) For the reimbursement of operating expenses incurred in providing enhanced access to public information by the Lake County Recorder's Office.

(C) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except as otherwise provided by law.

(D) Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the Lake County Recorder's Enhanced Access Fund.
(Ord. 1336E, passed 6-15-2011)

§ 37.143 LAKE COUNTY ELECTED OFFICIALS TRAINING FUND, A NON-REVERTING FUND.

(A) The County Elected Officials Training Fund, a non-reverting fund is established for the deposit of $.50 of the identification security protection fee charged for recording a document pursuant to I.C. 36-2-7.5-6 . Money in this Fund shall be used solely to provide training of County elected officials required by I.C. 36-2-11-2.5, I.C. 36-2-12-2.5 and other similar laws.

(B) Money in the Fund shall be used to provide training for the following elected officials in the following amounts:

(1) Surveyor 9.84%;

(2) Clerk 22.54%;

(3) Recorder 22.54%;

(4) Auditor 22.54%; and

(5) Treasurer 22.54%.

(C) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund except as otherwise provided by law.

(D) Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the County Elected Officials Training Fund.
(Ord. 1336C, passed 6-15-2011; Ord. 1336C-1, passed 7-10-2012)

§ 37.144 LAKE COUNTY RECORDER'S PERPETUATION FUND, FUND NO. 178, A NON-REVERTING FUND.

(A) The Recorder's Perpetuation Fund, Fund No. 179, a non-reverting fund, is established for the deposit of $1 of the identification security protection fee charged for recording a document pursuant to I.C. 36-2-7.5-6 and for deposit of revenue received pursuant to I.C. 36-2-7-10(d). The Fund shall be administered by the Recorder and used for the preservation of records and the improvement of record keeping systems and equipment

(B) Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the Recorder's Perpetuation Fund.
(Ord. 1336B, passed, 6-15-2011)

§ 37.145 DISPROPORTIONAL MINORITY CONTACT PROJECT GRANT FUND.

(A) The Disproportional Minority contact Project Grant Fund, a non-reverting fund is established for the deposit of $20,000 from the Indiana Criminal Justice Institute for funding for a contract with an individual to serve as a local coordinator for the Lake County Juvenile Center to participate in a statewide initiative to reduce disproportional minority contact in detention centers.

(B) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.

(C) Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the Disproportional Minority Contact Project Grant Fund for the Lake County Juvenile Center Dept. 4200.
(Ord. 1335A, passed 5-18-2011)

§ 37.146 ZONING ENFORCEMENT FUND.

(A) (1) A fund designated as the "Zoning Enforcement Fund" shall be established in the operating budget of the Code Enforcement Division of the Lake County Plan Commission. This Fund shall derive its income primarily from fines and penalties assessed for violations of Chapter 154 of this code. Any balance remaining at the end of the fiscal year shall be carried over in the Fund for the following year and shall not revert to the Lake County General Fund.

(2) In addition to money received from tines and penalties assessed for violations of Chapter 154, other monies applicable to this Fund may be received from any source, including appropriation by a municipal, state, or federal legislative authority, and donations. The following monies shall be deposited in the Fund:

(a) Money received as payment or settlement of any obligations, judgments, fines, or penalty imposed and collected in accordance with § 154.999; and

(b) Money received from bonds or other bonds of surety posted in accordance with the provisions of Chapter 154 or the laws of the State of Indiana.

(B) Money included in the Zoning Enforcement Fund may be used for the purposes directly related to executing any provisions of Chapter 154 which shall include by way of example and not limitation:

(1) The cost of obtaining reliable information about the identity and location of persons who have a substantial property interest in any item or property that is the subject of any violation of Chapter 154;

(2) The cost of accomplishing notice in accordance with the laws of the State of Indiana;

(3) Any court costs, attorney fees, legal investigation and representation necessary to prosecute any violation of Chapter 154.

(4) All costs of prosecution in accordance with I.C.9-22-1 *et seq*.
(Ord. 2345, passed 7-12-2011)

§ 37.147 HEALTH DEPARTMENT PETTY CASH FUND.

(A) There is hereby established a petty cash fund for the Lake County Health Department known as the Lake County Health Department Petty Cash Fund, which shall contain no more than $2,000 cash at any one time.

(B) The fund to open the account and replenish it shall come from Fund 105, Lake County Health Department Non-Reverting Fund.

(C) The Lake County Health Department Deputy Administrator shall be the custodian of the Fund and be responsible for the account which shall be opened at a bank which is an approved depository.

(D) The Lake County Health Department Deputy Administrator shall manage the Fund and account pursuant to I.C. 36-1-8-3(b) and I.C. 36-1-8-3(c).
(Ord. 1343A, passed 1-10-2012)

§ 37.148 SALVAGE VEHICLE INSPECTION FUND, A NON-REVERTING FUND.

(A) Salvage Vehicle Inspection Fee Fund, a non-reverting fund, is hereby established for the deposit of salvage vehicle inspection fees collected by the Lake County Sheriff.

(B) The salvage inspection fees deposited in the Salvage Vehicle Inspection Fund shall be appropriated and used for law enforcement purposes.

(C) The appropriations from the Salvage Vehicle Inspection Fee Fund shall be subject to approval by the Lake County Council, or as otherwise provided by law.

(D) Any money remaining in the Salvage Vehicle Inspection Fee Fund at the end of the year shall not revert to the General Fund but shall continue in the Salvage Vehicle Inspection Fee Fund, subject to appropriation by the Lake County Council, or as otherwise provided by law.
(Ord. 1343C, passed 1-10-2012)
Cross-reference:
Salvage vehicle inspection fee, see § 33.111

§ 37.149 ORDINANCE VIOLATION DEFERRAL PROGRAM FUND, A NON-REVERTING FUND.

(A) Pursuant to I.C. 33-37-8-6, the Lake County Council now establishes the Ordinance Violation Deferral Program Fund, a non-reverting fund, established for the deposit of fees collected by the Lake County Ordinance Violation Deferral Program created pursuant to I.C. 34-28-5-1.

(B) Fees collected from the Ordinance Violation Deferral Program deposited in the Lake County User Fee Fund pursuant to I.C. 33-37-8-5(b)(6) shall be appropriated in the Ordinance Violation Deferral Program Fund, a non-reverting fund, pursuant to I.C. 33-37-8-6(a), and the funds shall be used pursuant to I.C. 33-37-8-6(b).

(C) Appropriations from the fund shall be subject to approval by the Lake County Council, or as otherwise provided by law.

(D) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Ordinance Violation Deferral Program Fund subject to appropriations by the Lake County Council, or as otherwise provided by law.
(Ord. 1345A, passed 3-13-2012)
Cross-reference:
Ordinance violation deferral program, see Ch. 40

§ 37.150 SHERIFF'S DEPARTMENT CONTINUING EDUCATION FUND, FUND NO. 148, A NON-REVERTING FUND.

(A) Pursuant to I.C. 5-2-8-1, the Lake County Council establishes the Lake County Sheriff's Department Continuing Education Fund, Fund No. 148, a non-reverting fund, established for the deposit of funds collected by the Lake County Sheriff's Department pursuant to I.C. 33-37-8-4 or I.C. 33-37-8-6 and the funds shall be used for the continuing education and training of law enforcement officers employed by the Lake County Sheriff and for equipment and supplies for law enforcement purposes pursuant to I.C. 5-2-8-6.

(B) Pursuant to I.C. 5-2-8-1(d), distribution of money in the Lake County Sheriff's Department Continuing Education Fund shall be made to the Lake County Sheriff's Department without necessity of first obtaining an appropriation from the Lake County Council.

(C) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Sheriff's Continuing Education Fund, Fund No. 1488.
(Ord. 1348A, passed 6-12-2012)

§ 37.151 CUMULATIVE BRIDGE PROJECT FUND, FUND NO. 350, A NON-REVERTING FUND.

(A) The Lake County Council now establishes the Cumulative Bridge Project Fund, Fund No. 350, a non-reverting fund, established for the deposit of funds collected by the tax levy pursuant to I.C. 6-1.1-41 to be used for the purpose of constructing maintaining, or repairing bridges, approaches or grade separations, or as provided in I.C. 8-16-3-1.

(B) Appropriations from the Fund shall be subject to approval by the Lake County Council, or as otherwise provided by law.

(C) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Cumulative Bridge Project Fund, Fund No. 350, subject to appropriation by the Lake County Council, or as otherwise provided by law.
(Ord. 1348B, passed 6-12-2012)

§ 37.152 911 FUND, A NON-REVERTING FUND.

(A) The Lake County 911 Fund, a non-reverting fund, is established for the deposit and disbursement of funds in the county's Wireless Emergency Telephone System Fund established by I.C. 36-8-16.5-43 and funds from the Emergency Telephone System Fund established by the county under I.C. 36-8-16-13.

(B) Disbursements shall be made for the purposes set out in Senate Enrolled Act 345, I.C. 36-8-16.7, *et seq.*

(C) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except as otherwise provided by law.

(D) Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the Lake County 911 Fund.
(Ord. 1348C, passed 6-12-2012)

§ 37.153 COLLECTION EXPENSE REIMBURSEMENT FUND, FUND NO. 386, A NON-REVERTING FUND.

(A) The Lake County Council now establishes the Collection Expense Reimbursement Fund, Fund No. 386, a non-reverting fund, established for the deposit of funds collected pursuant to I.C. 6-1.1-18-9 to be used for the purposes pursuant to state law.

(B) Appropriations from the Fund shall be subject to approval by the Lake County Council, or as otherwise provided by law.

(C) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Collection Expense Reimbursement Fund, Fund No. 386, subject to appropriation by the Lake County Council, or as otherwise provided by law.
(Ord. 1350A, passed 7-10-2012)

§ 37.154 UNDERVALUED AND OMITTED PROPERTY FUND, FUND NO. 387, A NON-REVERTING FUND.

(A) The Lake County Council now establishes the Undervalued and Omitted Property Fund, Fund No. 387, a non-reverting fund, established for the deposit of funds collected pursuant to I.C. 6-1.1-36-12 to be used for the deposit of taxes, including penalties and interest that result from additional assessments on undervalued or omitted property collected through the contract with Tax Management Associates.

(B) The Fund shall remain in existence during the term of the contract with Tax Management Associates. Distribution shall be made from the Fund without appropriation only for the following purposes:

(1) All contract fees and other costs related to the contract.

(2) After payment required by division (B)(1) have been made and the contract has expired, the County Auditor shall distribute all money remaining in the Fund to the appropriate taxing units in the county using the property tax rates of each taxing unit in effect at the time of the distribution.

(C) Appropriations from the Fund shall be subject to approval by the Lake County Council, or as otherwise provided by law.

(D) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Undervalued and Omitted Property Fund, Fund No. 387, subject to appropriation by the Lake County Council, or as otherwise provided by law.
(Ord. 1350B, passed 7-10-2012)

§ 37.155 JUVENILE ACCOUNTABILITY BLOCK GRANT FUND, FUND 99367 4200, A NON-REVERTING FUND.

(A) The Juvenile Accountability Block Grant Fund, a non-reverting fund, is established for the deposit of $40,491 from the Indiana Criminal Justice Institute for funding to insure that racial disparity does not exist regarding juvenile justice in the county.

(B) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except as otherwise provided by law.

(C) Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the Juvenile Accountability Block Grant Fund, for the Lake County Juvenile Center Fund 99367 4200.
(Ord. 1351A, passed 8-14-2012)

§ 37.156 FINGERPRINT FEE FUND, A NON-REVERTING FUND.

(A) The Lake County Council establishes the Fingerprinting Fee Fund (Fund) for the deposit and expenditure of fees collected pursuant to the fingerprint fee.

(B) Deposits and expenditures from the Fund shall be reported to the Lake County Auditor who shall keep a record for public inspection.

(C) Money remaining in the Fund at the end of the year shall remain in the Fund and not revert to the General Fund.
(Ord. 1351D, passed 8-14-2012)
Cross-reference:
Fingerprinting fee, see § 33.211

§ 37.157 SHERIFF'S VIOLENCE INTERVENTION PROGRAM GRANT FUND, SHERIFF'S VIPS FUND, A NON-REVERTING FUND.

(A) The Lake County Sheriff's Violence Intervention Program Grant Fund, d/b/a Lake County Sheriff's VIPs Fund, a non-reverting fund, is established for the deposit of $74,570 from Germinus Community Partners for funding for the Sheriff's Violence Intervention Program.

(B) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except at otherwise provided by law.

(C) Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the Lake County Sheriff's Violence Intervention Program Grant Fund d/b/a Lake County Sheriff's VIPs Grant Fund.
(Ord. 1351E, passed 8-14-2012)

§ 37.158 PROPERTY TAX DEFENSE FUND.

(A) The purpose of this section is to provide a revenue source to assist the county in paying for the cost of defending property tax appeals.

(B) The Lake County Council hereby establishes the Lake County Property Tax Defense Fund, a non-reverting fund. The monies deposited into the Fund may be expended only after appropriation by the county fiscal body for appraisal fees, attorney fees, expert witness fees, and other costs of litigating before the Lake County Board of Property Tax Appeals before the County Property Tax Assessment Board of Appeal, the Indiana Board of Tax Review, the Indiana Tax Court, and the Indiana Supreme Court.

(C) From the total tax, penalty, and/or interest due and payable by a taxpayer after the appeal is final, the sum of 5% shall be placed in the County Property Tax Appeal Fund, by the County Auditor.

(D) The 5% deducted from the total tax, penalty and interest shall be charged to the units affected by the tax appeal and shall be deducted from their distribution at the time of settlement.

(E) An amount deposited in the Fund and not expended within three years after the date of its receipt shall be transferred by the County Auditor to the County General Fund.
(Ord. 1351F, passed 8-14-2012)

§ 37.159 INFRACTION DEFERRAL FUND.

(A) The Lake County Council now establishes the Infraction Deferral Fund, Fund No. 104, a non-reverting fund, established for the deposit of funds collected pursuant to I.C. 33-37-4-2 to be used for the purposes as set forth in I.C. 33-37-8-6.

(B) Appropriations from the Fund shall be subject to approval by the Lake County Council, or as otherwise provided by law.

(C) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Infraction Deferral Fund, Fund No. 104, subject to appropriation by the Lake County Council, or as otherwise provided by law.
(Ord. 1352D, passed 9-11-2012)

§ 37.160 MULTI-AGENCY TASK FORCE FUND, FUND NO. 182, A NON-REVERTING FUND.

(A) The Lake County Council now establishes the Lake County Multi-Agency Task Force Fund, Fund No. 182, a non-reverting fund, established for the deposit of funds received from the Indiana Criminal Justice Institute's Edward Byrne Memorial Justice Assistance Grant and to be used for the purpose of operating expenses of the Lake County Drug Task Force.

(B) Appropriations from the Fund shall be subject to approval by the Lake County Council, or as otherwise provided by law.

(C) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Lake County Multi-Agency Task Force Fund, Fund No. 182, subject to appropriation by the Lake County Council, or as otherwise provided by law.
(Ord. 1352B, passed 9-11-2012)

§ 37.161 PRE-TRIAL DIVERSION FUND, FUND NO. 135, A NON-REVERTING FUND.

(A) The Lake County Council now establishes the Pre-Trial Diversion Fund, Fund No. 135, a non-reverting fund, established for the deposit of funds collected pursuant to I.C. 33-37-4-1(c) to be used for the purposes as set forth in I.C. 33-37-8-6.

(B) Appropriations from the Fund shall be subject to approval by the Lake County Council, or as otherwise provided by law.

(C) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Pre-Trial Diversion Fund, Fund No. 135, subject to appropriation by the Lake County Council, or as otherwise provided by law.
(Ord. 1352C, passed 9-11-2012)

§ 37.162 JAIL CONSTRUCTION FUND.

(A) There is hereby established the Lake County Jail Construction Fund (Jail Construction Fund) for the deposit and use of the proceeds of the sale of the General Obligation Bonds Series 2012B in the aggregate principal amount of $5,000,000 (2012B Bonds).

(B) Proceeds in the Jail Construction Fund shall be used as follows:

(1) The cost of improvements to the Lake County Jail, and incidental expenses in connection therewith in accordance with plans now on file (the Project); and

(2) The cost of issuance of the bonds.

(C) The Lake County Auditor is directed to pay the costs of issuance of the Series 2012B, and the appropriation of the proceeds of the bonds shall be applied to the costs of the project to include the incidental expenses necessary to be incurred in connection with the project and the issuance of the bonds on account thereof.

(D) The proceeds of the bonds may not be extended for any purpose other than the cost of the project and transferred from the Jail Construction Fund to any other fund unless such expenditures and transfers are submitted to and approved by the Lake County Council.
(Ord. 1355B, passed 12-11-2012)

§ 37.163 LAKE COUNTY OPERATING FUND.

(A) There is hereby established the Lake County Operating Fund (Operating Fund) for the deposit and use of the proceeds of the sale of the General Obligation Notes Series 2012C in the aggregate principal amount of $5,000,000 (2012C Notes).

(B) The proceeds in the Operating Fund shall be used as follows:

(1) Pay the cost of the operation of the county that cannot be funded from the county's General Fund; and

(2) Pay the cost of issuance of the notes.

(C) The Lake County Auditor is directed to pay the costs of issuance of the Series 2012C Notes, but all other cost shall be submitted to the Lake County Council by the County Auditor and approved by the County Council before the County Auditor may incur any obligation for the operating costs payable by the county from the proceeds of the notes.

(D) Any proceeds remaining in the Lake County Operating Fund after payment of costs shall not revert to the General Fund, but shall remain in the Fund, subject to appropriation by the Lake County Council.
(Ord. 1355D, passed 12-11-2012)

§ 37.164 REIMBURSEMENT FUND.

(A) There is hereby established the Lake County Reimbursement Fund (Reimbursement Fund) for the deposit and use of the proceeds of the sale of the Taxable General Obligation Bonds, Series 2012D-2 in the aggregate principal amount of $6,500,000 (2012D-2 Bonds).

(B) The proceeds in the Reimbursement Fund shall be used as follows:

(1) Reimburse the county for the costs of the projects listed to Table 2 (Exhibit A-2 attached to Ord. 1355F, passed 12-11-2012), and all other costs and expenses incurred in connection with the projects; and

(2) Pay the cost of issuance of the 2012D-2 Bonds.

(C) The Lake County Auditor is directed to pay the cost of issuance of the bonds pursuant to the Appropriation Ordinance, Ord. No. 1355E, but all other costs of the projects shall be submitted to the Lake County Council by the Lake County Auditor and approved by the Lake County Council before the County Auditor may incur any obligations payable by the county from the proceeds of the bonds.

(D) Any proceeds remaining in the Reimbursement Fund after payment of costs shall not revert to the General Fund, but shall remain in the Fund, subject to appropriation by the Lake County Council.
(Ord. 1355F, passed 12-11-2012)

§ 37.165 CONSTRUCTION FUND.

(A) There is hereby established the Lake County Construction Fund (Construction Fund) for the deposit and use of the proceeds of the sale of the General Obligation Bonds Series 2012D-1 in the aggregate principal amount of $3,500,000 (2012D-1 Bonds).

(B) The proceeds in the Construction Fund shall be used as follows:

(1) Pay the cost of the projects listed in Table 1 (Exhibit A-1 attached to Ord. 1355G, passed 12-11-2012) and all other costs and expenses incurred in connection with the projects; and

(2) Pay costs of issuance of the 2012D-1 bonds.

(C) The Lake County/Auditor is directed to pay the costs of issuance of the bonds pursuant to the Appropriation Ordinance, Ordinance No. 1255E, but all other costs of the project shall be submitted to the Lake County Council by the Lake County Auditor and approved by the Lake County Council before the County Auditor may incur any obligations payable by the county from the proceeds of the Bonds.

(D) Any proceeds remaining in the Construction Fund after payment of costs shall not revert to the General Fund but shall remain in the Fund subject to appropriation by the Lake County Council.
(Ord. 1355G, passed 12-11-2012)

§ 37.166 AUDITOR'S INELIGIBLE DEDUCTION FUND, FUND NO. 329, A NON-REVERTING FUND.

(A) The Auditor's Ineligible Deduction Fund (fund), Fund No. 329, a non-reverting fund, is established for the deposit of all monies collected as a result of a determination that property was not eligible for a standard deduction under I.C. 6-1.1-12-37 or a homestead credit under I.C. 6-1.1-20.9 (repealed), as provided for in I.C. 6-1.1-36-17(d).

(B) The monies collected and deposited in the Auditor's Ineligible Deduction Fund, Fund No. 329, a non-reverting fund, shall be used for the following purposes only pursuant to I.C. 6-1.1-36-17(e):

(1) Fees and other costs incurred by the Auditor to discover property that is eligible for a standard deduction under I.C. 6-1.1-12-37 or a homestead credit under I.C. 6-1.1-20.9 (repealed);

(2) Other expenses of the office of the Auditor;

(3) The cost of preparing, sending and processing notices described in I.C. 6-1.1-22.8-1(b)(9) and checklists or notices described in I.C. 6-1.1-22.5-12(d).

(C) Pursuant to I.C. 6-1.1-36-17(e), the funds in the Auditor's Ineligible Deduction Fund may not be considered in establishing the budget of the office of the Auditor or in setting property tax levies that will be used in any part to fund the Office of the Auditor.

(D) Appropriations from the non-reverting fund shall be subject to approval by the Lake County Council or as otherwise provided by law.

(E) Any money remaining in the fund at the end of the year shall not revert to the General Fund but continue in the Auditor's Real Property Endorsement Fee Fund, subject to appropriation by the Lake County Council or as otherwise provided by law.
(Ord. 1357A, passed 2-12-2013)

§ 37.167 LAKE COUNTY PROSECUTOR'S ELDERLY ABUSE FUND, A NON-REVERTING FUND.

(A) The Lake County Council now establishes the Lake County Prosecutor's Elderly Abuse Fund, a non-reverting fund, established for the deposit of the funds received as reimbursement from the contracts entered into with the State of Indiana Department of Aging for establishment of an adult protective services unit pursuant to I.C. 12-10-3.

(B) Appropriations from the fund shall be subject to approval by the Lake County Council, or as otherwise provided by law.

(C) Any money remaining in the fund at the end of the year shall not revert to the General Fund but continue in the Lake County Prosecutor's Elderly Abuse Fund.
(Ord. 1359C, passed 4-9-2013)

§ 37.168 LAKE COUNTY PUBLIC SAFETY COUNTY ADJUSTED GROSS INCOME TAX FUND, A NON-REVERTING FUND.

(A) The Lake County Council hereby establishes the Lake County Public Safety County Adjusted Gross Income Tax Fund (fund) for the deposit and distribution of the Public Safety County Adjusted Gross Income Tax.

(B) The Lake County Auditor shall distribute the funds received from the tax to Lake County and each municipality in Lake County that are carrying out or providing at least one public safety purpose.

(C) Deposits in the fund shall not revert to the General Fund, but shall remain in the fund at the end of the year.
(Ord. 1360C, passed 5-6-2013)

§ 37.169 LAKE COUNTY ECONOMIC DEVELOPMENT FUND, A NON-REVERTING FUND.

(A) The Lake County Council hereby establishes the Lake County Economic Development Income Tax Fund (fund) for the deposit and distribution of the revenue received from the Lake County CEDIT.

(B) Deposits in the fund shall not revert to the General Fund, but shall remain in the fund at the end of the year.
(Ord. 1360E, passed 5-6-2013)

§ 37.170 DRAINAGE FUND.

The Lake County Drainage Fund is hereby established, confirmed and ratified in compliance with I.C. 36-9-27-73.
(Ord. 1361B, passed 6-11-2013)

§ 37.171 CORNER PERPETUATION FUND.

The Lake County Corner Perpetuation Fund is hereby established, confirmed and ratified in compliance with I.C. 36-2-12-11 and 36-2-12-15.
(Ord. 1361C, passed 6-11-2013)

§ 37.172 CUMULATIVE BRIDGE FUND.

(A) It is ordained by the Lake County Council that a need now exists for the establishment of a Cumulative Bridge Fund for the following purposes: For all uses as set out in I.C. 8-16-3-1, *et seq*.

(B) Be it further ordained that this Board will adhere to the provisions of I.C. 8-16-3-1. The proposed fund will not exceed $.01 on each $100 of assessed valuation. Said tax rate will be levied and payable in 2015.
(Ord. 1361D, passed 6-27-2013; Am. Ord. 1373A, passed 6-10-2014)

§ 37.173 CUMULATIVE DRAINAGE FUND.

(A) It is ordained by the Lake County Council that a need now exists for the establishment of a Cumulative Drainage Fund for the following purposes: For all uses as set out in I.C. 36-9-27-1, *et seq*.

(B) Be it further ordained that this Board will adhere to the provisions of I.C. 36-9-27-1. The proposed fund will not exceed $.009 on each $100 of assessed valuation. Said tax rate will be levied and payable in 2015.
(Ord. 1361E, passed 6-27-2013; Am. Ord. 1373C, passed 6-10-2014; Am. Ord. 1384E, passed 5-12-2015)

§ 37.174 SUBSTANCE ABUSE TESTING GRANT FUND.

(A) The Substance Abuse Testing Grant Fund, a non-reverting fund, is established for the deposit of $20,000 from the Lake County Substance Abuse Council to the Lake County Superior Court, Criminal Division, Probation Department for serving 2,100 probationers with home visits, field visits, and conduct random drug testing to monitor compliance of court orders and probation rules and conditions.

(B) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.

(C) Any money remaining in the fund at the end of the year shall not revert to any other fund but continues in the Substance Abuse Testing Grant Fund for the Lake County Superior Court, Criminal Division, and Probation Department.
(Ord. 1363A, passed 8-13-2013)

§ 37.175 JUVENILE SECURED DETENTION ALTERNATIVE GRANT FUND, FUND NO. 389, A NON-REVERTING FUND.

(A) The Juvenile Secured Detention Alternative Grant Fund, Fund No. 389, a non-reverting fund, is established for the deposit of $156,747.21 from the Indiana Department of Corrections for secure detention alternative programs.

(B) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.

(C) Any money remaining in the fund at the end of the year shall not revert to any other fund but continues in the Lake Superior Court, Juvenile Division's Juvenile Secured Detention Alternative Grant Fund, Fund No. 389.
(Ord. 1365A, passed 10-8-2013)

§ 37.176 PUBLIC SAFETY CAGIT PASS THROUGH FUND, A NON-REVERTING FUND.

(A) The Lake County Council now establishes the Public Safety CAGIT Pass Through Fund, a non-reverting fund, established for the deposit of funds collected pursuant to the Public Safety CAGIT Ordinance, Ordinance No. l360B, adopted on May 6, 2013.

(B) The funds collected shall be deposited in the Public Safety CAGIT Pass Through Fund, a non-reverting fund and the funds shall be distributed to cities and towns.

(C) Appropriations from the fund shall be subject to approval by the Lake County Council, or as otherwise provided by law.

(D) Any money remaining in the fund at the end of the year shall not revert to the General Fund but continue in the Public Safety CAGIT Pass Through Fund, subject to appropriation by the Lake County Council, or as otherwise provided by law.
(Ord. 1366B, passed 11-12-2013)

§ 37.177 CEDIT PASS THROUGH FUND, A NON-REVERTING FUND.

(A) The Lake County Council now establishes the CEDIT Pass Through Fund, a non-reverting fund, established for the deposit of funds collected pursuant to the CEDIT Ordinance, Ordinance No. 1360D, adopted on May 6, 2013.

(B) The funds collected shall be deposited in the CEDIT Pass Through Fund, a non-reverting fund and the funds shall be distributed to cities and towns.

(C) Appropriations from the fund shall be subject to approval by the Lake County Council or as otherwise provided by law.

(D) Any money remaining in the fund at the end of the year shall not revert to the General Fund but continue in the CEDIT Pass Through Fund, subject to appropriation by the Lake County Council, or as otherwise provided by law.
(Ord. 1366C, passed 11-12-2013)

§ 37.178 LAKE COUNTY DETENTION ALTERNATIVES GRANT FUND, A NON-REVERTING FUND.

(A) The Detention Alternatives Grant Fund, a non-reverting fund, is established for the deposit of $31,618 from the Indiana Criminal Justice Institute and local matching funds of $3,513.

(B) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.

(C) Any money remaining in the fund at the end of the year shall not revert to any other fund but continues in the Lake Superior Court, Juvenile Division's, Lake County Detention Alternatives Grant Fund.
(Ord. 1366D, passed 11-12-2013)

§ 37.179 LAKE COUNTY REGIONAL DETENTION FACILITY FOR JUVENILES FUND, A NON-REVERTING FUND.

(A) The Lake County Council now establishes the Lake County Regional Detention Facility for Juveniles Fund, a non-reverting fund, established for the deposit of fees collected to house out of county children and federal juvenile detainees.

(B) The fees shall be used solely to support the Lake County Juvenile Court and Lake County Juvenile Detention Center.

(C) Appropriations from the fund shall be subject to approval by the Lake County Council, or as otherwise provided by law.

(D) Any money remaining in the fund at the end of the year shall not revert to the General Fund but continue in the Lake County Regional Detention Facility for Juveniles Fund.
(Ord. 1367C, passed 12-10-2013)

§ 37.180 CRIMINAL COURTROOM TECHNOLOGY GRANT FUND, FUND NO. 369, A NON-REVERTING FUND.

(A) The Lake County Council hereby establishes the Lake Superior Court, Criminal Division, Criminal Courtroom Technology Grant Fund, Fund No. 369, a non-reverting fund.

(B) All monies received from the Indiana Supreme Court, to implement the 2013 Court Reform Project to be administered by the Lake Superior Court, Criminal Division be deposited in the fund, and appropriated for equipment necessary to complete this technology project as specified by the grant.

(C) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.

(D) Any money remaining in the fund at the end of the year shall not revert to the General Fund but continues in the Lake Superior Court, Criminal Division, Criminal Courtroom Technology Grant Fund subject to appropriation by the Lake County Council.
(Ord. 1368A, passed 1-14-2014)

§ 37.181 LAKE COUNTY COMMUNITY CORRECTIONS GRANT FUND, A NON-REVERTING FUND.

(A) The Lake County Community Corrections Grant Fund, a non-reverting fund, is established for the deposit of not to exceed $185,437 from the Indiana Department of Correction. The total grant funds of $185,437 shall be used as follows:

(1) The Juvenile Alternatives to Detention Initiatives Grant Program grant award of $93,437, is to be used for a satellite office as follows: electronic monitoring system equipment - $22,040; office equipment - $16,500; office furniture - $8,000; motor vehicle - $26,000; office supplies - $2,000; phone/internet service - $5,500; cell phone - $600; vehicle maintenance/repair - $2,000; education services at Detention Center - $10,797.

(2) The Juvenile Alternatives to Detention Initiatives Grant Program grant award of $92,000, is to be used for a court based Truancy Prevention Program as follows: travel expenses - $3,460; Consultant-JDAI/DMC Coordinator - $32,500; Consultant-Data Coordinator - $14,040; Truancy Program Coordinator travel expense - $2,000; Truancy Prevention Program Coordinator - $25,000; Parent Engagement Specialist - $12,500; Parent Engaging Training - $2,500.

(B) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.

(C) Any money remaining in the fund at the end of the year shall not revert to any other fund but continues in the Lake Superior Court, Juvenile Division's, Lake County Community Corrections Grant Fund.
(Ord. 1370A, passed 3-11-2014; Am. Ord. 1370A-1, passed 7-8-2014; Am. Ord. 1370A-2, passed 11-13-2014)

§ 37.182 LAKE SUPERIOR COURT, CIVIL DIVISION'S, ADULT GUARDIANSHIP SERVICES GRANT FUND, A NON-REVERTING FUND.

(A) The Adult Guardianship Services Grant Fund, a non-reverting fund, is established for the deposit of approximately $20,000 from the Indiana Supreme Court to provide volunteer guardianship services to contract with Volunteer Advocate for

Seniors Program and individuals who will assist the Court in transitioning cases previously served by NIAGS and VAS.

(B) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.

(C) Any money remaining in the fund at the end of the year shall not revert to any other fund but continues in the Lake Superior Court, Civil Division's, Adult Guardianship Services Grant Fund.
(Ord. 1370D, passed 3-11-2014)

§ 37.183 JUVENILE COURT CPHCP (COOPERATIVE PARENTING FOR HIGH CONFLICT PARENTING) GRANT FUND, FUND NO. 393, A NON-REVERTING FUND.

(A) The CPHCP (Cooperative Parenting for High Conflict Parenting) Grant Fund, Fund No. 393, a non-reverting fund, is established for the deposit of $30,000 from the Supreme Court of Indiana for a new program addressing cooperative parenting for high conflict families. Participants, who are recommended by the Court, will pay a fee per family for the classes, which shall also be deposited in the fund.

(B) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.

(C) Any money remaining in the fund at the end of the year shall not revert to any other fund but continues in the Lake Superior Court, Juvenile Division's CPHCP (Cooperative Parenting for High Conflict Parenting) Grant Fund, Fund No. 393.
(Ord. 1370E, passed 3-11-2014)

§ 37.184 LAKE COUNTY SHERIFF'S DEPARTMENT THERAPY DOG FUND, A NON-REVERTING FUND.

(A) The Lake County Council establishes the Lake County Sheriff's Department Therapy Dog Fund, a non-reverting fund, established for the deposit of funds donated to the Lake County Sheriff's Department for its therapy dog and the funds shall be used for the care and maintenance of the therapy dogs.

(B) Deposits and expenditures from the fund shall be reported to the Lake County Auditor who shall keep a record for public inspection.

(C) Money remaining in the fund at the end of the year shall remain in the fund and not revert to the General Fund.
(Ord. 1370F, passed 3-11-2014)

§ 37.185 E911 CONSTRUCTION FUND, A NON-REVERTING FUND.

(A) A non-reverting fund is hereby created to be known as the "E911 Construction Fund" to be used for the deposit of proceeds of the General Obligation Public Safety Tax Bonds.

(B) The funds in the E911 Construction Fund shall pay for costs and expenses incurred with the improvements to a facility and installation of equipment necessary to provide E911 services throughout Lake County.

(C) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.

(D) Any remaining monies at the end of the year shall not revert to the General Fund.
(Ord. 1371A, passed 4-8-2014)

§ 37.186 COMMUNITY SUPERVISION GRANT FUND, FUND NO. 372-4000, A NON-REVERTING FUND.

(A) The Community Supervision Grant Fund, a non-reverting fund, Fund No. 372-4000, is established for the deposit of $220,000 from the Indiana Judicial Center to provide evidence-based services and supervision for moderate and high risk felony offenders within Lake County's jurisdiction as follows:

(1) Regional Mental Health Center (detoxification, residential, IOT days): $203,129.23

(2) Lake County Community Corrections (electronic alcohol monitors (5), field officers-staff hours): $16,870.24

(C) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.

(D) Any money remaining in the fund at the end of the year shall not revert to any other fund but continues in the Lake Superior Courts, Criminal Division's, Community Supervision Grant Fund.
(Ord. 1377A, passed 10-14-2014)

§ 37.187 LAKE COUNTY STORMWATER EDUCATION FUND, A NON-REVERTING FUND.

(A) The Lake County Stormwater Education Fund, a non-reverting fund, is established for the deposit of fines collected for violations of the Lake County Stormwater Management Ordinance, Ordinance No. 1365C.

(B) The monies deposited in the fund shall be used for water quality education and enforcement. The education efforts will include regular public outreach to teach the public the consequences of their actions on water quality. The enforcement efforts will include continuing modernization to keep pace with the evolving sciences related to water quality.

(C) Deposits and expenditures from the fund shall be reported to the Lake County Auditor who shall keep a record for public inspection.

(D) Appropriations from the fund shall be subject to approval by the Lake County Council, or as otherwise provided by law.

(E) Any money remaining in the fund at the end of the year shall not revert to the General Fund but continue in the Lake County Stormwater Education Fund, subject to appropriation by the Lake County Council, or as otherwise provided by law.
(Ord. 1373B, passed 6-10-2014)

§ 37.188 LAKE SUPERIOR COURT, JUVENILE DIVISION'S ENHANCED ACCESS FUND, A NON-REVERTING FUND.

(A) The Lake Superior Court, Juvenile Division's Enhance Access Fund, a dedicated non-reverting fund is hereby established to receive those fees received by the Lake Superior Court, Juvenile Division for the above-described provisions of enhanced public access to public records under said Court's charge.

(B) The Fund shall be a dedicated fund and the monies deposited therein shall be used (1) for the replacement, improvement, and expansion of capital expenditures, and (2) tile reimbursement of operating expenses incurred in providing enhanced access to public information pursuant to I.C. 5-14-3-8.3(b)(1) and I.C. 5-14-3-8.3(b)(2).

(C) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except as otherwise provided by law.

(D) Any money remaining in the Fund at the end of the year shall not revert to any other fund but

continues in the Lake Superior Court, Juvenile Division's Enhanced Access Fund.
(Ord. 1380C, passed 1-13-2015)

§ 37.189 LAKE COUNTY E911 DEPARTMENT 2901 LEVY TRANSFER FUND, A NON-REVERTING FUND.

(A) The Lake County Council hereby establishes the Lake County E911 Dept. 2901 Levy Transfer Operating Fund, for the deposit and use of the levy transfer dollars generated by the municipality/taxing units and the County participating in Lake County's consolidation of emergency dispatching services, retroactive to January 1, 2015.

(B) Appropriations from the Fund shall be subject to approval by the Lake County Council, or as otherwise provided by law.

(C) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Lake County E911 Dept. 2901 Levy Transfer Operating Fund.
(Ord. 1382A, passed 3-10-2015)

§ 37.190 LAKE COUNTY FAMILY COURT GRANT FUND, A NON-REVERTING FUND.

(A) The Lake County Family Court Grant Fund, a non-reverting fund, is established for the deposit of $20,000 awarded to the Lake Superior Court, Civil Division, Room Three and $20,000 awarded to the Lake Superior Court, Juvenile Division from the Indiana Supreme Court. Said funds are to be used to expand the current Alternative Dispute Resolution Program to include paternity cases.

(B) Pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except as otherwise provided by law.

(C) Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the Lake County Family Court Grant Fund.
(Ord. 1383B, passed 4-14-2015)

§ 37.191 LAKE COUNTY TAX SALE PADDLE FUND, A NON-REVERTING FUND.

(A) The Take County Council establishes the Lake County Tax Sale Paddle Fund, a non-reverting fund, established for the deposit of funds collected pursuant to the Lake County Tax Sale Paddle Fee, established pursuant to I.C. 6-1.1-24-16.

(B) Deposits to the Fund shall be made not later than 30 days after the conclusion of a tax sale, and may be used only to (1) defray the expenses of the tax sale or (2) reduce the number of vacant and abandoned houses, including rehabilitation, demolition and foreclosure prevention and counseling.

(C) Money remaining in the Fund at the end of the year shall remain in the Fund and not revert to the General Fund.
(Ord. 1385B, passed 6-9-2015)

§ 37.192 COMMUTER RAIL EXTENSION AND IMPROVEMENT FUND, A NON-REVERTING FUND.

(A) The Lake County Council now establishes the Commuter Rail Extension and Improvement Fund, a non-reverting fund.

(B) The sources of money for the Commuter Rail Extension And Improvement Fund may be as follows:

(1) The pledged contribution or designations from the participating governmental entities of their certified distributions of County Economic Development Income Tax, described and authorized in the Interlocal Cooperative Agreement and in I.C. 6-3.5-7 *et seq.*;

(2) Interest earned from the investment of moneys on deposit to the credit of the Fund created by the Interlocal Agreement, provided such investments are conducted pursuant to I.C. 5-13-9 *et seq.*;

(3) Gifts, donations, bequests and other voluntary contributions from any person or entity to the Fund consistent with the lawful purposes and objectives of the Fund;

(4) Money derived from state or federal grants, matching funds, contributions from any other governmental entity not already described in the Interlocal Agreement; and

(5) Contributions for such projects as may be consistent with the objects of I.C. 8-5-1, I.C. 8-5-15, I.C. 8-24 *et seq.*, I.C. 36-9-1, and subject to Section 9(F) of the Interlocal Agreement, including but not limited to multi-party or intergovernmental undertakings.

(C) The expenditures from this Fund may only be for the purposes for which this Fund was established as set forth in the Interlocal Agreement:

(1) Expenditures from this Fund may be made only upon appropriation by the Lake County Council as the appropriating body for the Enhanced Entity.

(2) Expenditures from this Fund may only be for the purposes as set forth in the Interlocal Agreement and according to its terms.

(D) The expenditures from the Fund shall be made from the proper category of expense and for the purposes of the Fund, only after an appropriation has been made in the manner provided by statute for making other appropriations and shall be disbursed only on approved accounts payable vouchers allowed by the proper body of the Enhanced Entity. Further, expenditures shall only be made at a regular or special meeting of the proper body of the Enhanced Entity, pursuant to I.C. 5-11-10, I.C. 36-4-8, I.C. 36-5-4 and I.C. 36-2-6.

(E) The Enhanced Entity shall cause a report on the condition of the Fund to be made to the participating governmental entities at least annually, with the annual report to be made by March 1 of the year first following the close of the fiscal year. The report shall be a public record subject to the provisions of I.C. 5-14-3 *et seq.*

(F) Any money remaining in the fund at the end of the year shall not revert to the General Fund but continue in the Commuter Rail Extension and Improvement Fund, subject to appropriation by the Lake County Council, or as otherwise provided by law.
(Ord. 1385C, passed 6-9-2015)

§ 37.193 LAKE COUNTY SHERIFF'S AVIATION UNIT GRANT FUND (ARCELORMITTAL USA GRANT), A NON-REVERTING FUND.

(A) The Lake County Sheriff' s Aviation Grant (ArcelorMittal USA Grant), a Non-Reverting Fund, is hereby established for the deposit and use of grant funds to support the Lake County Sheriff' Aviation Department's firefighting/search and rescue operations.

(B) The moneys collected from the grant shall be deposited in the Lake County Sheriff's Aviation Grant Fund (ArcelorMittlal USA Grant) and only be used for the Lake County Sheriff' s Aviation Operations, as provided by the grant.

(C) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Lake County Sheriff' s Aviation Grant Fund (ArcelorMittal USA Grant), subject to appropriation by the Lake County Council or as otherwise provided by law.
(Ord. 1386A, passed 7-7-2015)

§ 37.194 LOCAL SERVICE FILING FEE FOR ANNUAL CERTIFICATION OF EXEMPT PROPERTY PURSUANT TO I.C. 6-1.1-3-7.3 FUND, A NON-REVERTING FUND.

(A) The Lake County Council now establishes the Local Service Filing Fee for Annual Certification of Exempt Property Pursuant to I.C. 6-1.1-3-7.3 Fund, a non-reverting fund, established for the deposit of funds collected pursuant to I.C. 6-1. 1-3-7.3. The funds shall be located in the same manner and proportion and at the same time as property taxes are allocated to each taxing unit in the county and may be used by a taxing unit for any lawful purpose of the taxing unit.

(B) Appropriations from the Fund shall be subject to approval by the Lake County Council, or as otherwise provided by law.

(C) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Local Service Filing Fee for Annual Certification of Exempt Property Pursuant to I.C. 6-1.1-3-7.3 Fund, subject to appropriation by the Lake County Council, or as otherwise provided by law.
(Ord. 1388A, passed 9-8-2015)

§ 37.195 LAKE COUNTY SHERIFF'S AVIATION UNIT GRANT FUND (ENBRIDGE CORPORATION GRANT), A NON-REVERTING FUND.

(A) The Lake County Sheriff's Aviation Grant Fund (Enbridge Corporation Grant), a non-reverting fund, is hereby established for the deposit and use of grant funds to support the Lake County Sheriff's Aviation Department's pilot training and repair of rescue hoist.

(B) The moneys collected from the grant shall be deposited in the Lake County Sheriff's Aviation Grant Fund (Enbridge Corporation Grant) and only be used for the Lake County Sheriff's aviation operations, as provided by the grant.

(C) Any money remaining in the Fund at the end of the year shall not revert to the General Fund but continue in the Lake County Sheriff's Aviation Grant Fund (Enbridge Corporation Grant), subject to appropriation by the Lake County Council or as otherwise provide by law.
(Ord. 1389J, passed 10-13-2015)

37.196 LAKE COUNTY GENERAL OBLIGATION BOND SERIES 2014B FUND, A NON-REVERTING FUND.

(A) A non-reverting fund is hereby created to be known as the "Lake County General Obligation Bond Series 2014B" to be used for the deposit and use of proceeds of the General Obligation Bond Series 2014B.

(B) The funds in the Lake County General Obligation Bond Series 20148 Fund shall be used to pay for costs for repairs to existing county owned and occupied buildings, renovating the County Jail, paving roads within the county and constructing drainage projects within the county, a new soil and water/coop extension building, together with the incidental expenses in connection therewith.

(C) Any remaining monies at the end of the year shall not revert to the General Fund.
(Ord. 1380B, passed 1-13-2015)

APPENDIX A: DEPARTMENTS/FUNDS WITH FULL TIME OR PART TIME POSITIONS COVERED BY COUNTY WORKER'S COMPENSATION PROGRAM

FUND NAME	*FUND NUMBER*
General fund	001
Highway fund	102
Infraction deferral	104
Health	105
Parks	107
Drug free community	110
Park non-reverting operating	117
Prosecutor elderly abuse	127
Fairgrounds non-reverting	131
South shore convention	132
Prosecutor pre-trial	135
Community corrections	140
Supplemental adult probation	143
Jail misdemeanant	152
Health maintenance	153
Community corrections	159
Economic redevelopment	170
Recorders perpetuation	179
Sheriff task force	182
Auditor's incentive	193
Jury fee	210
LADOS Division I	217
LADOS Division E	218
Domestic relations	234
Reassessment	237
Commissioners incentive	242
Community corrections	244

FUND NAME	*FUND NUMBER*
Surveyors mapping	250
Recorders incentive	260
Sheriff justice assistance grant	262
Surveyors MS4	264
HUD NSP Grant	271
Auditor's endorsement fee	293
Health tobacco	296
Juvenile IV-D (new March 2010)	297
Public defender	405
Alternate dispute resolution	409
Alternate dispute coop	411
Treasurers incentive	427
Clerks incentive	428
TIF dissolution	686
Juvenile CASA-State	706

(Ord. 1031A-10, passed 3-9-2010)

CHAPTER 38: DEPARTMENT OF HOMELAND SECURITY/EMERGENCY MANAGEMENT

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GENERAL PROVISIONS

§ 38.01 PURPOSE.

To establish in Lake County a Department of Emergency Management and to provide for the exercise of necessary powers during disaster emergencies.
(Ord. 1361A, passed 6-11-2013)

§ 38.02 DEFINITIONS

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ADVISORY COUNCIL. The Lake County Emergency Management Advisory Council as established under this chapter, pursuant to I.C. 10-4-1-10.

BOARD. The Board of County Commissioners, as elected pursuant to I.C. 36-2-2.

CHAIRPERSON. The Chairperson of the Lake County Emergency Management Advisory Council as established under this chapter, pursuant to I.C. 10-4-1-10.

COUNTY. Lake County.

DEPARTMENT. The County Department of Emergency Management as established under this chapter, pursuant to I.C. 10-4-1-10.

DIRECTOR. The County Emergency Management Director (formally referred to as Director) as established and appointed pursuant to this chapter in accordance with I.C. 10-4-1-10.

DISASTER. Occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or manmade cause, including but not limited to fire, flood, earthquake, wind, storm, wave action, oil spill, other water contamination requiring emergency action to avert danger or damage, air contamination, drought, explosion, riot, or hostile military or paramilitary action.

EMERGENCY MANAGEMENT. The preparation for and the coordination of all emergency functions, other than functions for which military forces or other federal agencies are primarily responsible to prevent, minimize, and repair injury and damage resulting from disasters. These functions include, without limitation, firefighting services, police services, medical and health services, rescue, engineering, warning services, communications, radiological, chemical and other special weapons defense, evacuation of persons from stricken areas, emergency welfare services, emergency transportation, plant protection, temporal restoration of public utility services, and other functions related to civilian protection, together with all other activities necessary or incidental to the preparation for and coordination of the foregoing functions.

EMERGENCY MANAGEMENT VOLUNTEER. Any person who serves without compensation in the Department of Emergency Management, being first duly rostered, identified and appointed by the Director, including persons and private agencies or governmental units offering services to the county during emergency situations or mutual aid to other emergency services who request assistance.

IDHS. The State Emergency Management Agency established under I.C. 10-8-2-1.

PARTICIPATING EMERGENCY SERVICE.

(1) Any county department or agency designated in the emergency operations plan to participate in emergency management activities; and,

(2) Any department or agency of the state, another county, a municipal corporation, or a volunteer organization designated to participate in the county's emergency management programs and activities pursuant to a cooperative or mutual aid agreement entered into pursuant to I.C. 14-4-1-10.

PERSONNEL. County officers and employees and emergency management volunteers, unless otherwise indicated.

PLAN or ***EMERGENCY PLAN.*** The current local comprehensive emergency management plan whose preparation and updating are mandated by I.C. 10-4-1-10(j).

PRINCIPAL EXECUTIVE OFFICER OF THE COUNTY. As referred to in I.C. 10-4-1-23(a) for

purposes of declaring a local disaster emergency, and as referred to hereinafter, means the County Board of Commissioners established under I.C. 36-2-2. If a quorum of the County Board of Commissioners (two of the three Commissioners) is unavailable or is incapacitated, then the following establishes the line of succession for Principal Executive Officer:

(1) ***REGULARLY DESIGNATED PRESIDENT OF THE COUNTY BOARD OF COMMISSIONERS.*** If a quorum of the County Board of Commissioners (two of the three Commissioners as established under I.C. 36-2-4-3) is unavailable or is incapacitated, then the regularly designated President of the County Board of Commissioners shall serve as the Principal Executive Officer for the purposes of this chapter until such time that a quorum of the County Board of Commissioners is no longer unavailable or incapacitated.

(2) ***PRESIDENT PRO-TEM OF THE BOARD OF COUNTY COMMISSIONERS.*** If both a quorum of the County Board of Commissioners and the regularly designated President of the County Board of Commissioners are unavailable or are incapacitated, then the President Pro-Tem of the County Board of Commissioners shall serve as the Principal Executive Officer for the purposes of this chapter until such time that either the regularly designated President or a quorum of the County Board of Commissioners is no longer unavailable or incapacitated.

(3) ***REMAINING COMMISSIONER OF THE BOARD OF COUNTY COMMISSIONERS.*** If a quorum of the Board of County Commissioners, the regularly designated President of the Board of County Commissioners, and the President Pro-Tem of the County Board of Commissioners are all unavailable or are incapacitated, then the remaining Commissioner of the County Board of Commissioners shall serve as the Principal Executive Officer for the purposes of this chapter until such time that the President Pro-Tem, the regularly designated President, or a quorum of the County Board of Commissioners is no longer unavailable or incapacitated.

(4) ***COUNTY AUDITOR.*** If all of the County Commissioners are unavailable or incapacitated, then the County Auditor shall serve as the Principal Executive Officer for the purposes of this chapter until such time that a County Commissioner is no longer unavailable or incapacitated.

(5) ***COUNTY CLERK.*** If all of the County Commissioners and the County Auditor are unavailable or incapacitated, then the County Clerk shall serve as the Principal Executive Officer for the purposes of this chapter until such time that the County Clerk or a County Commissioner is no longer unavailable or incapacitated.

(6) ***COUNTY RECORDER.*** If all of the County Commissioners, the County Auditor, and the County Clerk are unavailable or incapacitated, then the County Recorder shall serve as the Principal Executive Officer for the purposes of this chapter until such time that the County Auditor, the County Clerk or a County Commissioner is no longer unavailable or incapacitated

(7) ***DIRECTOR OF EMERGENCY MANAGEMENT.*** If all of the County Commissioners, the County Auditor, the County Clerk and the County Recorder are unavailable or incapacitated, then the Director of Emergency Management shall serve as the Principal Executive Officer for the purposes of this chapter until such time that the Counter Recorder, the County Auditor, the County Clerk or a County Commissioner is no longer unavailable or incapacitated.
(Ord. 1361A, passed 6-11-2013)

§ 38.03 GENERAL SCOPE AND INTENT: LIBERAL CONSTRUCTION OF POWERS.

The general intent of this chapter is to provide for all necessary and indispensable powers and procedures reasonably needed to mitigate, prepare for, respond to and recover from emergency conditions. To this end, all powers, both ministerial and discretionary, as

conferred herein shall be liberally construed to supplement and augment, not to limit, any other powers or reasonable exercise of discretion which may ordinarily pertain to county officers, employees, department, and agencies.
(Ord. 1361A, passed 6-11-2013)

§ 38.04 LIMITATIONS.

(A) *Nonsupersession of emergency powers of County Sheriff.* Nothing in this chapter is intended to supersede or delimit any statutory powers of the County Sheriff.

(B) *Nonsupersession of emergency management powers of political subdivisions; conformance of political subdivision emergency management rules and regulations with county's emergency management program and emergency plan.* Nothing in this chapter is intended to supersede or delimit the powers granted under I.C. 10-4-1-10 to any political subdivision to adopt and implement emergency plans and promulgate and enforce emergency management rules and regulations in the advent of an actual emergency affecting such political subdivision. However, pursuant to I.C. 10-4-1-15, such regulations and procedures as promulgated by the political subdivision may not be inconsistent with the county emergency management program and emergency plan established in accordance with this chapter.
(Ord. 1361A, passed 6-11-2013)

COUNTY EMERGENCY MANAGEMENT ADVISORY COUNCIL; DIRECTOR; ORGANIZATION AND ADMINISTRATION

§ 38.15 COUNTY EMERGENCY MANAGEMENT ADVISORY COUNCIL.

(A) *Establishment.* In accordance with I.C. 10-4-1-10(d), there is established the County Emergency Management Advisory Council which shall consist of the following individuals or their designees.

(1) The president of the county executive.

(2) The president of the county fiscal body.

(3) The mayor of each city located in the county.

(4) An individual representing the legislative bodies of all towns located within the county.

(5) Representatives of such private and public agencies or organizations which can be of assistance to emergency management as the organizing group considers appropriate, or as may be added later by the County Emergency Management Advisory Council.

(6) One commander of a local civil air patrol unit in the county or the commander's designee.

(B) *Officers.* The Advisory Council shall have a Chairman, a Vice-Chairman, and a Recording Secretary. The Advisory Council shall elect these officers for one year terms.

(C) *Powers and duties.*

(1) The Advisory Council shall exercise general supervision and control over the emergency management program of the county.

(2) The Advisory Council shall select, or cause to be selected, with the approval of the County Executive, a County Emergency Management Director. This appointment shall be permanent unless it is terminated in accordance with division (C)(3) of this section.

(3) The Advisory Council shall have the power to terminate, with the approval of the County Executive, the County Emergency Management Director, if the Advisory Council determines that the Director:

(a) Is incapable of fulfilling his/her duties, or

(b) Has failed to perform his/her duties, or

(c) Not able to hold any other local or state elective office, appointive position, or any other position that is created by statute.

(4) The Advisory Council shall consult with the Executive Director of IDHS to obtain his/her opinion regarding the abilities and competence of the County Emergency Management Director prior to the appointment or termination of the Director. The IDHS Executive Director's opinion hereunder shall be advisory only.

(5) The Advisory Council shall meet at least once every six months; the frequency, time and location being determined by the Advisory Council.

(6) The Advisory Council is a governing body of a public agency, as defined under I.C. 5-14-1.5-2, and as such is subject to all of the requirements of the Indiana Open Door Law (I.C. 5-14-1.5, *et seq.*). In addition, any records generated, received, retained, maintained, used, or filed by the Advisory Council are public records subject to the Indiana Access to Public Records Act (I.C. 5-14-3, *et seq.*). Also, these public records are subject to the retention schedule adopted by the County Commission of Public Records in accordance with I.C. 5-15-6, *et seq*.
(Ord. 1361A, passed 6-11-2013)

§ 38.16 DIRECTOR OF EMERGENCY MANAGEMENT: GENERAL POWERS AND DUTIES.

The Director, subject to the direction and control of the Advisory Council, shall be executive head of the Department and shall have responsibility for the organization, administration and operation of the emergency management organization, including the following specific powers and duties:

(A) Keep the Advisory Council fully informed on emergency management activities.

(B) Keep the County Commissioners fully informed on emergency management activities.

(C) Submit to the Advisory Council and the County Commissioners a yearly report on the county's comprehensive emergency management, including mitigation, preparedness, response and recovery taken in the previous year and planned and recommended for the year to come.

(D) Assure that all of the duties and responsibilities of the Emergency Management Agency are completed.

(E) Assure that all county employees and rostered volunteers with responsibilities as part of the comprehensive emergency management plan receive training in the functions that they are to perform under the plan.

(F) Design and conduct exercises of the comprehensive emergency management plan, as required by the State Emergency Management Agency.

(G) Assure that the comprehensive emergency management plan addresses all hazards and includes all cities, towns and other population centers within the county.

(H) Submit to State Emergency Management Agency the assessment specified in IDHS's required format and within IDHS's required time frame for submission.

(I) Provide to the State Emergency Management Agency Director annual reports and documentation as mandated.

(J) Competently manage the department's various functions, including among others financial, personnel, and logistic.

(K) Timely respond to the Chairman of the Advisory Council, as mandated by I.C. 10-4-1-10(f).

(L) Timely obey to the directives of superior state authorities.

(M) Assure that the activities of the Department at all times comport with I.C. 10-4-1 and other applicable statutes, rules and county ordinances.

(N) Develop an emergency operating center ("EOC") as a site from which key officials can direct and control operations during a disaster or emergency.

(O) Attend, and attain passing grades in, the Emergency Management Professional Development Series for emergency management presented by the Public Safety Training Institute within four years of first assuming the position of Director.

(P) Attend, and attain passing grades in, such emergency management training as may be required by IDHS in subsequent years.

(Q) Assure the Deputy Director's attendance at, and passing grades in, the Emergency Management Professional Development Series for emergency management presented by the Public Safety Training Institute within four years of first assuming the position of Deputy Director.

(R) Assure the Deputy Director's and all paid emergency management staff's attendance at, and passing grades in, such emergency management training as may be required by IDHS in subsequent years.

(S) Assure ongoing attendance by the Director, the Deputy Director and all paid emergency management staff at further emergency management courses presented by the Public Safety Training Institute to assure continued knowledge of the latest information on emergency management.

(T) Assume responsibility for public relations, information and education regarding all phases of emergency management.

(U) Assure coordination within the county of all activities for emergency management.

(V) Maintain liaison and coordinate with all other affected agencies, public and private.

(W) Coordinate the recruitment and training for volunteer personnel and agencies to augment the personnel and facilities of the county for emergency management purposes.

(X) Seek, negotiate and enter into (with the approval or ratification of the County Commissioners and consistent with the state emergency operations plan and program) mutual aid arrangements with other public and private agencies for emergency management purposes, and taking all steps in accordance with such arrangements to comply with or take advantage thereof in the event of an actual emergency affecting the parties.

(Y) Accept any offer of the federal government to provide for the use of the county any services, equipment, supplies, materials, or funds for emergency management purposes by way of gift, grant or loan, when the Governor has approved such offer.

(Z) Seek and accept from any person, firm or corporation, any gratuitous offers to provide services, equipment, supplies, materials, funds or licenses or privileges to use real estate or other premises, to the county for emergency management purposes.

(AA) Issue proper insignia and papers to emergency management workers and other people directly concerned with emergency management.

(BB) Assure that all volunteers meet the criteria set forth below in § 38.17(B)(3) prior to accepting them as members of the Department.

(CC) Make rapid and accurate assessment of:

(1) Property damage;

(2) Personal injuries;

(3) Fatalities;

(4) Basic needs; and

(5) Special needs.

as soon as an emergency or disaster declaration has been made.

(DD) In addition to the powers and duties expressly provided above, the Director shall be construed to have all powers and duties of a local emergency management Director as provided under I.C. 10-4-1. In particular, but not by limitation, the Director, through the Department, may perform or cause to be performed with respect to the county, any function parallel or analogous to those performed on a statewide basis by IDHS under I.C. 10-4-1.
(Ord. 1361A, passed 6-11-2013)

§ 38.17 DEPARTMENT OF EMERGENCY MANAGEMENT.

(A) *Establishment; staffing; oath; and prohibition of political activity*.

(1) *Established*. There is hereby established a Department of Emergency Management within the executive branch of the county government for the purpose of utilizing to the fullest extent possible the personnel and facilities of existing county departments and agencies to prepare for and meet any disaster as defined in this chapter. The Director of Emergency Management shall be responsible for its organization, administration and operation.

(2) *Staffing*. The Department shall consist of the following:

(a) An executive head of the Department of Emergency Management, who shall be known as the Director of Emergency Management. appointed in accordance with § 38.15;

(b) A Deputy Director appointed by the Director with the approval of the Advisory Council. The Deputy Director shall fulfill the duties of the Director in the absence or incapacity of the Director to serve; and assist the Director in the performance of Director's duties;

(c) Emergency management volunteers as deemed necessary and appointed by the Director. In addition to the other requirements in this section, the Director shall ensure that all volunteer personnel meet the following qualifications before being placed on the roster as a member of the Department:

1. Be at least 18 years of age or older;

2. Not be convicted of a felony; and

3. Have completed and have on file with the Department an application form;

(d) The employees, equipment and facilities of all county departments and agencies suitable for, or adaptable to emergency management and designated by the Plan to participate in emergency management activity;

(e) Staff officers with responsibility for communications and warning, radiological, health and medical care, law enforcement, fire and search and rescue, public works and public information in accordance with the comprehensive emergency management plan; and

(f) Such assistants, clerical help, and other employees as deemed necessary and appointed by the Director in accordance with the comprehensive emergency management plan.

(3) *Prohibitions for employment* . Pursuant to I.C. 10-4-1-20(a), no person shall be employed or associated in any capacity in any emergency management organization established under this chapter who:

(a) Advocates a change by force or violence in the constitutional form of the government of the United States or the overthrow of any government in the United States by force or violence; or

(b) Has been convicted of or is under indictment or information charging any subversive act against the United States.

(4) *Oath*. Pursuant to I.C. 10-4-1-20(b), each individual who is appointed to serve in an organization for emergency management shall, before entering upon the individual's duties, take an oath, in writing, before a person authorized to administer oaths in Indiana.

(a) The oath shall be substantially as follows:

> "I,_____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of Indiana against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear (or affirm) that I do not advocate, nor am I a member of any political party or organization that advocates, the overthrow of the government of the United States or of this state by force or violence; and that during such time as I am a member of the County Department of Emergency Management I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence."

(b) For the purposes of this section, the Executive Director of IDHS and the Director shall be authorized to administer the oath provided in division (a) above to emergency management and disaster personnel; and may delegate that authority to designated deputies and assistants as may be approved by the Executive Director of IDHS.

(5) *Prohibition of political activity*. Pursuant to I.C. 10-4-1-9, the Department and its employees are prohibited from participating in political activity as follows:

(a) The Department shall not participate in any form of political activity nor shall it be employed for political purposes.

(b) Political considerations shall not be a consideration for appointment to the Department nor a cause for dismissal except as provided in § 38.17(C) and (D).

(c) Full time employees of the Department shall not participate in political activities.

(6) It is the intent of this section that emergency management and disaster assignments under the plan shall be as consistent with normal duty assignments as possible.

(7) The County Council shall not have any power of approval over particular candidates for any position, but the County Council shall have general statutory powers to determine the numbers of officers, deputies, and employees of county departments, classify positions, and adopt schedules of compensation pursuant to I.C. 36-2-5-3(a). Notwithstanding any other provision of this chapter, with the exception of the Director, a compensated position may not be established within the Department of Emergency Management nor shall any person be appointed to such position without authorization and sufficient funding from the County Council.

(B) *Duties*. The Department, subject to the direction and control of the Director, shall prepare and implement the comprehensive emergency management plan, including the following specific duties:

(1) Prepare and distribute to all appropriate officials in written form a clear and complete statement of the emergency responsibilities of all local agencies and officials and of the disaster chain of command in accordance with I.C. 10-4-1-10(j).

(2) Work closely with officers and employees of incorporated and unincorporated areas of the county to develop a hazard mitigation program to eliminate or reduce potential hazards.

(3) Write and implement the comprehensive emergency management plan, which shall conform to the guidelines contained in the most current state and federal guidance documents (the county cannot receive state and/or federal matching funds unless this is done), and the requirements established under § 38.18. As part of the preparation of this plan, the Department shall:

(a) Identify and analyze the effects of hazards that threaten the county.

(b) Inventory manpower and material resources from governmental and private sector sources that would be available in a disaster or emergency.

(c) Establish a system to alert key officials in event of a disaster or emergency.

(d) Identify resource deficiencies and work with appropriate officials on measures to correct them.

(e) Develop and maintain an emergency communications system, thus assuring proper functioning of emergency communications throughout the county, including all cities and towns.

(f) Take all actions necessary to ensure the continuity of government procedures and systems in the event of a disaster.

(g) Establish and maintain a shelter and reception and care system for both people and animals.

(h) Develop a training program for emergency response personnel ensuring that mitigation, training and exercising have been performed for all such personnel.

(i) Coordinate with industry to develop and maintain industrial emergency plans and capabilities in support of the comprehensive emergency management plan.

(4) Update the comprehensive emergency management plan as needed to keep it current, as required by I.C. 10-4-1-10(j).

(5) Develop a program to test and exercise the Emergency Plan.

(C) *Budget and finance.*

(1) The Advisory Council shall advise the Director in the preparation of the budget.

(2) The County Council shall appropriate such funds, as it may deem necessary for the purpose of emergency management.

(3) All funds appropriated or otherwise available to the Department of Emergency Management shall be administered by the Director. (Ord. 1361A, passed 6-11-2013)

§ 38.18 COMPREHENSIVE EMERGENCY MANAGEMENT PLAN: FORMULATION; CONTENT AND ADOPTION.

(A) A county comprehensive emergency management plan, referred to as the interjurisdictional disaster emergency plan by I.C. 10-4-1-10(j), shall be adopted by resolution of the County Board of Commissioners. In the preparation of this plan, as it pertains to county organization, it is the intent that the services, equipment, facilities and personnel of all existing departments and agencies shall be utilized to the fullest extent possible.

(B) The comprehensive emergency management plan shall include, at minimum, the following:

(1) An administrative section which includes:

(a) Authorities and directives.

(b) Terms and definitions.

(c) Acronyms/abbreviations.

(d) Financial management.

(2) A hazards specific section which includes:

(a) Unique hazards.

(b) Special events.

(3) An operations section which includes:

(a) Coordination and control emergency support function.

(b) Communications and warning emergency support function.

(c) Public information emergency support function.

(d) Resource management emergency support function.

(e) Information and planning emergency support function.

(4) An emergency services section which includes:

(a) Military emergency support function.

(b) Law enforcement emergency support function.

(c) Firefighting emergency support function.

(d) Transportation emergency support function.

(e) Health and medical emergency support function.

(f) Search and rescue emergency support function.

(g) Public works/engineering emergency support function.

(5) A consequent effects section which includes:

(a) Evacuation emergency support function.

(b) Shelter/mass care emergency support function.

(c) Damage assessment emergency support function.

(d) Hazardous materials emergency support function.

(e) Radiological protection emergency support function.

(f) Energy emergency support function.

(C) In addition, all emergency services within the county shall:

(1) Develop standard operating procedures, standard operating guides and checklists that are drafted subject to the requirements of the comprehensive emergency management plan;

(2) Coordinate standard operating procedures, standard operating guides and checklists with the Department of Emergency Management;

(3) Assure inclusion of the standard operating procedures, standard operating guides and checklists within the county comprehensive emergency management plan;

(4) Perform the functions and duties assigned by the county comprehensive emergency management plan; and

(5) Maintain their portion of the comprehensive emergency management plan in a current state of readiness at all times.
(Ord. 1361A, passed 6-11-2013)

§ 38.19 JURISDICTION; POLITICAL SUBDIVISIONS.

(A) *Jurisdiction of Department*. Except as provided by § 38.04, the jurisdiction of the County Department of Emergency Management shall be comprehensive and inclusive countywide and effective in both the incorporated and unincorporated areas of the county.

(B) *Jurisdiction of comprehensive emergency management plan*. The jurisdiction and applicability of the county comprehensive emergency management plan, as adopted pursuant to § 38.18, and the exercise of any powers of the Principal Executive Officer of the County and of the County Board of Commissioners under §§ 38.21 *et seq.*, shall be comprehensive and inclusive countywide and effective in both the incorporated and unincorporated areas of the county.

(C) *Political subdivisions*. All political subdivisions in the county shall, if they develop a plan for their political subdivision:

(1) Ensure that the plan is consistent with the requirements of the county comprehensive emergency management plan;

(2) Coordinate the development of the plan with the Department of Emergency Management; and

(3) Ensure the inclusion of the plan within the county comprehensive emergency management plan:

(a) Perform the function and duties assigned by the county comprehensive emergency management plan.

(b) Maintain their portion of the comprehensive emergency management plan in a current state of readiness at all times.
(Ord. 1361A, passed 6-11-2013)

§ 38.20 TESTS OF THE COMPREHENSIVE EMERGENCY MANAGEMENT PLAN; OTHER EMERGENCY TESTS.

(A) *Comprehensive emergency management plan; tests*. Tests of the comprehensive emergency management plan may be conducted at any time with or without prior notification to persons other than the Director.

(B) *Emergency tests*. All emergency tests conducted within the boundaries of the county shall be coordinated with the Department.
(Ord. 1361A, passed 6-11-2013)

§ 38.21 COUNTY BOARD OF COMMISSIONERS: GENERAL ADMINISTRATIVE POWERS AND DUTIES.

In time of normal county operations, powers and duties of the County Commissioners pertaining to emergency management shall be:

(A) Maintaining general supervision over the planning and administration for the Department;

(B) Adopting the comprehensive emergency management plan;

(C) Coordinating emergency management activities consistent with the comprehensive emergency management plan;

(D) Making assignments of county personnel to emergency management activities consistent with the comprehensive emergency management plan;

(E) Making assignments of county personnel to emergency management duties in order to meet

situations not covered in the normal duties and powers of such agencies consistent with the comprehensive emergency management plan;

(F) Taking all necessary action in coordination with the Department to conduct tests of the comprehensive emergency management plan; and

(G) Educating themselves as to their responsibilities under the comprehensive emergency management plan.
(Ord. 1361A, passed 6-11-2013)

COUNTY EMERGENCY MANAGEMENT PROGRAM: EMERGENCY POWERS, REGULATIONS AND PROCEDURES

§ 38.35 APPLICABILITY OF SECTION.

This section shall apply whenever:

(A) The Governor, pursuant to I.C. 10-4-1-7, has declared a disaster emergency affecting all or part of the county.

(B) The principal executive officer of the county, pursuant to I.C. 10-4-1-23(a) and §§ 38.36 and 38.37 hereof, is preparing to, or has declared a local disaster emergency affecting all or part of the county.

(C) The County Board of Commissioners has implemented a test of the county's comprehensive emergency management plan and procedures in accordance with and to the extent necessary or dispensable to such test.
(Ord. 1361A, passed 6-11-2013)

§ 38.36 PRINCIPAL EXECUTIVE OFFICER, SPECIAL EMERGENCY POWERS AND DUTIES: DECLARATION OF LOCAL DISASTER EMERGENCY.

(A) In the event of an actual or threatened disaster emergency affecting the county, if feasible, the Principal Executive Officer of the county shall seek the advice and input of the Director as to the advisability of declaring a local disaster emergency.

(B) If the County Board of Commissioners, acting as the Principal Executive Officer of the county, is the entity declaring the local disaster emergency, then the statutory requirements contained in I.C. 36-2-2-8 and I.C. 5-14-1.5-5(d) regarding special and emergency meetings of the County Board of Commissioner must be met.

(C) The Principal Executive Officer of the county may, in the event of an actual or threatened disaster emergency affecting the county declare a local disaster emergency, pursuant to I.C. 10-4-2-3(a). This declaration shall:

(1) Be in writing.

(2) State the nature of the disaster.

(3) State the conditions that have brought the disaster about.

(4) State the area or areas threatened.

(5) State the area or areas to which the local disaster emergency declaration applies (this may include the entire county or only designated parts thereof).

(6) State the effective period of the local disaster emergency declaration. The disaster declaration shall not be continued or renewed for a period in excess of seven days except by or with the consent of the County Board of Commissioners.

(D) The declaration of a local disaster emergency, as well as any continuation or termination of such declaration shall be:

(1) Announced or disseminated to the general public by the best means available.

(2) Filed promptly in the offices of the County Clerk; the County Auditor, and the clerk of any incorporated municipality located in the declared disaster area.

(E) The declaration shall not be invalidated or ineffective if any of the filing and dissemination requirements cannot be complied with due to the prevailing adverse circumstances.

(F) Upon a declaration, the county's comprehensive emergency management plan or such component parts thereof as may be relevant to the emergency shall be activated and implemented.

(G) Declaration of a local disaster emergency is not necessary if the Governor, pursuant to I.C. 10-4-1-7, has already proclaimed a statewide or area-wide disaster emergency that includes the county. (Ord. 1361A, passed 6-11-2013)

§ 38.37 COUNTY BOARD OF COMMISSIONERS; CONVENTION OR SPECIAL EMERGENCY MEETING.

(A) As allowed by I.C. 36-2-2-8 and I.C. 5-14-1.5-5(d), a special meeting of the County Board of Commissioners shall be called as soon as possible after the disaster emergency that affects the county has been declared, either by the Governor or by the Principal Executive Officer of the county, to perform their legislative and administrative functions as the situation may demand.

(B) As required by I.C. 36-2-2-8(b) and I.C. 5-14-1.5-5(d), the following conditions must be met for this meeting:

(1) The notice for the meeting must include a specific statement of the purpose of the meeting.

(2) News media that have requested notice of meetings must be given the same notice as is given the members of the County Board of Commissioners.

(3) The public must be notified of this meeting by posting a copy of the notice at the principal office of the County Board of Commissioners, or if no such office exists, at the building where the meeting is to be held.

(4) The County Board of Commissioners may not conduct any business at this meeting that is unrelated to the disaster emergency declaration.

(5) All other such requirements that are applicable to a meeting that is called to deal with an emergency.

(C) In addition, such a meeting may:

(1) Be held in any convenient and available place.

(2) Continue without adjournment for the duration of the disaster emergency.

(3) Be recessed for reasonable periods of time as necessary and permitted by the circumstances. (Ord. 1361A, passed 6-11-2013)

§ 38.38 PRINCIPAL EXECUTIVE OFFICER: SPECIAL EMERGENCY POWERS AND DUTIES.

(A) In the event that a disaster emergency has been declared that affects all or part of the county, and a quorum of the County Board of Commissioners cannot be assembled for purposes of the meeting needed under § 38.37, the Principal Executive Officer of the county shall have, on an interim basis, all powers of the County Board of Commissioners and may take all such actions with respect to the disaster emergency declaration that the County Board of Commissioners would have been authorized to take.

(B) When a quorum of the County Board of Commissioners is assembled, these interim powers of

the Principal Executive Officer of the county shall cease.
(Ord. 1361A, passed 6-11-2013)

§ 38.39 COUNTY BOARD OF COMMISSIONERS: SPECIAL EMERGENCY POWERS AND DUTIES.

(A) At the meeting convened under § 38.37, the County Board of Commissioners may exercise any of their normal executive and legislative powers to the extent related to the emergency and necessary to deal therewith.

(B) In addition to the powers enumerated in division (A) above, the Board may also exercise any of the following special and extraordinary powers.

(1) The County Board of Commissioners may extend the period of a local disaster emergency declared by the Principal Executive Officer of the county, pursuant to § 38.36, to last more than seven days if necessary.

(2) The County Board of Commissioners may terminate the local disaster emergency.

(3) The County Board of Commissioners may assemble and utilize emergency management resources, including:

(a) Personnel of the Department of Emergency Management;

(b) Participating emergency services; and

(c) Any other resources at the disposal of the Commissioners hereunder for emergency management purposes.

(4) The County Board of Commissioners may order volunteer forces which have been activated pursuant to the comprehensive emergency management plan to the aid of the county, state or political subdivisions thereof as soon as practicable. These volunteer forces shall be under the direction of the Department of Emergency Management.

(5) In order to control the local disaster emergency and provide for public health, safety and welfare, the County Board of Commissioners may, to the extent permitted by I.C. 10-4-1-25 and subject to its provisions, command services and/or requisition the use of:

(a) Equipment;

(b) Facilities;

(c) Supplies; or

(d) Other property.

(6) The County Board of Commissioners may order the evacuation of all or part of the population from stricken areas of the county, and prescribe:

(a) Routes;

(b) Modes of transportation; and

(c) Evacuation destinations.

(7) The County Board of Commissioners may make provision for availability and use of temporary emergency housing, which housing need not necessarily comply with any minimum housing standards, building or zoning regulations, etc., which would govern the use and location of premises for housing purposes during normal times.

(8) Except in accordance with division (B)(9) below, the County Board of Commissioners shall not suspend any provisions of ordinances or procedures, which are mandated by statute.

(9) In the event of a disaster emergency that has been declared by the Governor, the County Board of Commissioners, in accordance with I.C. 10-4-1-10(l)(5), may waive any procedures or requirements of statute, or of county ordinances reflecting statutory requirements and mandates, pertaining to:

(a) The performance of public works.

(b) The entering into contracts.

(c) The incurring of obligations.

(d) The employment of permanent and temporary workers.

(e) The utilization of volunteer workers.

(f) The rental of equipment.

(g) The purchase and distribution of supplies, materials and facilities.

(h) The appropriation and expenditure of public funds.

(10) The County Board of Commissioners may assign any special emergency duties and functions to county:

(a) Offices;

(b) Departments; and

(c) Agencies.

(11) Any unexpended and unencumbered monies budgeted and appropriated but not otherwise dedicated by law to different purposes may, within the scope of each major budget and appropriation category (major object classification), be utilized and expended for the purpose of carrying out such special emergency duties and functions.

(12) Pursuant to I.C. 10-4-1-15, the County Board of Commissioners may make, amend, and rescind such orders, rules, and regulations as may be necessary for emergency management purposes and to supplement the carrying out of the provisions of this chapter. Such orders, rules, and regulations:

(a) Cannot be inconsistent with any orders, rules, or regulations promulgated by the Governor or by any state agency exercising a power delegated to it by the Governor;

(b) Cannot be inconsistent with the county's emergency management program or emergency plan;

(c) Shall have full force and effect of law when filed in the office of the County Clerk;

(d) Are enforceable by any local or state law enforcing authority in accordance with I.C. 10-4-1-17.

(13) The County Board of Commissioners may, in accordance with the emergency plan, request the state or the United States or their agencies and political subdivisions to send aid (including financial assistance) if the situation is beyond the control of the regular and emergency county forces and resources.

(14) All actions taken by the County Board of Commissioners under this section shall be:

(a) Adopted by ordinance or resolution pursuant I.C. 10-4-1-15;

(b) Consistent with, and subordinate to, any actions, orders, or regulations made by the Governor or a state agency implementing the state comprehensive emergency management plan.
(Ord. 1361A, passed 6-11-2013)

§ 38.40 OFFICERS AND EMPLOYEES OF INCORPORATED AND UNINCORPORATED AREAS OF THE COUNTY: GENERAL DUTIES DURING EMERGENCY.

During a declared disaster emergency, all officers and employees of incorporated and unincorporated areas of the county shall:

(A) Cooperate with and give active support to the County Board of Commissioners and the County Emergency Management Director.

(B) Comply with all orders, rules and regulations issued pursuant to this chapter by the County Board of Commissioners or the County Emergency Management Director.
(Ord. 1361A, passed 6-11-2013)

§ 38.41 VIOLATIONS; ENFORCEMENT.

(A) Whenever this chapter applies it shall be unlawful and a penal ordinance violation for any person to:

(1) Willfully obstruct, hinder or delay the County Board of Commissioners, the Director of Emergency Management, participating emergency services, authorized emergency management volunteers or other authorities from implementing, carrying out and enforcing the emergency plan.

(2) Fail to observe, abide by, and comply with any emergency management duties, orders, regulations and procedures as made applicable to such person by the appropriate authorities; or

(3) Falsely wear or carry identification as a member of the County Department of Emergency Management or to otherwise falsely identify or purport to be a county emergency management authority.

(B) Any regular or reserve police officer of Indiana or any of its political subdivisions is hereby empowered to issue and serve a civil citation against any person found to be committing an offense described above.
(Ord. 1361A, passed 6-11-2013) Penalty, see § 38.99

§ 38.42 LIMITATION OF LIABILITY.

During an emergency management test or declared disaster emergency, the county, the county's assigned personnel, participating emergency services, and rostered emergency management volunteers shall be immune from liability to the full extent provided by I.C. 10-4-1 and any other applicable law.
(Ord. 1361A, passed 6-11-2013)

§ 38.43 COMPENSATION FOR PROPERTY COMMANDEERED OR USED DURING DISASTER EMERGENCY.

Pursuant to I.C. 10-4-1-25, compensation for property shall be paid only if the property was commandeered or otherwise used in coping with a disaster emergency and its use or destruction was ordered by the Governor or a member of the disaster emergency forces of Indiana. Any person claiming compensation for the use, damage, loss, or destruction of such property shall make a claim for it. This claim shall be filed and adjudicated as provided in I.C. 1971, 32-11.
(Ord. 1361A, passed 6-11-2013)

§ 38.99 PENALTY.

Any person who commits an offense as described in § 38.41 above shall be liable to a fine of $2,500; such fine to be subject, however, to the discretion of the court of jurisdiction.
(Ord. 1361A, passed 6-11-2013)

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CHAPTER 39: MISCELLANEOUS EMPLOYEE AND OFFICER INFORMATION

Section

39.01 Part-time employees' salaries
39.02 Hiring restrictions
39.03 Salaries and wages
39.04 Township and County Assessors, their employees; Certified Level 2 Indiana Assessor Appraiser
39.05 Attrition incentive
39.06 Longevity pay
39.07 Per diem expenses
39.08 Payroll pay codes
39.09 Eligibility for health benefits
39.10 Payment of county benefits to an employee vacating a county position

§ 39.01 PART-TIME EMPLOYEES' SALARIES.

The Lake County part-time employees salary ordinance is adopted herein by reference as if appearing in total.

(Ord. 1195I-1, passed 7-11-2000; Ord 1195I-2, passed 7-11-2000; Ord. 1207G, passed 9-12-2000; Ord. 1207G-1, passed 3-13-2001; Ord. 1218I, passed 9-12-2001; Ord. 1218I-1, passed 1-8-2002; Ord. 1218I-2, passed 2-12-2002; Ord. 1218I-3, passed 5-14-2002; Ord. 1218I-4, passed 5-14-2002; Ord. 1218I-5, passed 5-14-2002; Ord. 1218I-6, passed 5-14-2002; Ord. 1218I-7, passed 5-14-2002; Ord. 1218I-8, passed 5-14-2002; Ord. 1231G, passed 9-10-2002; Ord. 1231G-1, passed 2-12-2003; Ord. 1231G-2, passed 5-13-2003; Ord. 1231G-3, passed 5-13-2003; Ord. 1231G-4, passed 6-10-2003; Ord. 1231G-5, passed 6-10-2003; 1231G-6, passed 7-8-2003; Ord. 1243F, passed 9-4-2003; Ord. 1231G-7, passed 10-14-2003; Ord. 1231G-8, passed 11-12-2003; Ord. 1231G-8, passed 12-9-2003; Ord. 1243F-1, passed 12-9-2003; Ord. 1243F-2, passed 3-9-2004; Ord. 1243F-3, passed 6-8-2004; Ord. 1255G, passed 9-7-2004; Ord. 1255G-1, passed 1-11-2005; Ord. 1255G-2, passed 2-8-2005; Ord. 1255G-3, passed 3-15-2005; Ord. 1255G-4, passed 6-13-2005; Ord. 1255G-5, passed 8-9-2005; Ord. 1255G-6, passed 8-9-2005; Ord. 1255G-7, passed 9-26-2005; Ord. 1255G-8, passed 9-26-2005; Ord. 1270A, passed 12-13-2005; Ord. 1270A-1, passed 1-10-2006; Ord. 1270A-2, passed 1-10-2006; Ord. 1270A-3, passed 2-14-2006; Ord. 1270A-4, passed 3-14-2006; Ord. 1270A-5, passed 4-11-2006; Ord. 1270A-6, passed 5-9-2006; Ord. 1270A-7, passed 7-11-2006; Ord. 1270A-8, passed 8-9-2006; Ord. 1270A-9, passed 9-12-2006; Ord. 1270A-10, passed 10-10-2006; Ord. 1270A-12, passed 11-14-2006; Ord. 1282B, passed 12-12-2006; Ord. 1282B-1, passed 1-9-2007; Ord. 1282B-2, passed 2-20-2007; Ord. 1282B-3, passed 2-20-2007; Ord. 1282B-4, passed 5-14-2007; Ord. 1282B-5, passed 6-12-2007; Ord. 1282B-6, passed 6-12-2007; Ord. 1282B-7, passed 8-14-2007; Ord. 1282B-8, passed 10-9-2007; Ord. 1294A, passed 12-11-2007; Ord. 1294A-1, passed 3-11-2008; Ord. 1294A-2, passed 4-8-2008; Ord. 1294A-3, passed 5-13-2008; Ord. 1294A-4, passed 6-10-2008; Ord. 1318A-1, passed 1-12-2010; 1318A-2, passed 4-13-2010; 1318A-3, passed 8-10-2010; 1330B, passed 12-14-2010; 1330B-1, passed 2-9-2011; Ord. 1330B-2, passed 3-8-2011; 1330B-3, passed 5-18-2011; Ord. 1330B-4, passed 7-20-2011; Ord. 1342D, passed 12-21-2011; Ord. 1342D-1, passed 1-10-2012; Ord. 1342D-2, passed 2-14-2012; Ord. 1342D-3, passed 3-13-2012; Ord. 1342D-4, passed 7-10-2012; Ord. 1342D-5, passed 9-11-2012; Ord. 1355H, passed 12-11-2012; Ord. 1355H-1, passed 3-12-2013; Ord. 1355H-2, passed 8-13-2013; Ord. 1355H-3, passed 9-10-2013; Ord. 1367B, passed 12-10-2013; Ord. 1367-1, passed 1-14-2014; Ord. 1367B-3, passed 3-11-2014; Ord. 1367B-4, passed 3-11-2014; Ord. 1367B-5, passed 6-10-2014; Ord. 1367B-6, passed 9-9-2014; Ord. 1367B-7, passed 11-13-2014; Ord. 1379C, passed 12-9-2014; Ord. 1379C-1, passed 1-13-2015; Ord. 1379C-2, passed 1-13-2015; Ord. 1379C-3, passed

2-10-2015; Ord. 1379C-4, passed 2-10-2015; Ord. 1379C-5, passed 3-10-2015; Ord. 1379C-6, passed 4-14-2015; Ord. 1379C-7, passed 4-14-2015; Ord. 1379C-8, passed 4-14-2015; 1379C-9, passed 4-14-2015; Ord. 1379C-10, passed 5-12-2015; Ord. 1379C-11, passed 6-9-2015; 1379C-12, passed 9-8-2015; 1379C-13, passed 9-8-2015; Ord. 1379C-14, passed 9-12-2015; 1379C-15, passed 10-13-2015; Ord. 1379C-16, passed 10-13-2015; Ord. 1391A, passed 12-8-2015)

§ 39.02 HIRING RESTRICTIONS.

(A) To obtain and operating balance for the Lake County Budget for 2010, all county offices and departments are restricted from hiring new employees, or current employees to fill presently vacant full-time positions and full-time positions which may become vacant during 2011.

(B) Notwithstanding division (A), this section shall not apply to the following:

(1) Positions controlled by mandate (Indiana Trial Rule 60.5), positions required by state or federal laws, or by a grant, provided the officeholder inform the Council of the hiring with supported documents citing the mandate order, state or federal law, or grant requirement;

(2) Position of Chief Deputy, if allowed by statute; and

(3) Attorneys employed by the Lake County Prosecutor's Office as Deputy Prosecuting Attorneys.

(C) Notwithstanding division (A), an officeholder may petition the Lake County Council to fill a vacated position for good cause.

(D) For purposes of this section, the term ***VACANCY*** does not include the transfer of employees from positions where the employees are being laterally transferred to different positions, being promoted, or being demoted, and the result of the transfers is revenue neutral.

(Ord. 1217A, passed 7-10-2001; Ord. 1223C, passed 1-8-2002; Ord. 1223C-1, passed 5-14-2002; Ord. 1235A, passed 1-14-2003; Ord. 1235A-1, passed 3-11-2003; Ord. 1235A-2, passed 4-8-2003; Ord. 1235A-3, passed 8-12-2003; Ord. 1235A-4, passed 10-14-2003; Ord. 1245B, passed 11-12-2003; Ord. 1245B, passed 11-22-2003; Ord. 1245B-1, passed 6-8-2004; Ord. 1245B-2, passed 12-9-2004; Ord. 1301C, passed 7-24-2008; Ord. 1301D, passed 7-30-2008; Ord. 1306F, passed 12-9-2008; Ord. 1306F-1, passed 2-10-2009; Ord. 1319A, passed 1-12-2010; Ord. 1330C, passed 12-14-2010)

§ 39.03 SALARIES AND WAGES.

The Lake County salary ordinance is adopted herein by reference as if appearing in total.

(Ord. 1255C, passed 9-7-2004; Ord. 1267C, passed 9-8-2005; Ord. 1279C, passed 9-5-2006; Ord. 1291C, passed 9-4-2007; Ord. 1328D, passed 10-14-2010; Ord. 1339D, passed 10-19-2011; Ord. 1339D-1, passed 4-10-2012; Ord. 1353G, passed 10-9-2012; Ord. 1364C, passed 9-30-2013; Ord. 1364C-1, passed 1-14-2014; Ord. 1364C-2, passed 1-14-2014; Ord. 1364C-3, passed 1-14-2014; Ord. 1364C-4, passed 1-14-2014; Ord. 1364C-5, passed 4-8-2014; Ord. 1264C-8, passed 5-13-2014; Ord. 1364C-6, passed 5-13-2014; Ord. 1264C-8, passed 6-10-2014; Ord. 1264C-9, passed 6-10-2014; Ord. 1264C-10, passed 6-10-2014; Ord. 1264C-11, passed 6-10-2014; Ord. 1264C-12, passed 6-10-2014; Ord. 1377D, passed 10-14-2014; 1377D-1, passed - - ; Ord. 1377D-2, passed 2-10-2015; Ord. 1377D-3, passed 2-10-2015; Ord. 1377D-4, passed 3-10-2015; Ord. 1377D-5, passed 4-14-2015; Ord. 1389C, passed 10-8-2015)

§ 39.04 EMPLOYEES; CERTIFIED LEVEL 2 INDIANA ASSESSOR APPRAISER.

(A) *Township and County Assessors, employees, Certified Level 2 Indiana Assessor Appraiser.* The schedule of payment of salary increases to township

and county assessors and employees of township and county assessors who become a Certified Level 2 Indiana Assessor Appraiser is incorporated herein by reference as if appearing in total.

(B) *Township Assessor; per diem.* When performing real property reassessment duties prescribed by I.C. 6-1.1-4, a Township Assessor shall receive per diem compensation in addition to a salary, at the rate of $50 per day.

(C) *County Assessor; per diem.* When performing real property reassessment duties prescribed by I.C. 6-1.1-4, a County Assessor shall receive per diem compensation in addition to a salary, a the rate of $50 per day.
(Ord. 1235B, passed 1-14-2003; Ord. 1235B-1, passed 2-10-2004; Ord. 1325A, passed 7-13-2010; Ord. 1326B, passed 8-10-2010)

§ 39.05 ATTRITION INCENTIVE.

The Lake County attrition incentive ordinance is incorporated herein by reference as if appearing in total.
(Ord. 1238A, passed 4-8-2003; Ord. 1353A, passed 10-9-2012)

§ 39.06 LONGEVITY PAY.

(A) The schedule of longevity pay listed below is adopted for all elected officials, all full-time county employees and all part-time county employees working at least 20 hours per week.

(B) The total amount of longevity pay shall be paid in the fourth quarter of the year and shall be calculated as follows:

(1) For full-time employment add the aggregate number of years completed as of December 31, 2015.

(2) For part-time employees add the consecutive years completed as of December 31, 2015. Prior years shall not count unless they are consecutive as of December 31, 2015.

(3) For former part-time employees who are hired as full-time employees, the years completed as prior part-time employees shall not count towards calculating longevity pay. This includes part-time employment which is consecutive with full-time employment.

Years Completed	*Amount*
5 Years	$220
10 Years	$320
15 Years	$440
20 Years	$620
25 Years	$920
30 Years and over	$1,220

(Ord. 1339E, passed 9-26-2011; Ord. 1353H, passed 10-9-2012; Ord. 1364D, passed 9-30-2013; Ord. 1377E, passed 10-14-2014; Ord. 1389D, passed 10-8-2015)

§ 39.07 PER DIEM EXPENSES.

The schedule for per diem expenses for County officials, department heads and Lake County agencies and their employees who travel on county business shall be as follows:

Breakfast	$10
Lunch	$15
Dinner	$25

(Ord. 1339G, passed 10-19-2011; Ord. 1353J, passed 10-9-2012; Ord. 1364F, passed 9-30-2013; Ord. 1389F, passed 10-8-2015)

§ 39.08 PAYROLL PAY CODES.

(A) Lake County establishes the pay codes listed in Exhibit A to Ordinance No. 1341G, and incorporated herein the same as if set out in full, for

Lake County departments of government to accurately reflect pay period activity of an employee.

(B) As of the date of this section, all Lake County departments shall use the pay codes in Exhibit A.
(Ord. 1341G, passed 12-21-2011)

§ 39.09 ELIGIBILITY FOR HEALTH BENEFITS.

(A) Lake County has the following types of full-time employees as this term relates to eligibility for heath care benefits:

(1) (a) A regular full-time employee is an employee who has completed his or her orientation period and who works on average at least 35 hours or more per week.

(b) The overwhelming majority of the full-time employees who work for Lake County fall within this classification.

(2) (a) A regular part-time employee is an employee who may be paid out of a regular full-time employee position but who is fact does not work at least 35 hours or more per week.

(b) These are employees who clearly work less than 35 hours per week but for budget purposes are placed in job classifications where the salary is based upon working 35 hours per week.

(3) (a) A statutory full-time employee is an employee who is paid out of a regular full-time employee position, who in fact may not work at least 35 hours per week, but who receives benefits by virtue of statute, reimbursement agreement with the state or federal government, or is an elected or appointed official or judge pursuant to the Indiana Constitution, or statute.

(b) These are employees who may work less than 35 hours per week but for budget purposes are placed in job classifications where the salary is based upon working 35 hours per week but for whom health benefits must be provided by statute or reimbursement funding agreements with the state or the federal government. This includes county elected or appointed officials or judges in a position created by the Indiana Constitution or state statute.

(B) For purposes of health care benefits, a regular full-time employee and a statutory full-time employee are eligible for health care benefits.

(C) A regular part-time employee is not eligible for health care benefits.

(D) Effective April 1, 2013, the Lake County plan for providing health benefits will not include benefits for regular part-time employees currently employed. The effective date for new employees hired after November 13, 2012 is the date of adoption, November 13, 2012.
(Ord. 1354A, passed 11-13-2012)

§ 39.10 PAYMENT OF COUNTY BENEFITS TO AN EMPLOYEE VACATING A COUNTY POSITION.

(A) Throughout the budget year county employees vacate county positions; and after termination of employment certain benefits and withholding (benefits), including but not limited to wages, vacation pay, federal, state and county withholding, and the like, based on the employment watts the county are due and owing.

(B) All Lake County offices and departments are restricted from hiring an employee to fill the vacancy until the benefits due to the employee vacating the position, and due various entices, are paid in full.

(C) All Lake County officers and departments shall notify the Lake County Payroll Department/Lake County Data Processing when the benefits due the employee vacating the position are paid in full, using the Employee Termination Record Form attached to Ord. 1352A-1, passed 11-13-2012 as Form A.

(D) The Lake County Payroll Department/Lake County Data Processing shall not pay the new county employee filing the vacancy until the Employee Termination Record Form, Form A is received from the county officer or department filling the vacancy. (Ord. 1352A, passed 9-11-2012; Ord. 1352A-1, passed 11-13-2012)

CHAPTER 40: ORDINANCE VIOLATION DEFERRAL PROGRAM

Section

40.01 Establishment
40.02 Eligibility
40.03 Application
40.04 Fees
40.05 Procedure
40.06 Implementation

§ 40.01 ESTABLISHMENT.

The Lake County Council hereby establishes a Lake County Ordinance Violation Deferral Program pursuant to I.C. 34-28-5-1, as amended from time to time, to be known as the Lake County Deferral Program.
(Ord. 1343E, passed 1-10-2012)

§ 40.02 ELIGIBILITY.

(A) *Moving violation.* An individual who has been issued a citation for a county ordinance moving traffic violation in the county shall be eligible to participate in the Lake County Deferral Program if the individual:

(1) Has not been charged with a moving traffic violation that is associated with property damage, personal bribery, or other related criminal charges;

(2) Has not been charged with any other moving violation in any state within the last year; and

(3) Has not been charged with an offense of speeding in excess of 30 miles per hour over the posted speed limit.

(B) *Building Code violation.* An individual or entity who has been issued a citation for a county ordinance building code violation shall be eligible to participate in the Lake County Deferral Program only if the individual or entity and the Lake County Attorney, with input from the Lake County Plan Commission, can within 30 days, reach an agreement to timely correct the violation.
(Ord. 1343E, passed 1-10-2012)

§ 40.03 APPLICATION.

An individual or entity who is eligible and seeks to participate in the Lake County Deferral Program (hereinafter applicant) shall complete the Lake County Deferral Program Application Agreement. The Lake County Police Department shall verify that the applicant is eligible for the Lake County Deferral Program for traffic offenses.
(Ord. 1343E, passed 1-10-2012)

§ 40.04 FEES.

(A) At the time of the application submission, the applicant shall pay the following:

(1) Current court costs and related fees, pursuant to the provisions of the Indiana Code, as amended from time to time;

(2) An initial user fee of $52; and

(3) Monthly user fee of $10 per month for each of the six months the applicant is in the Lake County Deferral Program.

(B) The total amount of the court costs and fees identified above shall be made payable to the Clerk, Lake Superior Court, in the form of a certified check, money order, or cashier's check. The fees paid by the applicant are non-refundable and shall not be applied to the fine in the event that the applicant fails to properly and successfully follow and complete the requirements of the Lake County Deferral Program. The court costs shall be distributed as required for traffic violations. Pursuant to I.C. 33-37-8-5(b)(6) the initial user fee and monthly user fees shall be deposited in the Lake County User Fee Fund, established pursuant to I.C. 33-37-8-5{a). The fees deposited shall be appropriated by the Lake County Council pursuant to I.C. 33-37-8-6, and used only for purposes listed in I.C. 33-37-8-6(b).
(Ord. 1343E, passed 1-10-2012)

Cross-reference:

Ordinance Violation Deferral Program Fund, § 37.149

§ 40.05 PROCEDURE.

(A) *Traffic*. The Police Department shall file the applicant's citation with the Lake County Court. After assignment of a cause number and at the next regularly scheduled Court date, the County Attorney shall file the executed Deferral Program Application Agreement in the Lake County Court together with the court costs and fees. The Police decadent shall review the applicant's driving record six months after the filing of the Agreement (hereinafter review period). In the event that no new moving traffic violations have been issued to the applicant the County Attorney shall dismiss the original moving traffic violation citation. In the event that the applicant has been issued a moving traffic violation citation within the review period, or otherwise does not comply with terms of the Lake County Deferral Program, the County Attorney shall institute further proceedings against the applicant based upon the original citation.

(B) *Building Code*. The Lake County Attorney and the Lake County Plan Commission Director shall review the applicant's efforts to correct the violation during the period allotted to correct it in the Agreement. If the violation is corrected, the Lake County Attorney shall dismiss the citation, in the event the violation is not corrected, the Lake County Attorney shall proceed with prosecution.
(Ord. 1343E, passed 1-10-2012)

§ 40.06 IMPLEMENTATION.

The Lake County Attorney, Police Department, and Clerk are hereby authorized to develop the appropriate forms and related materials necessary to facilitate the County Deferral Program.
(Ord. 1343E, passed 1-10-2012)

CHAPTER 41: INCOME TAX

Section

41.01 County Adjusted Gross Income Tax
41.02 Public Safety County Adjusted Gross Income Tax
41.03 County Economic Development Income Tax

§ 41.01 COUNTY ADJUSTED GROSS INCOME TAX.

(A) The Lake County Council hereby imposes a County Adjusted Gross Income Tax (CAGIT) on the taxpayers of Lake County, Indiana. The County Adjusted Gross Income Tax is imposed at the rate of 1% on the taxpayers of Lake County, Indiana, effective upon the date of passage.

(B) The tax revenues from the tax rate under this section shall be used to reduce all property tax levies imposed by the county by granting property tax replacement credits against those property tax levies.

(C) The Lake County Council's best estimate of the amount of property tax replacement credits to be provided to all property taxpayers as a result of this section is as follows:

(1) Homesteads: $34,726,000;

(2) Other residential property: $12,207,600;

(3) Industrial property: $10,621,300;

(4) Agricultural property: $1,341,800; and

(5) Commercial property: $31,103,300.

(E) Lake County Council acknowledges that some taxpayers in Lake County, Indiana who do not pay the tax rate under this section will receive a property tax replacement credit that is funded with tax revenues from the tax rate imposed herein. Notwithstanding this effect, the section is beneficial to all Lake County citizens who will have overall reduced property taxes.

(F) Revenues raised by the CAGIT pursuant to this section shall be deposited in the Lake County Property Tax Replacement Credit Fund for distribution.
(Ord. 1360A, passed 5-6-2013)

§ 41.02 PUBLIC SAFETY COUNTY ADJUSTED GROSS INCOME TAX.

(A) The Lake County Council hereby imposes a Public Safety County Adjusted Gross Income Tax on the taxpayers of Lake County, Indiana, at the rate of 0.25% effective on the date of passage.

(B) Lake County Council has imposed a property tax relief County Adjusted Gross Income Tax of 1%, and the Public Safety County Adjusted Income Tax does not exceed 0.25%.

(C) There is a financial need to provide a Public Safety County Adjusted Gross Income Tax.
(Ord. 1360B, passed 5-6-2013)

§ 41.03 COUNTY ECONOMIC DEVELOPMENT INCOME TAX.

(A) The Lake County Council hereby imposes the County Economic Development Income Tax (CEDIT) on the taxpayers of Lake County, Indiana. The County Economic Development Income Tax is imposed at a rate of 0.25% on the taxpayers of Lake County, Indiana, and is effective upon the date of passage.

(B) The County Economic Development Income Tax Rate plus the Lake County Adjusted Gross Income Tax does not exceed 1.25%.
(Ord. 1360D, passed 5-6-2013)

TITLE V: PUBLIC WORKS

Chapter

50. SEWERS

51. WASTEWATER MANAGEMENT

52. STORMWATER MANAGEMENT AND SEDIMENT CONTROL

CHAPTER 50: SEWERS

Section

General Provisions

50.01 Definitions
50.02 Depositing objectionable wastes on public and private property prohibited
50.03 Right of entry for inspections
50.04 Order to comply with regulations must be obeyed
50.05 Liability

Private Sewage Disposal Systems

50.15 Compliance
50.16 Connecting buildings to private sewage disposal system
50.17 Privies, private residential sewage disposal systems; construction, maintenance
50.18 Defects, correction by owner
50.19 Connecting private sewage disposal system to public sewer upon availability
50.20 New buildings, subdivisions to connect to public sewer if within reasonable cost

Permits

50.30 Required before construction, replacement, or repair of private sewage disposal system or privy; applications; fees
50.31 Effective upon approval of installation, replacement, or repair

Rates and Charges

50.45 Rates and charges for use
50.46 Connection charge
50.47 Billing and collection

Violations

50.60 Violation; written notice

50.99 Penalty

GENERAL PROVISIONS

§ 50.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CLOSELY BUILT-UP AREAS. Any areas situated outside the corporate limits of any city or town upon which areas are located either residential or business buildings. However, it shall not include any tract of land situated outside the corporate limits of any city or town, consisting of ten acres or more and upon which tract of land is located only one building, which building is used for residential purposes, provided that, it shall not include any tract of land situated outside the corporate limits of any city or town which tract of land is used for farming or agricultural purposes.

COMBINED SEWER. A sewer receiving both surface water runoff and sewage.

PERSON. Any individual, firm, or corporation.

PRIVATE SEWAGE DISPOSAL SYSTEM. Any sewage disposal system not constructed, installed, maintained, operated, and owned by a municipality or a taxing district established for that purpose.

PUBLIC SEWER. Any sewer constructed, installed, maintained, operated, and owned by a municipality or a taxing district established for that purpose. A county sewer installed for the purpose of carrying surface water runoff and subsoil drainage shall not be considered a public sewer under this definition.

SANITARY SEWER. A sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

SEWAGE. Any combination of human excreta and waste water from water closets, laundries, sinks, bathing facilities, and other objectionable waste waters.

SEWAGE DISPOSAL SYSTEM. Any arrangement of devices and structures used for receiving, treating, and disposing of sewage.

SEWER. A pipe or conduit for carrying sewage.
(Prior Code, § 50.01) (Ord. 3, passed 9-26-1955)

§ 50.02 DEPOSITING OBJECTIONABLE WASTES ON PUBLIC AND PRIVATE PROPERTY PROHIBITED.

It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner upon public or private property within the county, or in any area under the jurisdiction of the county, excrement, or sewage.
(Prior Code, § 50.02) (Ord. 3, passed 9-26-1955)
Penalty, see § 50.99

§ 50.03 RIGHT OF ENTRY FOR INSPECTIONS.

After obtaining an inspection warrant in accordance with I.C. 36-7-9-16 the County Health Officer or his or her agent bearing proper credentials and identification shall be permitted to enter upon all properties at the proper time for the purpose of inspection, observation, measurement, sampling, and testing necessary to carry out the provisions of this chapter and/or those of I.C. 36-7-9.
(Prior Code, § 50.03) (Ord. 3, passed 9-26-1955)

§ 50.04 ORDER TO COMPLY WITH REGULATIONS MUST BE OBEYED.

After receiving an order in writing from the County Board of Health or the duly appointed Health Officer, the owner, agent of the owner, the occupant, or agent of the occupant of the property shall comply with the provisions of this chapter set forth in that order, and within the time limit included therein. The order shall be served on the owner and the occupant or on the agent of the owner, but may be served on any person who, by contact with the owner, has assumed the duty of complying with the provisions of an order.
(Prior Code, § 50.04) (Ord. 3, passed 9-26-1955)

§ 50.05 LIABILITY.

Any person violating any of the provisions of this chapter shall become liable to the county for any expense, loss, or damage occasioned the county by reason of a violation.
(Prior Code, § 50.05) (Ord. 3, passed 9-26-1955)

PRIVATE SEWAGE DISPOSAL SYSTEMS

§ 50.15 COMPLIANCE.

Where a public sanitary or combined sewer is not available all persons owning or leasing property in closely built-up areas shall comply with the following provisions of this chapter for private sewage disposal systems.
(Prior Code, § 50.15) (Ord. 3, passed 9-26-1955) Penalty, see § 50.99

§ 50.16 CONNECTING BUILDINGS TO PRIVATE SEWAGE DISPOSAL SYSTEM.

At any business building situated within the county where there is installed a sewage disposal system which is not connected to a public sewer system, and no public sewer system is available, there shall be established, a private sewage disposal system which shall comply with the standards of the State Board of Health as contained in Bulletin S.E. 13 of the State Board of Health and including but not limited to compliance with 410 I.A.C. 6-10. Copies of Bulletin S.E. 13 are herewith incorporated by reference as part of this section and the copies are filed in the office of the County Auditor and County Health Officer for public inspection.
(Prior Code, § 50.16) (Ord. 3, passed 9-26-1955)

§ 50.17 PRIVIES, PRIVATE RESIDENTIAL SEWAGE DISPOSAL SYSTEMS; CONSTRUCTION, MAINTENANCE.

(A) At any business building situated within the county where there is installed a privy, the privy shall be of the sanitary type and shall be constructed and maintained in a clean condition so that insects and rodents cannot enter the vault. Any privy shall be located properly to protect water supplies from contamination.

(B) All private residential sewage disposal systems and privies shall be installed, constructed, and maintained in an approved manner as required by the State Board of Health including but not limited to compliance with 410 I.A.C. 6-8.1.
(Prior Code, § 50.17) (Ord. 3, passed 9-26-1955)

§ 50.18 DEFECTS, CORRECTION BY OWNER.

(A) Should any defect exist or occur in any private sewage disposal system or privy which would cause the sewage disposal system or privy to fail to meet the requirements in §§ 50.16 and 50.17, and cause an insanitary condition, the defect shall be corrected immediately by the owner or agent of the owner, occupant, or agent of the occupant. Failure to do so shall be subject to the penalties prescribed in § 50.99.

(B) A defective operating or inoperable private sewage disposal system must be repaired or replaced in an approved manner as required for initial construction of a private sewage disposal system as required by the State Board of Health including but not limited to 410 I.A.C. 6-8.1.
(Prior Code, § 50.18) (Ord. 3, passed 9-26-1955; Ord. 29, passed 7-7-1975) Penalty, see § 50.99

§ 50.19 CONNECTING PRIVATE SEWAGE DISPOSAL SYSTEM TO PUBLIC SEWER UPON AVAILABILITY.

Wherever a public combined or sanitary sewer becomes available and is within 100 feet of the property line of the residential or business property, served by a private sewage disposal system or privy, situated within the county, a direct connection shall be made to the sewer. Any septic tanks, seepage pits, outhouses, privy pits, and similar sewage disposal and treatment facilities shall be abandoned and filled in a safe and sanitary manner.
(Prior Code, § 50.19) (Ord. 3, passed 9-26-1955)

§ 50.20 NEW BUILDINGS, SUBDIVISIONS TO CONNECT TO PUBLIC SEWER IF WITHIN REASONABLE COST.

Whenever a new business building or subdivision is developed in an area where a public combined or sanitary sewer is available, a connection shall be made to the sewer if the connection can be made at a reasonable cost.
(Prior Code, § 50.20) (Ord. 3, passed 9-26-1955)

PERMITS

§ 50.30 REQUIRED BEFORE CONSTRUCTION, REPLACEMENT, OR REPAIR OF PRIVATE SEWAGE DISPOSAL SYSTEM OR PRIVY; APPLICATIONS; FEES.

(A) Before commencement of construction of a private sewage disposal system or privy, the owner, or agent of the owner shall first obtain a written permit signed by the County Health Officer. The application for the permit shall be made on a form provided by the county, which the applicant shall supplement with any plans, specifications, and other information as are deemed necessary by the County Health Officer. A permit and inspection fee in accordance with the fee schedule shall be paid to the County Treasurer at the time application is filed.

(B) Before commencement of construction of a replacement private sewage disposal system, one which is designed to replace an existing but inoperable private sewage disposal system, the owner, or agent of the owner shall first obtain a written permit signed by the County Health Officer or his or her duly authorized agent. The application for the permit shall be made on a form provided by the county, which the applicant shall supplement with any plans, specifications, and other information as are deemed necessary by the County Health Officer. A permit and inspection fee of $35 shall be paid to the County Treasurer at the time the application is filed.

(C) Before commencement of repair or alteration of an existing but defective operating or inefficient private sewage disposal system, the owner, or agent of the owner shall first obtain a written permit, signed by the County Health Officer or his or her duly authorized agent. The application for the permit shall be made on a form provided by the county, which the applicant shall supplement with any plans, specifications, and other information as are deemed necessary by the County Health Officer. A permit and inspection fee of $35 shall be paid to the County Treasurer at the time the application is filed.
(Prior Code, § 50.30) (Ord. 3, passed 9-26-1955; Ord. 29, passed 7-7-1975) Penalty, see § 50.99

§ 50.31 EFFECTIVE UPON APPROVAL OF INSTALLATION, REPLACEMENT, OR REPAIR.

(A) A permit for a private sewage disposal system or privy shall not become effective until the installation is completed to the satisfaction of the County Health Officer. He or she, or his or her agent, shall be allowed to inspect the work at any state of construction and, in any event, the applicant for the permit shall notify the County Health Officer when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the County Health Officer.

(B) A permit for replacement, alteration, or repair of a private sewage disposal system shall not become effective until the installation, alteration, or repair is completed to the satisfaction of the County Health Officer. He or she, or his or her duly authorized agent, shall be allowed to inspect the work at any stage of the installation or repair and, in any event the applicant for the permit shall notify the County Health Officer when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the County Health Officer.
(Prior Code, § 50.31) (Ord. 3, passed 9-26-1955; Ord. 29, passed 7-7-1975)

RATES AND CHARGES

§ 50.45 RATES AND CHARGES FOR USE.

For the use of and the service rendered by the sewage works, rates and charges shall be collected from the owners of each and every lot, parcel of real estate or building that is connected to the wastewater treatment plant of the City of Crown Point, Indiana, the monthly charge for all users shall be $86 for regular service. Sewage service bills shall be rendered once each month (or period equaling a month).
(Ord. 1204H, passed 6-27-2000; Ord. 1204H-1, passed 6-9-2015)

§ 50.46 CONNECTION CHARGE.

The owner of any lot, parcel of real estate or building connecting to the project shall, prior to being permitted to make a connection, shall pay a connection tap-in fee in the amount of $1,920. The user may also pay the tap-in fee of $1,920 at a rate of $32 per month for 60 months. The owner who chooses to pay the $32 per month option shall combine the payment with the $86 per month for regular service, bringing the monthly residential sewer rate to $118 per month. The County Council now finds such connection charge to be a reasonable and equitable pro rata cost of the project adequate to serve the property owners and so connecting to the system operated by the City of Crown Point. The new monthly fee of $86 and the new monthly tap-in fee of $32 per month shall not begin until a sewage connection line has been completed between the City of Crown Point and the Lake County Hermits Lake sewer line and the City of Crown Point has agreed to begin accepting the Hermits Lake wastewater. Prior to the connection and agreement, the current sewer rate of $69.71 per month will be the applicable rate.
(Ord. 1204H, passed 6-27-2000; Ord. 1204H-1, passed 6-9-2015)

§ 50.47 BILLING AND COLLECTION.

The rates and charges shall be prepared, billed and collected by the county, or its designee, in the manner provided by law and ordinance.

(A) The rates and charges may be billed to the tenant or tenants occupying the properties served, unless otherwise requested in writing by the owner, but the billing shall, in no way, relieve the owner from the liability in the event payment is not made as herein required. The owners of properties served, which are occupied by a tenant or tenants, shall have the right to examine the collection records of the county for the purpose of determining whether bills have been paid by the tenant or tenants, provided that the examination shall be make at the office at which the records are kept and during the hours that the office is open for business.

(B) All rates and charges not paid when due are hereby declared to be delinquent and a penalty of 10% of the amount of the rates or charges shall thereupon attach thereto. The time at which the rates or charges shall be paid is now fixed at 15 days after the date of mailing of the bill.
(Ord. 1204H, passed 6-27-2000)

VIOLATIONS

§ 50.60 VIOLATION; WRITTEN NOTICE.

Any person found to be violating §§ 50.01 *et seq.*, 50.15 *et seq.*, 50.30 and 50.31 shall be served by the County Board of Health or the duly appointed Health Officer, with a written order stating the nature of the violation and providing a time limit for satisfactory correction thereof.
(Prior Code, § 50.98) (Ord. 3, passed 9-26-1955)

§ 50.99 PENALTY.

(A) A violation of any provision of this chapter for a penalty is not set out is subject to § 10.99

(B) Any person who shall continue any violation of §§ 50.01 *et seq.*, 50.15 *et seq.*, 50.30 and 50.31 beyond the time limit provided for in § 50.60 shall be guilty of a punishable offense. Upon conviction, the violator shall be punished for the first offense by a fine of not more than $500; for the second offense by a fine of not more than $2,500; and for the third and each subsequent offense by a fine of not more than $2,500. Each day after the expiration of the time limit for abating insanitary conditions and completing improvements to abate those conditions as ordered by the County Board of Health, or by the duly appointed Health Officer of the county, shall constitute a distinct and separate offense.
(Prior Code, § 50.99) (Ord. 3, passed 9-26-1955)

CHAPTER 51: WASTEWATER MANAGEMENT

Section

Location of Wastewater Disposal Sites

51.01 Definitions
51.02 Permits, notices, fees, forms
51.03 Land wastewater disposal site operator fee
51.04 Land wastewater disposal site locations
51.05 Violations
51.06 Enforcement

Wells

51.20 Purpose
51.21 Definitions

51.99 Penalty

LOCATION OF WASTEWATER DISPOSAL SITES

§ 51.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPLICATOR. A land wastewater disposal site operator and its employees, or a person who applies wastewater to land.

APPROVAL. Written authorization from the Lake County Health Department.

DEEP INCORPORATION. Land application by subsurface injection or a furrow placement cover operation which incorporates the wastewater into the soil simultaneously with, or immediately following, application.

PERMIT. Written approval of the Lake County Health Department to apply wastewater to a wastewater disposal site or land.

SHALLOW INCORPORATION. Land application by surface spreading of wastewater followed by plowing, disking, or harrowing within 24 hours of application.

SITE. A wastewater disposal site or land where wastewater is being applied by an applicator.

SURFACE SPREADING. Land application by uniform distribution of wastewater on the ground surface which relies on the natural infiltrative or assimilative capacity of the soil for incorporation.

TRENCH BURIAL. Disposal of wastewater into prepared trenches which are subsequently covered with earth.

WASTEWATER. Human excreta, water, scum, sludge, and sewage from sewage disposal systems, retained contents of wastewater holding tanks or portable sanitary units, grease, fats, and retained wastes from grease traps, or interceptors, liquid wastes from ordinary living processes and incidental or accidental seepage from sewage disposal systems, such as septic tanks, wastewater holding tanks,

sewage pits, cesspools, privies, facilities, or devices used to store, treat, render in offensive or dispose of human excrement or liquid wastes of a domestic nature.
(Prior Code, § 51.01) (Ord. 1040A, passed 10-13-1987)

§ 51.02 PERMITS, NOTICES, FEES, FORMS.

(A) Any applicator, land owner or land tenant wishing to apply wastewater in a new or already existing wastewater disposal site, by any method including those named in § 51.01 must first obtain a permit from the Lake County Health Department.

(B) Each request for a permit shall be accompanied by a $100 approval fee, paid to the Lake County Health Department and deposited in the Lake County Health Department Fund. The permit shall be valid for one year, except that all permits shall expire on the last day of February of the following year. All continuing sites shall require a new permit each year and the permit shall be applied for by February 1 of the current year.

(C) Any individual or entity requesting a permit for a land wastewater disposal site must notify all property owners and residents within one-half mile of the proposed or existing site. The notice shall be by certified mail with proof of service. Failure to serve proof of notice upon the Lake County Board of Health within 30 days after filing for the permit shall automatically result in denial of the permit and forfeiture of the permit application fee.

(D) The Lake County Health Department shall list all requirements for the permit pursuant to current Indiana and federal law.

(E) The Lake County Health Department shall provide all forms necessary to obtain the permit.
(Prior Code, § 51.02) (Ord. 1040A, passed 10-13-1987) Penalty, see § 51.99

§ 51.03 LAND WASTEWATER DISPOSAL SITE OPERATOR FEE.

(A) The applicator of a land wastewater disposal site shall pay $.05 for each gallon of wastewater applied. This fee shall be paid within 14 days of the application of the wastewater. This fee shall be paid to the Lake County Health Department and deposited into the Lake County Health Department Fund.

(B) The applicator of a land wastewater disposal site shall keep records detailing the number of gallons of wastewater collected and disposed of by him or her. These records shall include but are not limited to the following:

(1) Copies of customer invoices which will state the number of gallons of wastewater collected and the dates; and

(2) Copies of invoices from sewage treatment plant which have received sewage from the land wastewater disposal site operator detailing the amounts of sewage disposed of and the dates.
(Prior Code, § 51.03) (Ord. 1040A, passed 10-13-1987) Penalty, see § 51.99

§ 51.04 LAND WASTEWATER DISPOSAL SITE LOCATIONS.

(A) No land wastewater disposal site shall be located within one-half mile of any area with a unit density greater than five-one-hundredths.

(B) An applicator has a duty to monitor the unit density within one-half mile of each land wastewater disposal site which it or he or she operates.

(C) Where during the operation of a land wastewater disposal site the unit density of the area within one-half mile of the site exceeds five-one-hundredths, the permit given to the applicator shall automatically terminate and become null and void.
(Prior Code, § 51.04) (Ord. 1040A, passed 10-13-1987) Penalty, see § 51.99

§ 51.05 VIOLATIONS.

No applicator shall apply wastewater to a wastewater disposal site in any manner, including those listed in § 51.01 without first possessing a current Indiana waste management permit, an Indiana wastewater management vehicle license, a property owner's statement, as may be required by state law, and a wastewater permit required by this subchapter.
(Prior Code, § 51.05) (Ord. 1040A, passed 10-13-1987) Penalty, § 51.99

§ 51.06 ENFORCEMENT.

The enforcement of this subchapter shall be by the County Health Commissioner of the County Board of Health, or his or her authorized representative, who shall report all violations to the office of the Lake County Attorney for prosecution.
(Prior Code, § 51.06) (Ord. 1040A, passed 10-13-1987)

WELLS

§ 51.20 PURPOSE.

The purpose of this subchapter is to disallow any type of sludge and wastewater product application to areas which are dependent on wells for the human water supply.
(Prior Code, § 51.20) (Ord. 1017A, passed 1-14-1986)

§ 51.21 DEFINITIONS.

(A) For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

COMMERCIAL FARM LAND. Land being used for purpose of growing crops for human consumption and animal feed for animals whose products are consumed by humans, to be sold in the market place in the normal course of business.

LAND APPLICATION OPERATION. An operation in which sludge, waste products or wastewater products generated by industrial, municipal, or semi-public facilities are disposed of by application upon or incorporation into the soil. A ***LAND APPLICATION OPERATION*** does not include the operation of a landfill or an open dump as those terms are commonly understood.

SLUDGE. Any solid, semi-solid, or liquid waste generated from a municipal, commercial or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility exclusive of the treatment effluent from a wastewater treatment plant.

WASTEWATER PRODUCT. Materials which are not considered sludge or wastewater under these rules but are generated as waste and production processes.

(B) The application of sludge or wastewater products in a land application operation to commercial farmland in areas which are dependent on wells for human water supply is prohibited.
(Prior Code, § 51.21) (Ord. 1017A, passed 1-14-1986)

§ 51.99 PENALTY.

(A) For a violation of any provision of this chapter for which a penalty is not already applied, that violation shall be subject to § 10.99.

(B) For each violation of § 51.05 there is imposed a fine of $500.

(C) (1) No applicator convicted of more than one violation of §§ 51.01 through 51.06 during any 12-month period shall be given approval to operate a land wastewater disposal site in the county before the anniversary of the last conviction.

(2) An applicator with approval to operate a land wastewater disposal site in the county shall automatically lose all such approval upon its or his or her second conviction for violating §§ 51.01 through 51.06.

(Prior Code, § 51.99) (Ord. 1040, passed 10-13-1987)

CHAPTER 52: STORMWATER MANAGEMENT AND SEDIMENT CONTROL

Section

52.01 Stormwater management and clean water regulations, adoption

§ 52.01 STORMWATER MANAGEMENT AND CLEAN WATER REGULATIONS, ADOPTION.

The stormwater management and clean water regulations (of 2013) ordinance is adopted herein by reference as if appearing in total. Two copies of the same shall be filed in the office of Lake County Health Department for public inspection.
(Ord. 1274A, passed 4-11-2006; Ord. 1365C, passed 10-8-2013)

TITLE VII: TRAFFIC CODE

Chapter

70. TRAFFIC RULES

71. TRAFFIC SCHEDULES
72. PARKING SCHEDULES

CHAPTER 70: TRAFFIC RULES

Section

General Provisions

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GENERAL PROVISIONS

§ 70.01 TITLE.

This chapter shall be known as the Lake County Traffic Control Chapter.
(Prior Code, § 70.01) (Ord. 1035A, passed 7-15-1987)

§ 70.02 APPLICABILITY.

The provisions of this chapter shall apply to the public roads and highways in the unincorporated areas of the county, provided that the provisions hereof do no conflict with Indiana statutes.
(Prior Code, § 70.02) (Ord. 1035A, passed 7-15-1987)

§ 70.03 DEFINITIONS.

The definitions of terms as prescribed in I.C. 9-13-2 are adopted as the definitions of terms under this chapter.
(Prior Code, § 70.03) (Ord. 1035A, passed 7-15-1987)

§ 70.04 STATUTORY PROVISIONS INCORPORATED.

The provisions of I.C. 9-21-1-3, concerning the powers of local authorities with respect to streets and highways under their jurisdiction, and provisions of I.C. 9-21-4-3 concerning local traffic control devices are hereby incorporated into this chapter.
(Prior Code, § 70.04) (Ord. 1035A, passed 7-15-1987)

§ 70.05 COMPLIANCE REQUIRED.

It is unlawful for any person to do any act forbidden or fail to perform an act required by this chapter.
(Prior Code, § 70.05) (Ord. 1035A, passed 7-15-1987) Penalty, see § 70.99

§ 70.06 OBEDIENCE TO SIGNS AND DEVICES.

No driver of a vehicle shall disobey the instructions of any official traffic-control device or sign established or ratified in accordance with the provisions of this chapter, unless at the time otherwise directed by a police officer.
(Prior Code, § 70.06) (Ord. 1035A, passed 7-15-1987) Penalty, see § 70.99

§ 70.07 ADOPTION OF EXISTING SIGNS AND DEVICES.

All traffic-control devices and signs and speed limit signs heretofore erected and now existing are adopted as traffic-control signs and devices and speed limits in the county, and no driver of a vehicle shall disobey the instructions of the traffic-control devices or signs and the speed limit signs.
(Prior Code, § 70.07) (Ord. 1035A, passed 7-15-1987) Penalty, see § 70.99

§ 70.08 ERECTION OF ADDITIONAL SIGNS AND DEVICES.

Traffic-control signs or devices and speed limits hereafter erected by ordinance of County Council shall control traffic after the erection thereof, and no driver of a vehicle shall disobey the instructions of the traffic-control signs or devices of the speed limits.
(Prior Code, § 70.08) (Ord. 1035A, passed 7-15-1987) Penalty, see § 70.99

§ 70.09 PRESUMPTION OF SIGN ESTABLISHMENT AUTHORITY.

All traffic-control signs, devices, or speed limits existing in the county now or hereafter shall be presumed to be established by authority of the County Council unless the contrary is established.
(Prior Code, § 70.09) (Ord. 1035A, passed 7-15-1987)

§ 70.10 PROOF OF SIGN OR DEVICE EXISTENCE.

Proof of existence of a traffic-control sign, device, or speed limit at the time of the adoption of this chapter shall establish its existence under the proper authority, provided that other proof may also be provided.
(Prior Code, § 70.10) (Ord. 1035A, passed 7-15-1987)

§ 70.11 CARELESS DRIVING.

No person shall operate a motor vehicle upon the public streets or highways of the unincorporated areas of the county with careless disregard for or indifferent lack of attention to surrounding conditions and circumstances, and/or resulting in damage to property or in bodily injury to any person.
(Prior Code, § 70.11) (Ord. 1035A, passed 7-15-1987) Penalty, see § 70.99

§ 70.12 PARKING OF VEHICLES ON STREETS OR HIGHWAYS AFTER SNOWFALL.

(A) It shall be unlawful and a violation of this chapter for any person, persons, firm, or corporation to park any vehicle upon the paved portion of any street or highway maintained by the county at any time within 12 hours after snowfall of two inches or more has occurred.

(B) As used in this chapter, ***PAVED PORTION OF ANY STREET OR HIGHWAY*** shall mean that portion of a street or highway which has been either paved or improved for use by motor vehicles with concrete, asphalt, limestone, gravel, slag, cinders, or other similar materials or combinations thereof.

(C) (1) The County Sheriff's Department and all members thereof are hereby authorized to remove and tow away, or have removed and towed away by commercial towing services any vehicle parked in violation of this chapter.

(2) Vehicles so towed away shall be restored to the owner or operator of the vehicle upon payment of a fee of $25 to the County Clerk within 24 hours after the time the vehicle was removed (48 hours on weekends), plus $25 for each additional 24 hours or fraction thereof.

(3) Any and all fees incurred by the towing service for the removal of the vehicle shall be paid by the owner or operator of the vehicle and a release for same procured from the County Police Department.
(Prior Code, § 70.12) (Ord. 1035A, passed 7-15-1987) Penalty, see § 70.99

§ 70.13 FAIRGROUNDS.

(A) All operators of motorized vehicles, while in the confines of the fairgrounds, shall obey all Indiana motor vehicle laws and shall be prohibited from exceeding the posted speed limit now established at 15 mph. Violators will be subject to fines and prosecution all in accordance with I.C. 36-1-6-3.

(B) Vehicles parked in such a manner as to block entrances to buildings, block fire hydrants, obstruct roadways for emergency vehicles, cause damage to fairground property or parked in such a manner as to violate any posted sign regulation or parking law shall be subject to being towed at owner's expense, by order of the fairgrounds security officer or superintendent.
(Prior Code, § 70.13) (Ord. 1110B, passed 10-13-1992; Ord. 1110C, passed 10-13-1992) Penalty, see § 70.99

ADMINISTRATION AND ENFORCEMENT

§ 70.25 NOTICE OF VIOLATION.

(A) The Sheriff's Department shall enforce the provisions of this chapter. Whenever a member of the County Sheriff's Department or other person charged with the enforcement of this chapter finds that any section or sections are being or have been violated by the owner or operator of any vehicle, he or she shall notify the owner or operator of the vehicle, in writing on a form to be provided by the county, of the violation.

(B) The notice shall:

(1) Be made in triplicate;

(2) Show the specific violation charged;

(3) Show the registration or state license number of the vehicle involved;

(4) Show the violator's name, address, and operator's license number, if possible to obtain the same; and

(5) State any other information which the officer may then and there discover.
(Prior Code, § 70.20) (Ord. 1035A, passed 7-15-1987)

§ 70.26 REQUIREMENT OF APPEARANCE.

One copy of the notice shall be presented to the violator, owner, or operator of the vehicle. In case the violator, owner, or operator shall not be in possession of, present or in charge of the vehicle, the posting of the notice or the attachment thereof to a conspicuous place on the vehicle shall be deemed a sufficient notice of the violation. The notice shall require the notified person to appear within 48 hours, at the hour specified in the notice of the County Clerk. The officer or person serving the notice shall file the duplicate copy in the office of the County Sheriff's Department and County Clerk's office.
(Prior Code, § 70.21) (Ord. 1035A, passed 7-15-1987)

§ 70.27 FEE PAYMENT.

The owner or operator who has been notified of a violation of the regulations as provided in this chapter, may, within 48 hours of being notified pay the Clerk the fee in settlement of the charge of violation, unless it appears by rule or order of the County Clerk that the Clerk is not permitted to accept the fee in settlement of the charge of violation..
(Prior Code, § 70.22) (Ord. 1035A, passed 7-15-1987)

§ 70.28 FAILURE TO APPEAR.

Whenever any person who has been issued a notice as provided in this section fails or refuses to appear within 48 hours after service of the notice at the Clerk of the County Court or having appeared, fails to or refuses to pay the Clerk the fee in settlement of the charge of violation, or it appears by rule or order of the County Clerk that the Clerk is not permitted to accept the fee in settlement of the charge of violation, then the Clerk shall notify the violator that it will be necessary for him or her to appear in court at a designated time and place to answer as to the charge against him or her or a warrant of arrest will be issued.
(Prior Code, § 70.23) (Ord. 1035A, passed 7-15-1987)

SPEED LIMITS

§ 70.40 EXCEEDING SPEED LIMITS PROHIBITED.

No person shall drive a vehicle on a road or highway at a speed greater than the posted speed limit as heretofore or hereafter established from time to time by the county in accordance with law.
(Prior Code, § 70.30) (Ord. 1035A, passed 7-15-1987) Penalty, see § 70.99

§ 70.41 SPEED LIMITS DESIGNATED.

In accordance with I.C. 9-21-5:

(A) A person may not drive a vehicle at a speed greater than is responsible and prudent under the conditions, having regard to the actual and potential hazards then existing. Speed shall be restricted as necessary to avoid colliding with a person, vehicle or other conveyance on, near, or entering a highway in compliance with legal requirements and with the duty of all persons to use due care.

(B) Except when a special hazard exists that requires lower speed for compliance with division (A) above, in the absence of any posted speed limit sign, a person may not drive a vehicle at a speed in excess of the following maximum limits:

(1) Fifteen m.p.h. in any alley;

(2) Thirty m.p.h. in any urban district not an alley;

(3) Fifty-five m.p.h. in any nonurban district not an alley.

§ 70.42 ESTABLISHMENT OF URBAN AREAS.

The Board of County Commissioners, upon the advice and report of the County Highway Engineer, shall have the duty and responsibility of designating those areas within the county which shall, for the

purpose of this chapter, be considered as an urban district, pursuant to the guidelines therefor established in I.C. 9-21-5-6.
(Prior Code, § 70.32) (Ord. 1035A, passed 7-15-1987)

§ 70.43 MODIFICATIONS.

In the event that the Board of County Commissioners, upon the advice and engineering report of the County Highway Engineer, and a traffic investigation by the County Sheriff as required by I.C. 9-21-5-6 and 9-21-5-8, shall determine that the maximum speed provided by this chapter is greater or less than reasonable and safe under the conditions found to exist on a county road or street, the Board of County Commissioners, upon advice of the County Highway Engineer and County Sheriff, shall alter the prima facie statutory speed limit pursuant to I.C. 9-21-5-6; however, in no event shall the maximum speed of any county road or street, or part thereof, exceed 55 mph.
(Prior Code, § 70.33) (Ord. 1035A, passed 7-15-1987)

STOPPING, STANDING AND PARKING

§ 70.55 PARKING ON A TRAVELED PORTION OF ROAD RESTRICTED.

No person shall park or stop a motor vehicle on the traveled portion of any roadway or highway except in compliance with a traffic-control device or in compliance with the instructions of a law enforcement officer, or in preparation of turning his or her motor vehicle off the traveled portion of the highway or onto another highway, or in case of emergency per I.C. 9-21-16-1.
(Prior Code, § 70.40) (Ord. 1035A, passed 7-15-1987) Penalty, see § 70.99

§ 70.56 PARKING ON SIDE OF ROAD RESTRICTED.

No person shall park a vehicle on the side of the traveled portion of any highway or road, except in a residential area where the paved portion of the road is not less than 26 feet in width, or except in case of emergency; provided that no person shall be deemed to have violated this provision unless a no parking sign or signs have been erected in the immediate vicinity of the violation, or unless a driver has failed to move a parked vehicle after being advised of the violation by a police officer, per I.C. 9-21-16-3.
(Prior Code, § 70.41) (Ord. 1035A, passed 7-15-1987) Penalty, see § 70.99

§ 70.99 PENALTY.

The Lake County Council establishes the following schedule of fines for violations of the Lake County traffic code:

(A) Moving violations: $100 - $2,500.

(B) Non-moving violations: $50 - $2,500.
(Ord. 1343F, passed 1-10-2012)
Cross-reference:
Ordinance violation deferral program, Ch. 40

CHAPTER 71: TRAFFIC SCHEDULES

Schedule

I. Speed limits
II. Stop intersections
III. No turn on red
IV. Gross load limits

SCHEDULE I. SPEED LIMITS.

(A) The speed limit on the following streets shall be as posted.

Street	*Location*	*MPH*	*Ord. No.*	*Date/Date Passed*
King Dr.	From 250th Ave. south to end of road		–	6-21-2000
Reeder St.	St. John Township north of 101st Ave.	10	–	11-18-1968
250th Ave.	From east of King Dr. to west of King Dr.	10	–	6-21-2000

(B) The speed limit on the following streets is 20 mph.

Street	*Location*	*Ord. No.*	*Date/Date Passed*
Ainsworth Rd.	South to end of subdivision	–	8-11-1987
Arthur St.	From W. 45th Ave. to W. 47th Ave.	–	6-9-1992
Bell Ln.	From Bell St. to 85th Pl.	–	12-31-1990
Bell St.	From Bell Ln. to 86th Pl.	–	12-31-1990
Bell St.	From 85th Ave. to 85th Pl.	–	12-31-1990
Bell St.	From 85th Ct. to 85th Pl.	–	12-31-1990
Bell St.	From 85th Pl. to Bell Ln.	–	12-31-1990
Bell St.	From 85th Pl. to 85th Ave.	–	12-31-1990
Bell St.	From 86th Pl. to 86th Ct.	–	12-31-1990

Street	*Location*	*Ord. No.*	*Date/Date Passed*
Bell St.	From 86th Ct. to 86th Pl.	–	12-31-1990
Bell St.	From 86th Ct. to 87th Ave.	–	12-31-1990
Bell St.	From 87th Ave. to 86th Ct.	–	12-31-1990
Bell St.	S.R. 231 (W. 109th Ave.) through entire subdivision	–	12-31-1990
Buchanan St.	In the Town of Shelby	–	8-4-1969
Calhoun St.	From Ridge Rd. to 45th Ave.	–	9-11-1969
Clark (Road H)	500 feet north and 500 feet south of State Rd. 2 (181st Ave.) school zone	–	8-18-1969
Clay Street	From E. 217th Avenue to Kankakee River Bridge #2	1385D	6-9-2015
Cline Ave.	Inside High Point Acres Subdivision	–	7-28-1969
Colfax St.	From 87th Ave. to 93rd Ave.	–	5-1-1989
Dalecarlia Fairways Subdivision	All existing roads	–	8-31-1993
Dalecarlia Subdivision	All existing roads in blocks 1 through 52	–	8-31-1993
Dewey St.	From W. 87th Ave. to W. 85th Ave.	–	8-24-1970
Durbin St.	From W. 77th Pl. to W. 78th Ln.	–	11-1-1971
Durbin St.	From 153rd Ave. south to 155th Ave.	–	12-9-1974
Elkhart St. (Road K)	From St. Rt. #8 and #53 to 145th Ave. (H-6)	–	5-19-1969
Ellsworth Ct.	South of 57th Pl.	–	10-21-1968
Ellsworth St.	From 57th Pl. south to 58th Pl.	–	10-21-1968
Fairbanks Ct.	From 86th Pl. to 86th Ct.	–	12-31-1990
Fairbanks St.	From 23rd Ave. south to 27th Ave.	–	6-2-1969
Fairbanks St.	From 85th Ave. to 86th Ct.	–	1-12-1993
Fillmore St.	In the Town of Shelby	–	8-4-1969
Garfield St.	From 45th to 47th	–	9-9-1974
Hanley Pl.	From W. 78th Ave. to W. 78th Ln.	–	11-1-1971
Hanley St.	From W. 77th Pl. to W. 78th Ln.	–	11-1-1971
Hanley St.	From St. Rt. 231 (W. 109th Ave.) to north end of road	–	5-13-1991
Hovey St.	From 154th Ave. south to 154th Pl.	–	

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Street	*Location*	*Ord. No.*	*Date/Date Passed*
Idaho St.	From 75th Ave. to 78th Pl.	–	9-9-1974
Indiana St. (Clay St.)	From St. Rt. #8 and #53 to 145th Ave. (H-6)	–	5-19-1969
Jefferson St.	North from 61st Ave. to 59th Ave.	–	3-24-1969
Kansas St.	From Rt. 6 (Ridge Rd.) to 36th Ave. (school zone)	–	4-27-1970
Kentucky Pl.	From E. 61st Ave. south to E. 64th Pl.	–	5-25-1970
Lee St.	From W. 87th Ave. to W. 85th Ave.	–	8-24-1970
Marshall Pl.	From W. 54th Ave. south 695 feet	–	4-5-1971
Marshall Pl.	Between 58th Pl. and 57th Pl.	–	10-21-1968
Middle St.	In the Town of Shelby	–	8-4-1969
Minnesota St.	From Rt. 6 (Ridge Rd.) to 33rd Ave. (school zone)	–	4-27-1970
Montana St.	From 75th Pl. to 78th Pl.	–	9-9-1974
Mount St.	From W. 77th Pl. to W. 78th Ln.	–	11-1-1974
Nevada St.	From Rt. 6 (Ridge Rd.) to 36th Ave. (school zone)	–	4-27-1970
Nob Hill Estates Subdivision	Units 1 and 2 all streets in subdivision	–	8-23-1976
East Oakwood Dr. and West Oakwood Dr.	Including 25th Pl. in Oakwook Subdivision	–	6-2-1969
Oregon St.	From Rt. 6 (Ridge Rd.) to 35th Ave. (school zone)	–	4-27-1970
East Phillips Rd.	From Fairbanks St. to dead end of street	–	11-13-1990
Pierce St.	(Except State Rd. 55)	–	8-4-1969
Ralston Pl.	From 153rd Ave. south to 155th Ave.	–	8-4-1969
Randolph St.	From 300 ft. south of school to 300 ft. north of school	–	10-14-2003
Revere Ct.	From Liverpool Rd. to Arizona St. for southeast and northwest bound traffic	–	7-27-1970
Rhode Island	From 63rd Pl. south to E. 64th Pl.	–	5-25-1970
Rutledge Ct.	South of 59th Pl.	–	10-21-1968
Sherman St.	From 86th Ave. to Wheeler Pl.	–	1-12-1993
Sheffield Ave.	From W. 81st Ave.	Ord. 1268C	10-11-2005

Street	*Location*	*Ord. No.*	*Date/Date Passed*
Taney Pl.	Between 57th Ave. and 59th Ave.	–	10-21-1968
Taney St.	From W. 55th Ave. north 535 feet	–	4-5-1971
Tyler St.	In the Town of Shelby	–	8-4-1969
Vermont St.	From E. 63rd. Pl. south to E. 64th Pl.	–	5-25-1970
Wheeler Pl.	From Fairbanks St. to King Ln.	–	1-12-1993
Whitcomb St.	From 500 ft. north of 4325 Whitcomb St. to 500 ft. south of 4325 Whitcomb St.	–	7-24-2000
Whitcomb St.	From Rt. #30 for a distance of 2,500 feet for north and southbound traffic	–	3-9-1970
Wirtz Crown Heights Subdivision county roads	All county roads in the subdivision	–	4-13-1970
E. 35th Ave.	From Liverpool Rd. to Revere Ct. for east and west bound traffic	–	7-27-1970
35th Ave.	From Nebraska St. to Oregon St. (school zone)	–	4-27-1970
E. 35th Pl.	From Liverpool Rd. to Revere Ct. for east and west bound traffic	–	7-27-1970
39th Ave. (Crest Rd.)	From Marshall St. east to Cleveland St. (State Rd. #55)	–	9-10-1979
40th Ave (Ranburn Dr.)	From 41st Ave. east to 39th Ave. (Crest Rd.)	–	9-10-1979
W. 54th Ave.	From Taney St. to Marshall Pl.	–	4-5-1971
W. 55th Ave.	From Chase St. east 1,330 feet	–	4-5-1971
E. 56th Ave.	From Broadway (State Rt. 53) to Delaware St.	–	9-14-1970
57th Pl.	Between Taft Pl. and Taney Pl.	–	10-21-1968
W. 57th Ave.	From Chase St. to Cleveland St. (State Rt. 55)	–	9-28-1970
58th Pl.	Between Ellsworth St. and Marshall Pl.	–	10-21-1968
59th Pl.	Between Taft Pl. and 60th Dr.	–	10-21-1968
60th Dr.	Between Taft Pl. to and including the school area	–	10-21-1968
E. 61st St.	From Kentucky Pl. west	–	5-25-1970

Street	*Location*	*Ord. No.*	*Date/Date Passed*
E. 63rd Pl.	From Kentucky Pl. west to Rhode Island St.	–	5-25-1970
E. 64th Pl.	From Kentucky Pl. west to Rhode Island St.	–	5-25-1970
E. 73rd Ave.	North to end of Old Mill Manor Subdivision	–	8-11-1987
E. 73rd Ave.	North to end of West Mill Subdivision	–	8-11-1987
75th Ave.	From Colorado St. to Idaho St.	–	9-9-1974
76th Pl.	From Montana St. to Idaho St.	–	9-9-1974
W. 77th Ct.	From Mount St. east to end	–	11-1-1971
W. 77th Pl.	From Hanley St. to Mount St.	–	11-1-1971
W. 78th Ave.	From Burr St. to Hanley St.	–	11-1-1971
W. 78th Ct.	From Mount St. east to end	–	11-1-1971
W. 78th Ln.	From Hanley Pl. 200 feet east of Mount St.	–	11-1-1971
78th Pl.	From Colorado St. to Idaho St.	–	9-9-1974
W. 78th Pl.	From Mount St. east to end	–	11-1-1971
W. 84th Pl.	From W. 85th Ave. to Morse Pl.	–	8-24-1970
85th Ave.	From Morse Pl. to Fairbanks St.	–	1-12-1993
W. 85th Ave.	From Cline St. to Morse Pl.	–	8-24-1970
85th Ct.	From Bell St. to Fairbanks Ct.	–	12-31-1990
85th Ct.	From Fairbanks Ct. to Bell St.	–	12-31-1990
85th Pl.	From Bell St. to Bell Ln.	–	12-31-1990
85th Pl.	From 86th Ave. to Wheeler Pl.	–	1-12-1993
86th Ave.	From Fairbanks St. to Wheeler Pl.	–	1-12-1993
W. 86th Ave.	From Lee St. to Morse Pl.	–	8-24-1970
86th Ct.	From Bell St. to Fairbanks Ct.	–	12-31-1990
86th Ct.	From Fairbanks Ct. to Bell St.	–	12-31-1990
86th Pl.	From Fairbanks Ct. to Bell St.	–	12-31-1990
87th Ave.	From Cline Ave. to Colfax St.	–	5-1-1989
89th Pl	Inside High Point Acres Subdivision	–	7-28-1969

Street	*Location*	*Ord. No.*	*Date/Date Passed*
W. 107th Ave.	From Hanley St. east to cul-de-sac	–	5-13-1991
W. 109th Ave.	500 ft. east and 500 ft. west of Lincoln Elementary School	–	3-4-1998
113th Ave.	Washington School zone	–	5-12-1968
124th Pl. and adjoining roads in Holiday Creek Subdivision		–	11-18-1968
W. 125th Ave.	From Hemlock Dr. to Main St.	–	9-1-1992
153rd Pl.	From Ralston Pl. east to Durbin St.	–	
154th Ave.	From Durbin St. east to Hovey St.	–	
154th Ave.	From Ralston Pl. west 230 feet	–	
154th Ln.	From Ralston Pl. west for 525 feet to the end	–	
154th Pl.	From Hovey St. east to Clark St.	–	
155th Ave.	From Ralston Pl. east to Durbin St.	–	
W. 165th Ave.	From White Oak Ave. to west to dead end	–	12-14-2004
181st Ave.	From U.S. 41 west 1,801 feet	–	6-3-1991
213th St.	From west side of Harts Ditch to Rt. #141 for east and west bound traffic	–	3-9-1970
232nd Ave.	In the Town of Shelby	–	8-4-1969
233rd Ave. (except State Rd. 55)	In the Town of Shelby	–	8-4-1969
234th Ave.	In the Town of Shelby	–	8-4-1969
235th Ln.	In the Town of Shelby	–	8-4-1969
235th Pl.	In the Town of Shelby	–	8-4-1969
236th Pl.	In the Town of Shelby	–	8-4-1969
237th Ave.	In the Town of Shelby	–	8-4-1969
238th Ave.	In the Town of Shelby	–	8-4-1969

(C) The speed limit on the following streets is 25 mph.

Street	*Location*	*Ord. No.*	*Date/Date Passed*
Chestnut St.	From 159th Ave. to 161st Ave	–	1-12-2008
South Court St.	From Greenwood Ave. to 121st Ave. intersection	–	3-24-1969
W. 159th Ave.	From White Oak Ave. to Chestnut St.	–	1-12-2008
W. 241st Ave.	2.61 miles west of U.S. 41 west 600 feet	–	9-17-1973

(D) The speed limit on the following streets is 30 mph.

Street	*Location*	*Ord. No.*	*Date/Date Passed*
Belshaw Rd.	From Clark St. to Grant St.	–	1-14-2000
Blaine St.	From W. 177th Ave. to W. 118th Ave.	–	7-11-1989
Burr St.	From 81st Pl. to Penn Central R.R.	–	8-31-1980
Burr St.	From W. 113th Ave. (South St.) to W. 125th Ave.	–	7-27-1970
Burr St.	From 177th Ave. (Lowell city limits) north to 175th Ave.	–	6-3-1991
Chase St.	From Ridge Rd. to W. 41st Ave	–	11-12-2002
Chestnut St.	From 159th Ave. to W. 161st Ave.	–	2-15-2006
Clark Rd.	W. 105th Ave. to W. 101st Ave.	–	10-10-1989
Clark St.	From 133rd Ave. north to W. 121st Ave.	–	9-17-1973
Clark St.	From W. 141st Ave. to W. 153rd Ave.	–	9-23-1991
Clay St.	From E. 217th to the Kankakee River	–	6-13-2000
Cline Ave.	From Commercial Ave. south to Belshaw Rd. and north to the city Limits	–	12-28-1978
County Line Rd.	From County Rd. 330 north to State Rd. 130	–	9-26-1977
County Line Rd.	East 123rd Ave. to East 129th Ave.	–	10-12-1993
County Rd. G (Harrison or Madison St.)	From County Rd. 330 south to State Rd. 30	–	7-27-1970
Fatke Rd.	From State Rt. 8 (109th Ave.) to 113th Ave. (South St.)	–	10-26-1970

Street	*Location*	*Ord. No.*	*Date/Date Passed*
Grand Blvd.	From ½ mile north of the C & O R.R. crossing south to E. 109th Ave. for north and south bound traffic	–	10-26-1970
Southeast Grove St.	From Colorado St. to Clay St.	1332C	2-9-2011
Hancock St.	From E. 145th Ave. to E. 157th Ave.	–	12-13-2005
Harrison St.	From State Rd. 55 and 231st Ave. from ½ mile west of the Monon R.R. east to State Rd. 55	–	8-4-1969
Iowa St.	Beginning at a point 500 feet north of 113th Ave. and running to a distance of 500 feet south of 113th Ave.	–	5-12-1969
Johnson Rd.	From 53rd Avenue to W. 51st Avenue	–	1-14-1997
Marquette St.	From 85th Ave. south to St. John city limits	–	6-3-1991
Marshall St.	From 133rd Ave. north to 121st Ave.	–	2-17-1976
Merrillville Rd.	From 101st Ave. north to 93rd Ave.	–	7-11-1977
Mississippi St.	From U.S. 30 to County Rd. 330	–	5-13-1974
Mount St.	161st Ave. to 175th Ave.	–	3-12-1996
Nichols (Cline Ave.)	From 181st Ave. (Rt. #2) to 177th Ave.	–	9-10-1979
Parrish Ave.	From W. 137th Ave. to W. 151st Ave.	–	6-10-1997
Reeder Rd.	Corp Line (approx. 148th Ave.) to W. 149th Ave.	–	9-23-1991
Reeder Rd.	From W. 133rd Ave. to W. 141st Ave.	–	9-23-1991
Reeder Rd.	From W. 141st Ave. to Corp. Line (approx. 147th Ave.)	–	9-23-1991
Ross Rd.	From Ridge Rd. to 49th Ave.	–	8-24-1983
State Line Rd.	From W. 113th Ave. to W. 133rd Ave.	–	12-31-1990
State Line Rd.	From W. 133rd Ave. to W. 145th Ave.	–	1-9-1996
Whitcomb St.	From W. 51st Ave. to W. 45th Ave.	–	1-14-1997
White Oak Ave.	From W. 109th Ave. to W. 117th Ave.	–	9-1-1992
Woodmar St.	W. 117th Ave. to W. 119th Ave.	–	10-18-1999
E. 36th Pl.	From Miss St., northeast to dead end	–	2-11-1986
47th Ave.	From Cleveland to Whitcomb St.	–	8-31-1981

Street	*Location*	*Ord. No.*	*Date/Date Passed*
W. 51st Ave.	From Johnson Rd. to Whitcomb St.	–	1-14-1997
E. 56th Ave.	From Delaware St. to the west right-of-way line of Interstate 65	–	9-14-1970
61st Ave.	From Hobart corporation line at Deep River Bridge to I-65	–	8-16-1988
83rd Ave.	From Grand Blvd. to Randolph St.	–	8-23-1976
W. 85th Ave.	From Patterson Dr. west .85 mile	–	9-17-1973
W. 91st Ave.	From corporation line 500 feet west of Burr St. to Colfax St.	–	6-1-1993
W. 91st Ave.	From Sheffield Ave. to State Line Rd.	–	12-10-1996
W. 93rd Ave.	From Colfax St. to Cline Ave.	–	6-1-1993
E. 101st Ave.	From Randolph St. to County Line Rd.	–	7-9-1990
W. 101st Ave.	From Calumet Ave. to State Line Rd.	–	11-8-2005
W. 105th Ave.	From Jennings St. east/west to Clark Rd.	–	10-10-1989
W. 109th Ave.	From US 41 to White Oak Ave.	–	8-13-1996
113th Ave.	From Rt. #53 east to a distance of 200 feet east of the Erie R.R. except in the Washington School zone	–	5-12-1969
W. 113th Ave.	From Crown Point city limits west to Burr St.	–	7-16-1973
W. 117th Ave.	From Burr St. to Blaine St.	–	7-11-1989
W. 117th Ave.	Calumet St. to Woodmar St.	–	10-18-1999
W. 117th Ave.	Parrish to S.R. 41	–	2-5-1999
W. 118th Ave.	From Blaine St. to Cline Ave.	–	7-11-1989
W. 119the Ave.	Woodmar St. to U.S. 41	–	10-18-1999
E. 121st St.	From Iowa to 2,640 ft. east of Iowa	–	11-12-2002
E. 123rd Ave.	From Randolph St. to County Line Rd.	–	10-12-1993
W. 125th Ave.	From Main St. to Marshall St.	–	9-1-1992
W. 125th Ave.	From S. Indiana St. to Hemlock Dr.	–	9-1-1992
125th Ave.	From Clark St. to Burr St.	–	4-14-1975
133rd Ave.	From Cedar Lake Corp Line to Calumet Ave.	–	10-11-1988

Street	*Location*	*Ord. No.*	*Date/Date Passed*
141st Ave.	From Clark St. West to Lake County corporation line	–	9-23-1991
W. 149th Ave.	From Reeder Rd. to Morse St.	–	9-23-1991
151st Ave.	From U.S. 41 to Sheffield Ave.	–	4-11-1989
W. 159th Ave.	From White Oak to Chestnut St.	–	2-15-2006
W. 161st Ave.	From Hendricks to Clark St.	–	9-2-1997
173rd Ave.	From Holtz Rd. to Mount St.	–	2-17-1976
W. 175th Ave.	Mount St. to Burr St.	–	3-12-1996
213th St.	From the east side of Harts Ditch to Rt. # 141 for east and west bound traffic	–	3-9-1970
W. 241st Ave.	From U.S. 41 west one mile	–	9-17-1973
245th Ave.	From Cline Ave. to Colfax St.	–	6-3-1991

(E) The speed limit on the following streets is 35 mph.

Street	*Location*	*Ord. No.*	*Date/Date Passed*
Lane St.	From 109th Ave. to 105th Ave.	–	2-11-1986
Ridge Rd.	From Colfax St. E. to Grant St.	–	4-12-1983
Sheffield Ave.	From W. 81st Ave. to W. 101st Ave.	–	9-21-2005
61st Ave.	From Broadway (State Rd. 53) to Interstate 65	–	12-1-1975
E. 61st Ave.	Mississippi St. E. to Deep River Drive	–	5-10-1983
E.109th Ave.	From Randolph St. to County Line Rd.	–	2-14-1984

(F) The speed limit on the following streets is 40 mph.

Street	*Location*	*Ord. No.*	*Date*
Cline Ave.	At each end of High Point Acres Subdivision fronting on Cline Ave.	–	7-28-1969
County Line Rd.	From East 129th Ave. to U.S. 231	–	10-12-1993
County Rd. G (Harrison St. or Merrillville Rd.)	From State Rd. 30 south to junction of Indiana Ave. and Merrillville Rd.	–	11-30-1968

Street	*Location*	*Ord. No.*	*Date/Date Passed*
Crown Point -Lowell Rd.	From 153rd Ave. north to 133rd Ave.	–	2-17-1976
Grand Blvd. (County Line Rd.)	From U.S. 30, south to 1/4 mile north of the C & O LR. crossing	–	10-26-1970
Lake and Porter County Line Rd.	From 165th Ave. to 181st Ave.	–	5-19-1969
Main St.	North end	–	10-15-1974
Mount St.		–	10-15-1974
Mount St.	From 175th Ave. north to 173rd Ave.	–	6-3-1991
Parrish St.	From 137th Ave. to 181st Ave.	–	10-8-1985
Union St. (County Rd. X-10)	From 181st Ave. (State Rt. 2) south to 197th Ave.	–	5-19-1969
Woodmar St.	From Woodmar St. to Calumet Ave.	–	10-8-1985
Woodmar St.	119th Ave. to 117th Ave.	–	10-8-1985
East 109th Ave.	From Randolph St. to County Line Rd.	–	2-14-1984
117th Ave.	From Woodmar St. to Calumet Ave.	–	10-8-1985
119th Ave.	Woodmar St. to Wicker Dr.	–	10-8-1985
133rd Ave.	From Marshall St. (Road H) west to Crown Point - Cedar Lake Rd. (Rd. E)	–	1-20-1969
151st Ave.	U.S. 41 to Sheffield Ave.	–	10-11-1983
E. 153rd Ave.	From State Highway #55 (Grant St.) to Clay St.	–	10-8-1985
W. 241st Ave.	From one mile west of U.S. 41 west to the Illinois state line	–	9-17-1973
5121 W. 175th St.	South end	–	10-15-1974

(G) The speed limit on the following streets is 20 mph when children are present.

Street	*Location*	*Ord. No.*	*Date*
West 109th Ave.	500 feet east and 500 feet west of Lincoln Elementary	–	5-26-1996

(Prior Code, Ch. 71, Sch. I) (Ord. 1179I, passed 5-7-1998; Ord. 1192A, passed 5-12-1999; Ord. 1198B, passed 11-17-1999; Ord. 1268C, passed 10-11-2005; Ord. 1332C, passed 2-9-2011) Penalty, see § 10.99

SCHEDULE II. STOP INTERSECTIONS.

(A) Traffic on the following streets shall stop as indicated.

Street	*Direction*	*To Stop For*	*Ord. No.*	*Date/Date Passed*
Ainsworth Rd.	Eastbound	Spencer St.	–	6-9-1992
Arizona St.	Southbound	E. 145th Ave.	–	10-10-2000
Arthur St.	Northbound and Southbound	49th Ave.	–	10-13-2009
Arthur St.	Northbound and Southbound	50th Ave.	–	10-13-2009
Arthur St.	Northbound and Southbound	50th Pl.	–	10-13-2009
Austin St.		Belshaw Rd.	–	10-1-1979
Baker St.	Northbound	W. 41st Ave.	–	11-13-2001
Bell Ln.		Bell St.	–	12-31-1990
Bell St.		87th Ave.	–	12-31-1990
Belmont	Southbound	151st Ave.	–	7-11-1989
Belmont St.	Southbound	W. 117th Ave.	–	3-12-2002
Belshaw Rd.		Colfax St.	–	10-1-1979
Belshaw Rd.		Grant St.	–	10-1-1979
Belshaw Rd.	Eastbound	Hendricks St.	–	5-21-1990
Belshaw Rd.	Eastbound and Westbound	Joe Martin Rd.	–	2-21-1984
Belshaw Rd.	Westbound	Calhoun St.	–	10-1-1979
Benton St.	Northbound	E. 101st Ave.	–	2-13-1996
Broad St.	Northbound and Southbound	Avenue H (61st Avenue)	–	8-16-1988
Beverly Dr.		39th Pl.	–	1-20-1969
Beverly Dr.	Westbound	Marshall Pl.	–	6-1-1993
Birch St.	Eastbound and Westbound	Oak St.	–	10-10-2000
Blaine Pl.	Northbound and Southbound	W. 83rd Ln.	–	9-20-1994
Blane Pl.	Southbound	W. 90th Ln.	–	8-10-2004

Street	*Direction*	*To Stop For*	*Ord. No.*	*Date/Date Passed*
Broadway	Northbound and Southbound	NS534339T crossing - South of 233rd Ave.	–	4-10-2001
Brookside Dr.	Northbound	E. 123rd Ave.	–	2-13-1996
Brookside Dr.	Northbound and Southbound	E. 124th Pl.	–	6-12-2001
Bryan St.	Northbound	W. 89th Ave.	–	8-10-2004
Bryan St.	Northbound	W. 90th Ln.	–	8-10-2004
Buchanan St.		73rd. Ave. (County Rd. 330)	–	12-14-1970
Buchanan St.		231st Ave.	–	10-1-1979
Buchanan St.		233rd Ave.	–	8-4-1969
Buchanan St.		Lincoln St.	–	3-23-1998
Buchanan St.	Northbound and Southbound	48th Ave.	–	5-2-1977
Burr St.	Northbound and Southbound	W. 85th Ave.	–	1-22-1990; 5-14-1996
Burr Oak St.	Eastbound and Westbound	East St.	–	2-9-2011
Calhoun St.	Southbound	W. 49th Ave. (Elm St.)	–	8-16-1988
Calumet St.		109th Ave.	–	10-1-1979
Carolina Pl.	Northbound	E. 69th Ave.	–	8-24-1970
Carolina St.	Northbound	E. 70th Pl.	–	8-24-1970
Carsten Rd.		Colfax St. (NE corner)	–	6-3-1991
Cass St.	Northbound and Southbound	E. 103rd Ave.	–	2-13-1996
Catherine St.	Northbound	E. 70th Ave.	–	8-24-1970
Catherine St.	Southbound	County Rd. 330	–	8-24-1970
Cedar St.	Eastbound and Westbound	Birch St.	–	10-11-1988
Chase St.		Belshaw Rd.	–	10-1-1979
Chase St.	Northbound and Southbound	CSX 341186G crossing - East of Monon Rd.	–	4-10-2001
Chestnut St. Ct.	Northbound	159th St.	–	2-15-2006

Street	*Direction*	*To Stop For*	*Ord. No.*	*Date/Date Passed*
Chestnut Ct.	Northbound and Southbound	118th Pl.	1332A	2-9-2011
Clark St.		153rd Ave.	–	10-1-1979
Clark St.	Northbound	W. 41st Ave.	–	11-13-2001
Clark St.	Northbound and Southbound	125th Ave.	–	10-15-1974
Clark St.	Northbound	CSX Crossing #341182 (south of W. 201st Ave.)	–	7-24-1998
Clark St.	Southbound	CSX Crossing #341182 (south of W. 201st Ave.)	–	7-24-1998
Clay St.		145th Ave. (SE corner)	–	6-3-1991
Cleveland Ln.	Southbound	125th Ave.	–	7-11-1977
Cline Ave.		155th Ave.	–	10-1-1979
Cline Ave.	Eastbound and Westbound	Monon Railroad	–	1-10-1989
Cline Ave.	Northbound and Southbound	Main St.	–	11-18-1974
Cline Ave.	Northbound and Southbound	NS534344P - south of 236th Ave.	–	4-10-2001
Cline Ave.	Southbound	93rd Ave.	–	6-26-1978
Cline St.	Northbound and Southbound	159th Ave.	–	2-17-1976
Clinton St.		W. 45th Ave.	–	10-18-1994
Clinton St.		153rd Ave.	–	10-1-1979
Colfax St.		Belshaw Rd.	–	10-1-1979
Colfax St.		153rd Ave.	–	10-1-1979
Colfax St.	Northbound	W. 89th Ave.	–	9-20-1994
Colfax St.	Northbound	W. 159th Ave.	–	4-10-2001
Colfax St.	Southbound	W 153rd Ave.	–	4-10-2001
Colfax St.	Southbound	W. 235th Ave	–	5-8-2001
Colorado St.		C and O Railroad crossing	–	3-24-1969
Colorado St.		101st Ave.	–	4-11-1989

Street	*Direction*	*To Stop For*	*Ord. No.*	*Date/Date Passed*
Colorado St.		E. 157th Ave.	–	9-23-1991
Columbia Ave.	Northbound	81st Ave.	–	11-18-1968
Connecticut St.		61st Ave.	–	6-1-1970
Connecticut St.	Northbound	E. 68th Pl.	–	8-24-1970
Connecticut St.	Northbound and Southbound	E. 56th Ave.	–	9-14-1970
Connecticut St.	Southbound	E. 70th Ave.	–	8-24-1970
Cosner St.	Eastbound	Benton St.	–	–
Cosner St.	Westbound	New Jersey St.	–	–
County Line Rd.	Northbound and Southbound	101st Ave. (4-way stop)	–	–
Court St. or Crown Point - Cedar Lake Rd.	Southbound	121st Ave.	–	–
Crown Point - Cedar Lake Rd.		121st Ave.	–	–
Delaware St.		56th Ave.	–	4-13-1970
Delaware St.		61st Ave.	–	6-1-1970
Delaware St.	Northbound and Southbound	E. 56th Ave.	–	9-14-1970
Delaware St.	Northbound and Southbound	E. 69th Pl.	–	8-24-1970
Delaware St.	Northbound and Southbound (4-way stop)	137th Ave.	–	8-30-1984
Delaware St.	Southbound	145th Ave.	–	7-11-1989
Delmar St.		135th Ave.	–	10-1-1979
Dewey St.		W. 85th Ave.	–	8-24-1970
Dewey St.		W. 87th Ave.	–	8-24-1970
Dike Rd.		Stone Road (NE corner)	–	6-3-1991
Douglas St.		Whitcomb St.	–	4-13-1970
Durbin St.	Northbound	W. 77th Pl.	–	11-1-1971
Durbin St.	Southbound	W. 78th Ln.	–	11-1-1971

Street	*Direction*	*To Stop For*	*Ord. No.*	*Date/Date Passed*
East St.	Northbound and Southbound	Burr Oak St.	1332B	2-9-2011
Edison Ct.		86th Ct.	–	12-31-1990
Edison St.		85th Ave.	–	12-31-1990
Elkhart St.	Northbound and Southbound	E. 142nd Pl.	–	12-13-2005
Elkhart St.	Southbound	E. 145th Ave.	–	4-10-2001
Ellsworth Ct.	Northbound	57th Pl.	–	10-21-1968
Ellsworth St.		57th Pl.	–	10-21-1968
Fairbanks St.	Northbound and Southbound	Phillips Rd. (East and Westbound)	1291G	9-11-2007
Fairbanks St.	Northbound	86th Ave.	–	1-12-1993
Fairbanks St.	Southbound	86th Ave	–	1-12-1993
Fairbanks St.	Southbound	W. 133rd Ave.	–	7-9-1976
Fillmore Pl.	Northbound	129th Ave.	–	9-10-1979
Filmore St.		233rd Ave.	–	8-4-1969
Filmore St.		234th Ave.	–	8-4-1969
Filmore St.		236th St.	–	8-4-1969
First St.	Northeastbound and Southbound	CSX 3411910 crossing - Sandy Shores	–	4-10-2001
Garfield St.	Northbound	37th Ave.	–	2-10-1969
Garfield St.	Northbound and Southbound	49th Ave.	–	10-13-2009
Garfield St.	Northbound and Southbound	50th Ave.	–	10-13-2009
Garfield St.	Northbound and Southbound	50th Pl.	–	10-13-2009
Garfield St.	Southbound	38th Ave.	–	2-10-1969
Georgia St.		61st Ave.	–	6-1-1970
Glen Dr.		61st Ave.	–	6-1-1970
Grand Blvd.		C. and O. Railroad crossing	–	10-26-1970

Street	*Direction*	*To Stop For*	*Ord. No.*	*Date/Date Passed*
Grand Blvd.		Clay St. (NE corner)	–	6-3-1991
Grand Blvd.	Southbound	E. 141st. Ave.	–	12-10-1996
Hanley Pl.	Northbound	W. 78th Ave.	–	11-1-1971
Hanley St.	Northbound	W. 77th Pl.	–	11-1-1971
Hanley St.	Southbound	W. 78th Pl.	–	11-1-1971
Harrison St.	Northbound and Southbound	49th Ave.	–	5-28-1974
Harrison St.	Northbound and Southbound	163rd Ave.	–	10-27-1975
Harrison St.	Northbound and Southbound	W. 169th Ave.	–	7-24-2000
Harrison St.	Northbound and Southbound	N.Y.C. Railroad Crossing	–	3-2-1970
Hawthorne St.		W. 117th St.	–	3-12-1996
Hawthorne St.	Northbound	151st Ave.	–	10-10-1989
Hayes St.	Northbound and Southbound	50th Ave.	–	10-13-2009
Hayes St.	Northbound and Southbound	50th Pl.	–	10-13-2009
Hendricks St.		Belshaw Rd.	–	10-1-1979
Hendricks St.		153rd Ave.	–	10-1-1979
Hendricks St.	Northbound	40th Ave.	–	4-11-1989
Henry St.	Northbound	W. 85th Pl.	–	2-13-1996
Hillcrest Dr.	Westbound	Patterson St.	–	11-18-1968
Hilltop St.	Southbound	West Lake Shore Dr.	–	7-19-1976
Hobart St.	Northbound and Southbound	W. 23rd Ave.	–	10-26-1970
Hoshaw St.	Northbound	W. 173rd Ave.	–	2-13-1996
Iowa St.		E. 61st Ave.	–	5-25-1970
Jennings Pl.		W. 105th Ave.	–	12-14-1970
Joe Martin Rd.		Belshaw Rd.	–	2-21-1984

Street	*Direction*	*To Stop For*	*Ord. No.*	*Date/Date Passed*
Johnson St.	Northbound and Southbound	W. 56th Ave.	–	10-5-1970
Kennedy Ave.	Northbound and Southbound	41st Ave.	–	6-2-1969
Kentucky St.		E. 61st Ave.	–	5-25-1970
King Ln.		Wheeler Pl.	–	1-12-1993
Lake St.	Northbound and Southbound	121st Ave.	–	10-27-1975
Lee Pl.	Southbound	W. 89th Pl.	–	8-10-2004
Lee Pl.	Northbound and Southbound	W. 90th Ave.	–	12-14-2004
Lee St.		W. 85th Ave.	–	8-24-1970
Lee St.		W. 87th Ave.	–	8-24-1970
Lee St.	Northbound	W. 118th Ave.	–	10-10-1989
Lincoln Court		W. 179th Pl.	–	3-23-1998
Liverpool Rd.	Eastbound and Westbound	State St.	–	5-10-1976
Liverpool Rd.	Northbound and Southbound	Michigan Central Railroad	–	5-15-1972
Maple St.	Northbound	Oak St.	–	8-12-1997
Maple St.	Southbound	Oak St.	–	8-12-1997
Marshall Pl.		57th Pl.	–	10-21-1968
Marshall Pl.	Northbound	W. 40th Pl.	–	6-1-1993
Marshall Pl.	Southbound	Beverly Dr.	–	6-1-1993
Maryland St.		61st Ave.	–	6-1-1970
Massachusetts St.	Northbound	E. 56th Ave.	–	9-14-1970
Massachusetts St.	Southbound	E. 68th Pl.	–	8-24-1970
Massachusetts St.	Southbound	E. 70th Ave.	–	8-24-1970
McKinley St.	Northbound and Southbound	46th Ave.	–	9-26-1977
McKinley St.	Northbound and Southbound	W. 58th Ave.	–	6-29-1970

Street	*Direction*	*To Stop For*	*Ord. No.*	*Date/Date Passed*
Merrillville Rd.	Northbound and Southbound	93rd Ave. (4-way stop)	–	9-8-1969
Middle St.		233rd Ave.	–	8-4-1969
Monon Rd.		231st Ave.	–	10-1-1979
Montgomery St.	Southbound	E. 137th Ave.	–	10-8-1985
Moraine St.	Southbound	91st Ave.	–	7-11-1989
Morton St.	Northbound	W. 41st Ave.	–	11-13-2001
Morris Pl.		85th Ave.	–	5-30-1978
Mount St.		S. Lakeview Dr.	–	6-3-1991
Mount St.	Southbound	W. 78th Ln.	–	11-1-1971
Mount St.		175th Ave.	1366E	11-12-2013
New Hampshire St.		Cosner St.	–	10-5-1970
New Hampshire St.	Northbound and Southbound	E. 29th Ave.	–	10-5-1970
New Hampshire St.	Southbound	E. 104th Ave.	–	2-13-1996
New Jersey St.	Northbound and Southbound	E. 29th Ave.	–	10-5-1970
New York St.		Cosner St.	–	10-5-1970
New York St.	Northbound and Southbound	E. 29th Ave.	–	10-5-1970
Noble St.		47th Pl.	–	4-11-1989
Noble St.		W. 105th Ave.	–	12-14-1970
Oak St. in Calumet Township north of Main St.	Eastbound	Lane St.	–	11-18-1968
Oakdale St.	Southbound	W. 81st Ave.	–	6-12-1974
Oregon Ln.	Southbound	E. 113th Ave.	–	9-5-1995
Parke St.	Northbound	Ainsworth Rd.	–	1-10-1989
Parrish Ave.		241st Ave. (NE, SW corners)	–	6-3-1991
Parrish Ave.	Northbound and Southbound	238th Ave.	–	9-16-1974

Street	*Direction*	*To Stop For*	*Ord. No.*	*Date/Date Passed*
Parrish St	Northbound and Southbound	W. 173rd Ave.	1222B	12-11-2001
Parrish St.	Northbound and Southbound	W. 173rd Ave.	–	12-11-2001
Patterson St.	Northbound and Southbound	81st Ave.	–	10-11-1988
Patterson St.	Southbound	W. 117th Ave.	–	12-11-2001
Pennsylvania St.		61st Ave.	–	6-1-1970
Pennsylvania St.	Northbound	E. 56th Ave.	–	9-14-1970
Pennsylvania St.	Southbound	E. 68th Pl.	–	8-24-1970
Pennsylvania St.	Southbound	E. 69th Pl.	–	8-24-1970
E. Phillips Rd.	Eastbound and Westbound	Bike Trail	–	8-12-2003
Pierce St.		231st Ave.	–	10-1-1979
Pierce St.	Southbound	49th Ave.	–	7-19-1976
Ralston Pl.		153rd Ave.	–	10-1-1979
Randolph St. (Ross Twp.)	Northbound and Southbound	C. and O. Railroad Crossing	–	7-27-1970
Randolph St.	Northbound and Southbound	E. 117th Ave.	–	12-10-1996
Randolph St.	Southbound	E. 129th Ave.	–	8-16-1988
Reeder Rd.	Southbound	101st Ave.	–	–
Revere Ct.	Westbound	Liverpool Rd.	–	–
Robertson St.	Southbound	91st Ave.	–	–
Rohrman Rd.	Northbound and Southbound	W. 85th Ave	–	3-12-2002
Roosevelt Pl.	Northbound and Southbound	W. 58th Ave.	–	6-29-1970
Roosevelt Pl.	Southbound	W. 48th Ave.	–	6-25-1998
Roosevelt Pl.	W.	60th Dr.	–	6-29-1970
Roosevelt St.		McKinley St.	–	6-29-1970
Roosevelt St.	W.	58th Ave.	–	6-29-1970

Street	*Direction*	*To Stop For*	*Ord. No.*	*Date/Date Passed*
Roosevelt St.	W.	59th Ave.	–	6-29-1970
Rutledge Ct.		59th Pl.	–	10-21-1968
Rutledge St.		60th Dr.	–	10-21-1968
Rutledge St.	Northbound and Southbound	47th Pl.	–	5-30-1979
Sheffield Ave.	Northbound and Southbound	W. 151st Ave.	–	11-7-1989
Sheffield St.		145th Ave.	–	10-1-1979
Sheffield St.	Northbound and Southbound	81st Ave.	–	8-11-1987
Sheffield St.	Northbound and Southbound	W. 91st Ave.	–	6-21-1999
Sheffield St.	Northbound and Southbound	W. 93rd Ave.	–	5-13-1974
South Grove Rd.	Westbound	Colorado St.	–	9-23-1991
Spencer St.	Southbound	Ainsworth Rd.	–	6-9-1992
State St.	Northbound and Southbound	Liverpool Rd.	–	5-10-1976
State Line Rd.	Northbound	W. 151st Ave.	–	5-8-2001
State Line Rd.	Northbound and Southbound	121st Ave.	1371C	4-18-2014
Stevenson St.	Northbound and Southbound	W. 23rd Ave.	–	10-26-1970
Stevenson St.	Southbound	117th Ave.	–	8-16-1988
Stone Rd.		Grand Blvd. (NE corner)	–	6-3-1991
Sycamore St.	Northbound and Southbound	Birch St.	–	10-10-2000
Taft Pl.	Northbound	57th Ave.	–	10-21-1968
Taft Pl. (Forest Ln.)	Northbound	29th Ave. (Crest Rd.)	–	9-10-1979
Taft Pl. (Forest Ln.)	Southbound	40th Ave. (Ranburn Dr.)	–	9-10-1979
Taney Pl.		47th Ave.	–	4-14-1975
Taney Pl.	Northbound	57th Ave.	–	10-21-1968
Taylor St.		155th Ave.	–	10-1-1979

Street	*Direction*	*To Stop For*	*Ord. No.*	*Date/Date Passed*
Torrence Pl.	Southbound	W. 85th Pl.	–	2-13-1996
Tyler St.		233rd Ave.	–	8-4-1969
Tyler St.		234th Ave.	–	8-4-1969
Van Buren Pl.	Northbound	W. 129th Ave.	–	3-12-1996
Van Buren Pl.	Northbound	131st Ln.	–	3-12-1996
Van Buren Pl.	Northbound	W. 132nd Pl.	–	3-12-1996
Van Buren Pl.	Southbound	129th Ct.	–	3-12-1996
Vermont St.		E. 63rd Pl.	–	5-25-1970
Vermont St.		E. 64th Pl.	–	5-25-1970
Virginia St.		61st Ave.	–	6-1-1970
Virginia St.	Northbound	E. 70th Pl.	–	8-24-1970
Virginia St.	Southbound	County Rd. 330	–	8-24-1970
Waite Ct.		W. 136th Ln.	–	3-12-1996
Waite Ct.	Southbound	W. 138th Ln.	–	3-12-1996
Wayne St.	Northbound and Southbound	E. 124th Ct.	–	2-13-1996
West Lake Shore Dr.	Eastbound and Westbound	Hilltop St.	–	7-19-1976
Wheeler Pl.	Northbound and Southbound	King Ln.	–	10-12-2004
Whicker Pl.		241st Ave. (SE corner)	–	6-3-1991
Whitcomb St.		231st Ave.	–	10-1-1979
Whitcomb St.	Northbound and Southbound	47th Pl.	–	10-9-1984
Whitcomb St.	Northbound and Southbound	NS5343428 crossing - South of 231st Ave.	–	4-10-2001
White Oak Ave.		165th Ave.	–	4-5-1971
White Oak Ave.		241st Ave. (SE corner)	–	6-3-1991
White Oak Ave.	Northbound and Southbound	157th Ave.	–	4-21-1975
White Oak Ave.	Northbound and Southbound	173rd Ave.	–	10-3-2009

Street	*Direction*	*To Stop For*	*Ord. No.*	*Date/Date Passed*
White Oak Ave.	Northbound and Southbound	West 181st Ave.	–	8-24-1983
White Oak St.		135th Ave.	–	10-1-1979
County Rd. H-10 (153rd Ave.)	Eastbound	Hendricks St.	–	5-13-1974
County Rd. 330	Eastbound and Westbound	Colorado St.	–	12-28-1978
County Rd. 330 (west 73rd Ave.)	Westbound and eastbound	Fairbanks St.	–	10-2-1989
33rd Ave.	Eastbound and Westbound	Jay St.	–	9-2-1975
E. 33rd Pl. (northeast corner)		Jay St.	–	12-10-1996
E. 35th Ave.		Revere Ct.	–	7-27-1970
E. 35th Ave.	Eastbound and Westbound	Liverpool Rd.	–	7-27-1970
E. 35th Ave.	Eastbound and Westbound	Michigan Central Railroad tracks	–	5-3-1971
E. 35th Pl.		Revere Ct.	–	7-27-1970
E. 35th Pl.	Eastbound and Westbound	Liverpool Rd.	–	7-27-1970
36th Ave.	Eastbound	Garfield St.	–	2-10-1969
36th Ave.	Eastbound and Westbound	Iowa St.	–	4-29-1974
36th Ave.	Eastbound and Westbound	Minnesota St.	–	7-27-1970
36th Ave.	Westbound	Garfield St.	–	2-10-1969
39th Ave. (Crest Rd.)	Eastbound and Westbound	Taft Pl. (Forest Ln.)	–	9-10-1979
W. 39th Ct.	Eastbound and Westbound	Garfield St.	–	9-20-1994
40th Ave.	Eastbound and Westbound	Chase St.	–	5-5-1969
40th Ave.	Westbound	Whitcomb St.	–	5-5-1969
40th Ave. (Ranburn Dr.)	Eastbound and Westbound	Taft Pl. (Forest Ln.)	–	9-10-1979
W. 40th Pl.	Eastbound	Marshall Pl.	–	6-1-1993
W. 40th Pl.	Southeast	Marshall Pl.	–	6-1-1993
43rd Ave.		Calhoun St. (NE corner)	–	6-3-1991
44th Ave.		Calhoun St. (NE corner)	–	6-3-1991

Street	*Direction*	*To Stop For*	*Ord. No.*	*Date/Date Passed*
West 46th Ave.	Eastbound	Grant St.	–	8-16-1988
West 46th Ave.	Westbound	Hayes St.	–	8-16-1988
47th Ct.		Noble St.	–	4-11-1989
47th Pl.	Eastbound and Westbound	Rutledge St.	–	5-30-1979
47th Pl.	Westbound	Whitcomb St. (3-way stop)	–	10-9-1984
W. 48th Pl.	Eastbound	Noble St.	–	8-12-1997
W. 48th Pl.	Eastbound and Westbound	Roosevelt St.	–	6-25-1998
49th Ave.	Eastbound and Westbound	Pierce St.	–	7-19-1976
E. 49th Ave.		Harrison St.	–	5-28-1974
50th Pl.	Northbound and Southbound	50th Ave.	–	10-13-2009
57th Pl.	Eastbound	Taft Pl.	–	10-21-1968
57th Pl.	Westbound	Taney Pl.	–	10-21-1968
58th Ave.	Westbound	Taft Pl.	–	10-21-1968
W. 58th Ave.		Taft St.	–	6-29-1970
W. 58th Ave.	Eastbound and Westbound	Roosevelt Pl.	–	6-29-1970
W. 59th Ave.		Roosevelt Pl.	–	6-29-1970
W.59th Ave. (County Rd. P-3)		Colfax St. County Rd. F-1)	–	10-5-1970
59th Pl.		Taft Pl.	–	10-21-1968
59th Pl.		60th Dr. at the 3-way intersection	–	10-21-1968
60th Dr.	Eastbound and Westbound	59th Pl.	–	10-21-1968
60th Dr.	Eastbound and Westbound	Taft Pl.	–	10-21-1968
W.60th Dr.		Taft St.	–	6-29-1970
W.60th Dr.	Eastbound and Westbound	Roosevelt Pl.	–	6-29-1970
E. 61st Ave.	Eastbound and Westbound	Deep River Drive	–	11-16-1989
E. 61st Pl.		Kentucky St.	–	5-25-1970
E. 63rd. Pl.		Kentucky St.	–	5-25-1970

Street	*Direction*	*To Stop For*	*Ord. No.*	*Date/Date Passed*
E. 68th Ave.	Eastbound	Pennsylvania St.	–	8-24-1970
E. 68th Ave.	Westbound	Massachusetts St.	–	8-24-1970
E. 69th Ave.	Westbound	Delaware St.	–	8-245-1970
E. 69th Pl.	Westbound	Conn St.	–	8-24-1970
E. 69th Pl. (Saxton Ave.)	Eastbound and Westbound	Delaware St.	–	8-24-1970
E. 70th Pl.	Westbound	Delaware St.	–	8-24-1970
71st Ave.	Eastbound	Delaware St.	–	8-24-1970
E. 71st Ave.	Eastbound and Westbound	Catherine St.	–	8-24-1970
E. 72nd Ave.	Eastbound and Westbound	Virginia St.	–	8-24-1970
73rd Ave. (Rt. 330)	Eastbound and Westbound	Cline Ave.	–	6-2-1969
77th Ave.	Eastbound	Edgewood Dr.	–	5-15-1972
77th Ave.	Westbound	Rhode St.	–	5-15-1972
W. 77th Ct.	Westbound	Mount St.	–	11-1-1971
W. 77th Pl.	Eastbound	Mount St.	–	11-1-1971
W. 77th Pl.	Westbound	Hanley St.	–	11-1-1971
W. 78th Ave.	Eastbound	Hanley St.	–	11-1-1971
W. 78th Ave.	Westbound	Burr St.	–	11-1-1971
W. 78th Ct.	Westbound	Mount St.	–	11-1-1971
W. 78th Ln.	Westbound	Mount St.	–	11-1-1971
78th Pl.	Eastbound	Montana St.	–	9-9-1974
W. 78th Pl.	Westbound	Mount St.	–	11-1-1971
81st Ave.	Eastbound and Westbound	Sheffield	–	8-11-1987
W. 81st Ave.	Eastbound and Westbound	Oakdale St.	–	6-12-1974
81st Pl.		Austin Rd.	–	10-2-1978
W. 82nd Ave.		McKinley St.	–	5-25-1970
W. 84th Pl.		W. 85th Ave.	–	8-24-1970
85th Ave.		Morris Pl.	–	5-30-1978

Street	*Direction*	*To Stop For*	*Ord. No.*	*Date/Date Passed*
W. 85th Ave.		Rohrman Rd.	–	9-3-1991
W. 85th Ave.		Wheeler Pl.	–	9-3-1991
85th Ct.		Bell St.	–	12-31-1990
85th Ct.		Fairbanks St.	–	1-12-1993
W. 85th Ct.	Eastbound and Westbound	Torrence Pl.	–	2-13-1996
85th Pl.		Wheeler Pl.	–	1-12-1993
85th Pl.		86th Ave.	–	1-12-1993
85th Pl.	Eastbound and Westbound	Bell St.	–	12-31-1990
W. 85th Pl.		Burr St. (NE corner)	–	6-3-1991
86th Ave.		Fairbanks St.	–	12-31-1990
86th Ave.		Wheeler Pl.	–	1-12-1993
W. 86th Ave.		Lee St.	–	8-24-1970
86th Ct.		Bell St.	–	12-31-1990
86th Ct.		Fairbanks St.	–	1-12-1993
86th Pl.		Bell St.	–	12-31-1990
86th Pl.		Fairbanks	–	12-31-1990
W. 86th Pl.	Eastbound	Beall St.	–	2-13-1996
W. 86th Pl.	Westbound	Henry St.	–	2-13-1996
W. 88th Ave.	Eastbound	Sheffield Ave.	–	10-12-1993
W. 88th Ave.	Westbound	Lee St.	–	8-10-2004
W. 89th Ave.	Eastbound and Westbound	Colfax St.	–	9-20-1994
W. 89th Ave.	Eastbound	Edison St.	–	8-10-2004
W. 89th Ave.	Westbound	Morse St.	–	8-10-2004
W. 89th Ln.	Westbound	Blane Pl.	–	8-10-2004
W. 90th Ave.	Eastbound	Fairbanks St.	–	8-10-2004
W. 90th Ln.	Westbound	Lee Pl.	–	8-10-2004
W. 93rd St. Ave.	Eastbound and Westbound	Cline Ave.	–	6-13-2000

Street	*Direction*	*To Stop For*	*Ord. No.*	*Date/Date Passed*
93rd Ave.	Eastbound and Westbound	Merrillville Rd. or Harrison St. (4-way stop)	–	9-8-1969
94th Ave.		Roosevelt Pl.	–	4-13-1970
E. 97th Ave.	Eastbound and Westbound	Clay St.	–	12-14-1970
97th Pl.		Grant St.	–	6-21-1971
97th Pl.		Taft St. (Service Rd.)	–	6-21-1971
101st Ave.	Eastbound and Westbound	County Line Rd. (4-way stop)	–	8-7-1978; 8-30-1984
101st Ave.	Westbound	Calumet St.	–	7-19-1976
W. 101st	Eastbound and Westbound	Cline Ave.	–	4-10-2001
E. 102nd Ave.	Eastbound	Benton St.	–	2-13-1996
E. 103rd Ave.	Eastbound and Westbound	Allan St.	–	2-13-1996
E. 104th Ave.	Westbound	Allan St.	–	2-13-1996
E. 104th Ave.	Westbound	Arizona St.	–	2-13-1996
107th Ln.	Eastbound	Hendricks Pl.	–	7-11-1977
107th Ln.	Westbound	Iowa St. (Liverpool Rd.)	–	7-11-1977
107th Pl.	Eastbound	Hendricks Pl.	–	7-11-1977
W. 108th Ave.	Westbound	Bell St.	–	12-31-1990
108th Ct.	Eastbound	Hendricks Pl.	–	7-11-1977
109th Ave.		Calumet St.	–	10-1-1979
111th Ct.	Westbound	Iowa St.	–	9-5-1995
111th Pl.	Westbound	Oregon Ln.	–	9-5-1995
112th Ln.	Eastbound and Westbound	Oregon Ln.	–	9-5-1995
112th Ln.	Northbound	E. 111th Ct.	–	9-5-1995
117th Ave.	Eastbound and Westbound	CXS341156P crossing - East of Parrish Ave.	–	4-10-2001
E. 117th Ave.	Westbound	Randolph St.	–	9-5-1995
118th Place	Eastbound and Westbound	Linden St.	1332A	2-9-2011
118th Place	Eastbound and Westbound	White Oak Ave.	1332A	2-9-2011

Street	*Direction*	*To Stop For*	*Ord. No.*	*Date/Date Passed*
W. 119th Ave.		Woodmar St.	–	10-4-1994
121st Ave.	Eastbound and Westbound	Lake St.	–	10-27-1975
122nd Ave.	Eastbound	Burr St.	–	9-26-1977
E. 123rd. Ave.		County Line Rd.	–	5-1-1990
122nd Pl.	Eastbound	Burr St.	–	9-26-1977
E. 123rd Ct.	Westbound	Warrick St.	–	2-13-1996
E. 123rd Ln.	Westbound	Brookside Dr.	–	2-13-1996
124th Ave.		Cline Ave.	–	10-1-1979
E. 124th Pl.	Eastbound and Westbound	Brookside Dr.	–	2-13-1996
125th Ave.	Eastbound and Westbound	Clark St.	–	10-15-1974
125th Ave.	Westbound	Marshall St.	–	7-11-1977
129th Ave.	Eastbound	Fillmore Pl.	–	9-10-1979
129th Ave. between Parrish Ave. and U.S. 41	Eastbound and Westbound	New York Central Railroad or C.I. and S. Railroad crossing	–	11-3-1969
E. 129th Ave.	Eastbound	Randolph St.	–	8-16-1988
W. 129th Ave.	Westbound	Fillmore	–	6-21-1999
W. 130th Pl.	Westbound	Van Buren Pl.	–	3-12-1996
W. 131st Court	Westbound	Van Buren Pl.	–	3-12-1996
W. 131st Ln.	Westbound	Tyler St.	–	3-12-1996
W. 133rd Ave.	Eastbound and Westbound	Fairbanks St.	–	7-19-1976
W. 136th Ln.	Eastbound	Marshall St.	–	3-12-1996
137th Ave.	Eastbound and Westbound	Delaware St. (4-way stop)	–	8-30-1984
E. 137th Ave.	Eastbound and Westbound	Montgomery St.	–	10-8-1985
W. 138th Ln.	Eastbound	Chase St.	–	3-12-1996
W. 138th Ln.	Westbound	Jennings Ln.	–	3-12-1996
E. 141st Ave.	Eastbound	Grand Boulevard	–	12-10-1996
142nd Ave.		Elkhart St. (NE corner)	–	6-3-1991

Street	*Direction*	*To Stop For*	*Ord. No.*	*Date/Date Passed*
142nd Pl.		Elkhart St. (NE corner)	–	6-3-1991
E. 145th Ave.	Eastbound	Elkhart St.	–	4-10-2001
151st Ave.		State Line Rd.	–	10-1-1979
W. 151st Ave.	Eastbound and Westbound	Hawthorne St.	–	6-21-2000
153rd Ave.		Morse St.	–	10-1-1979
153rd Ave.	Eastbound	Colfax St.	–	10-1-1979
153rd Ave.	Eastbound	Hendricks St.	–	10-1-1979
W. 153rd Ave.	Westbound	Colfax St.	–	4-10-2001
W. 153rd Ave.	Westbound	Hendricks St.	–	4-10-2001
155th Ave.		Morse St.	–	10-1-1979
155th Ave.		Parrish Ave.	–	10-1-1979
155th Ave.	Eastbound and Westbound	Monon Railroad	–	1-10-1989
157th Ave.		Parrish Ave.	–	10-1-1979
157th Ave.	Westbound	Colorado St.	–	9-23-1991
157th Ave.	Westbound	White Oak Ave.	–	4-21-1975
159th Ave.		Lakeview Dr. (SW corner)	–	6-3-1991
159th Ave.	Eastbound and Westbound	Cline St.	–	2-17-1976
159th Ave.	Eastbound and Westbound	Monon Railroad	–	1-10-1989
W. 161st Ave.	Eastbound	Clark St.	–	4-10-2001
163rd Ave.		Broadway	–	6-3-1991
163rd Ave.		Colorado St. (SW corner)	–	6-3-1991
163rd Ave.		Mississippi St. (SW corner)	–	6-3-1991
163rd Ave.	Eastbound and Westbound	Harrison St.	–	10-27-1975
165th Ave.		White Oak Ave.	–	4-5-1971
173rd Ave.	Eastbound and Westbound	White Oak Ave. (Rd. T)	–	5-19-1969
174th Ave.	Eastbound	Cline Ave.	–	2-13-1996
174th Ave.	Westbound	Hoshaw St.	–	2-13-1996
175th Ave.		Mount Street	1366E	11-12-2013
176th Ct.		Parrish Ave.	–	6-3-1991

Street	*Direction*	*To Stop For*	*Ord. No.*	*Date/Date Passed*
180th PL (Stuckeys Service Rd.)		Colorado St.	–	2-2-1972
W. 197th Ave.	Eastbound and Westbound	CSX341181 crossing - West of Clark St.	–	4-10-2001
205th Ave.		Mississippi St. (NE, SW corners)	–	6-3-1991
W. 205th Ave.	Eastbound and Westbound	CSX341183L crossing - East of Monon St.	–	4-10-2001
W. 205th Ave.	Eastbound and Westbound	Conrail Crossing #545907V	–	7-24-1998
213th St.	Eastbound and Westbound	Madison St.	–	6-12-1972; 10-15-1974
221st Ave.	Eastbound and Westbound	NS545909J crossing - East of Parrish Ave.	–	4-10-2001
231st Ave.		Colfax St.	–	10-1-1979
W. 231st Ave.	Eastbound and Westbound	CSX Railroad	–	9-5-1991
W. 231st Ave.	Eastbound and Westbound	Monon railroad tracks	–	9-24-1990
232nd Ave.		Buchanan St.	–	8-4-1969
232nd Ave.		Pierce St.	–	8-4-1969
233rd Ave.		Harrison St.	–	8-4-1969
234th Ave.		Harrison St.	–	8-4-1969
234th Pl.	Eastbound and Westbound	CSX341189C crossing - West of State Rd. 55	–	4-10-2001
235th Ln.		Filmore St.	–	8-4-1969
235th Pl.		Filmore St.	–	8-4-1969
235th Pl.		Tyler St.	–	8-4-1969
236th Pl.		Harrison St.	–	8-4-1969
237th Pl.		Tyler St.	–	8-4-1969
238th Ave.		Haron St.	–	8-4-1969
241st Ave.	Eastbound and Westbound	NS545916U crossing - East of Parrish	–	4-10-2001
Old 330 (73rd Ave.)	Eastbound and Westbound	Burr St.	–	5-9-1990

(B) The following are designated as stop intersections.

Intersection	*Date*
Blaine Pl. and 83rd Ln.	8-31-1981
Blaine Pl. and 84th Pl.	8-31-1981
Broad St. (4-way stop)	8-11-1987
Calumet St. and 135th Ave. (3-way stop)	10-1-1979
Chase St. and 153rd Ave. (3-way stop)	10-1-1979
Clark St. and Belshaw Rd. (4-way stop)	10-1-1979
Cline Ave. and Belshaw Rd. (4-way stop)	10-1-1979
Fairbanks St. and Wheeler Pl.	8-31-1981
Jay St. and 33rd Ave. (Viking Village Subdivision)	8-31-1981
Jennings Pl. and 133rd (Oakwood Acres #1)	8-31-1981
Webster Ct. and 83rd Ln.	8-31-1981
Whitney Pl. and 83rd Ln.	8-31-1981
47th Pl. and Whitcomb St. (3-way stop)	- -1984
82nd Ct. and Fairbanks	8-31-1981
82nd Ct. and Morse Pl.	8-31-1981
83rd Ct. and Bell St.	8-31-1981
83rd Ct. and Morse Pl.	8-31-1981
83rd Ln. and Morse Pl.	8-31-1981
83rd Pl. and Bell St.	8-31-1981
83rd Pl. and Morse Ct.	8-31-1981
83rd Pl. and Morse Pl.	8-31-1981
84th Pl. and Edison St.	8-31-1981
84th Pl. and Morse PL	8-31-1981
85th Ave. and Bell Ct.	8-31-1981
85th Ave. and Edison St.	8-31-1981
85th Ave. and Morse Ct.	8-31-1981

Intersection	*Date*
87th Ave. and Cline St.	8-31-1981
93rd Ave. and Blaine St. (3-way stop)	6-11-1985
101st Ave and County Line Rd. (4-way stop)	- -1984
W. 133rd Ave. and Jennings Pl. (Oakwood Acres)	8-31-1981

(Prior Code, Ch. 71, Sch. II) (Ord. 1181B, passed 6-3-1998; Ord. 1181C, passed 6-3-1998; Ord. 1183B, passed 8-5-1998; Ord. 1185A, passed 10-7-1998; Ord. 1185B, passed 10-7-1998; Ord. 1193A, passed 6-16-1999; Ord. 1195A, passed 8-18-1999; Ord. 1222B, passed 12-11-2001; Ord. 1332A, passed 2-9-2011; Ord. 1332C, passed 2-9-2011) Penalty, see § 10.99

SCHEDULE III. NO TURN ON RED.

Turning right on a red signal is prohibited at the following locations.

Intersection	*Corner*	*Date*
Burr St. and 29th St.	All four	1-20-1975

(Prior Code, Ch. 71, Sch. III) Penalty, see § 10.99

SCHEDULE IV. GROSS LOAD LIMITS.

(A) There is established a seven-ton gross load limit on the following streets.

Street	*Location*	*Ord. No.*	*Date/Date Passed*
Austin St.	From Belshaw Road to State Route 2	1355J	12-11-2012
Austin St.	From Belshaw Road to 205th Ave.	1353C	10-9-2012
Calhoun St.	From Ridge Rd. to 45th Ave.	–	9-11-1978
Carolina Pl. (Chapel Manor Subdivision)	From Route 53 (Broadway)	–	4-13-1970
Chase St.	From 203rd Ave. to Monon Rd.	1335D	5-10-2011
Deer Park (Forrest Hill Subdivision)	From Route 53 (Broadway)	–	4-13-1970
Ellsworth Pl.	From Ridge Rd. north to railroad right-of-way	–	7-30-1973
Ellsworth St.	From Ridge Rd. north to railroad right-of-way	–	7-30-1973
Indian Trail (Forrest Hill Subdivision)	From Route 53 (Broadway)	–	4-13-1970
Harrison St.	From 233rd Ave. south to State Road 55	–	4-11-1989
Marshall Pl.	From Ridge Rd. north to railroad right-of-way	–	7-30-1973
Marshall St.	From Ridge Rd. north to railroad right-of-way	–	7-30-1973
Monon Rd.	From Chase St. to 231st St.	1335D	5-10-2011
Ross Rd.	From Ridge Rd. to 45th Ave.	–	4-14-1975
Sherman St.	25th Ave. north to the end	–	6-7-1971
Taney Pl.	From Ridge Rd. north to railroad right-of-way	–	7-30-1973
Taney St.	From Ridge Rd. north to railroad right-of-way	–	7-30-1973
24th Ave.	From Colfax St. west to Bell St.	–	6-7-1971
38th Ave.	From Chase St. east to Ellsworth St.	–	7-30-1973

Street	*Location*	*Ord. No.*	*Date/Date Passed*
W. 39th Ct.	From Grant St. to State Rt. 55 (Cleveland St.)	–	6-21-1971
205th St.	From Austin St. to Cline Ave.	1337B	7-12-2011
231st Ave.	From Monon Rd. to State Rd. 55	1353C	10-9-2012
231st St.	From Monon Rd. to State Rd. 55	1335D	5-10-2011

(B) (1) Until further order there shall be in full force and effect an eight-ton weight limitation for vehicles traveling the following roads.

Street	*Location*	*Ord. No.*	*Date/Date Passed*
John Rd.	From W. 53rd Ave., north and south to W. 51st Ave.	–	11-7-1989
Ross Rd.	From W. 45th Ave., north and south to W. 49th Ave.	–	11-7-1989
Whitcomb St.	From W. 45th Ave., north and south to W. 51st Ave.	–	11-7-1989
W. 47th Ave.	From Cleveland St., east and west to Ross Rd.	–	11-7-1989
W. 49th Ave.	From Colfax Ave., east and west to Whitcomb St.	–	11-7-1989
W. 51st Ave.	From Johnson Rd., east and west to Whitcomb St.	–	11-7-1989

(2) Division (B)(1) shall not apply to emergency vehicles, school buses, municipally-owned vehicles, agricultural related vehicles, and all vehicles making commercial and private deliveries.

(3) The Lake County Highway Department shall post signs in the above area in sufficient numbers and locations to reasonably acquaint the vehicular traffic with the limits set forth by division (B)(1) above.

(C) There is established a ten-ton gross load limit on the following streets.

Street	*Location*	*Ord. No.*	*Date/Date Passed*
White Oak Ave.	From 135th Ave. north to 125th Ave. in Hanover Township	–	8-19-1969
W. 57th Ave.	From Chase St. to Cleveland St.(State Rt. 55)	–	9-28-1970
85th Ave. (known as Beren's Rd.)	West from Patterson St. (known as Dyer - St. John Rd.)	–	10-28-1968
W. 91st Ave.	From Sheffield Avenue to State Line Rd.	–	12-10-1996
117th Ave.	From Gibson St. east to Randolph St.	–	9-2-1969

(D) There is established a five-ton gross load limit on the following streets.

Street	*Location*	*Ord. No.*	*Date/Date Passed*
W. 203rd Ave.	From Chase St. to 1,700 ft. east of Chase	–	8-9-1999

(E) There is established a 12-ton gross load limit on the following streets.

Street	*Location*	*Ord. No.*	*Date Passed*
Jennings Pl.	105th Ave. (Summit St.) to 104th Ave.	–	9-10-2002
Noble St.	105th Ave. (Summit St.) to 104th Ave.	–	9-10-2002
104th Ave.	Jennings Pl. to Noble St.	–	9-10-2002

(F) There is established a 15-ton gross load limit on the following streets.

Street	*Location*	*Ord. No.*	*Date Passed*
Austin St.	From Belshaw Rd. to 219th Ave	–	7-24-2000
Cline Ave.	From 205th Ave. to Belshaw Rd.	–	7-24-2000
Colorado St.	From E. 157th Ave. to S.R. 2	–	1-9-2007
S. Grove Rd.	From E. 153rd Ave. to E. 157th Ave	–	1-9-2007

Street	*Location*	*Ord. No.*	*Date Passed*
Iowa St.	From S.R. 231 to E. 153rd Ave.	–	1-9-2007
205th Ave.	From Cline Ave. to Colfax St.	–	7-24-2000
219th Ave.	From Austin St. to Parrish Ave.	–	7-24-2000

(G) There is established the following weight limits on the following bridges.

Street	*Bridge*	*Ord. No.*	*Date/Date Passed*	*Weight Limit*
Belshaw Rd.	Bridge # 47	1353D	10-9-12	14 tons
Binyon St.	Bridge # 361	1353D	10-9-12	11 tons
Broad St.	Bridge # 294	1353D	10-9-12	15 tons
Colfax St.	Bridge # 108	1353D	10-9-12	14 tons
Edmond St.	Bridge # 262	1353D	10-9-12	7 tons
Fairbanks St.	Bridge # 116	1353D	10-9-12	10 tons
Hart St.	Bridge # 264	1353D	10-9-12	15 tons
Main St.	Bridge # 260	1353D	10-9-12	8 tons
Mississippi St.	Bridge # 22	1353D	10-9-12	14 tons
Poplar Ln.	Bridge # 364	1353D	10-9-12	9 tons
Range Line Rd. (Clay St.)	Bridge # 02	1353D	10-9-12	3 tons
State Line Rd.	Bridge # 221	1353D	10-9-12	12 tons
Wisconsin St	Bridge # 254	1353D	10-9-12	12 tons
68th Pl.	Bridge # 255	1353D	10-9-12	15 tons
125th Ave.	Bridge # 65	1353D	10-9-12	14 tons
153rd Ave.	Bridge # 50	1353D	10-9-12	14 tons
169th Ave.	Bridge # 30	1353D	10-9-12	15 tons
241st Ave.	Bridge # 25	1353D	10-9-12	14 tons

(Prior Code, Ch. 71, Sch. IV) (Ord. 1197A, passed 10-20-1999)

CHAPTER 72: PARKING SCHEDULES

Schedule

I. No parking any time
II. Parking lots

SCHEDULE I. NO PARKING ANY TIME.

Parking is prohibited in the following locations.

Street	*Side*	*Location*	*Ord. No.*	*Date/Date Passed*
No parking zones		From the west lot line of of Lot 1 to the east lot line of Lot 2. Over a 50-foot ingress/egress easement on Lots 1, 2, and 3 (which lies adjacent to the south right-of-way line of State Route 2) as shown on the recorded plat of diversified acres, as recorded in the office of the Lake County Recorder, Book 78, Page 93.	–	6-10-1997
Ridge Rd.		From Grant St. to Colfax	–	6-10-1997
Whitcomb St.		Northbound to 11143 Whitcomb St.	–	6-10-1997
41st Ave.	North and South	From Cleveland St. (S.R. 55) to Grant St.	–	6-13-2000
77th Ave.	South	From Taney Pl. to 200 feet east thereof	–	10-26-1970
153rd Ave.	North and South	From Colfax St. east to Lake View Dr.	–	7-7-1975
W. 173rd Ave	North and South	From 4212 W. 173rd Ave. to 4409 W. 173rd Ave	–	7-24-2000

(Prior Code, Ch. 72, Sch. I) Penalty, see § 10.99

SCHEDULE II. PARKING LOTS.

(A) Areas for handicap parking, reserved parking, fire lanes, no parking areas, reserved parking for television crews covering public hearing and meetings, public parking and roadways in and around the Lake County Government Complex are now established by the parking map of the Lake County Government Complex, designated as Exhibit A on Ordinance No. 1338B, passed 8-17-2011, which is incorporated herein as if set out in its entirety.

(B) Each area shall have a clearly visible sign designating the type of parking, if any, allowed in the area as provided by the parking map, designated as Exhibit A on Ordinance No. 1338B, passed 8-17-2011, which is incorporated herein as if set out in its entirety.

(C) The owner or operator of an illegally parked car at the Lake County Government Complex shall be notified in writing on a form to be provided by the county. In case the owner or operator shall not be in possession of, be present or in charge of the vehicle, the posting of the notice or the attachment thereof to a conspicuous place on the vehicle shall be deemed a sufficient notice of the violation.

(D) The Lake County Police may order any vehicle illegally parked according to the Lake County Parking Map to be towed at the request of the Building Manager.

(E) The owners or operators of illegally parked vehicles shall be responsible for payment of all towing costs and fines.

(F) The Lake County Police Department shall enforce the provisions of this section.
(Prior Code, Ch. 72, Sch. II) (Ord. 1032C, passed 4-14-1987; Ord. 1032C-1, passed 5-11-1999; Ord. 1338B, passed 8-17-2011)

TITLE IX: GENERAL REGULATIONS

Chapter

90. ANIMAL CONTROL

91. CABLE TELEVISION SYSTEM

92. HEALTH AND SAFETY

93. NOISE

94. SANITARY LANDFILL

95. EMERGENCY POLICY

96. FIRE PREVENTION

97. LITTERING

98. HAZARDOUS MATERIALS

99. ILLEGAL DUMPING

100. ENVIRONMENTAL PROTECTION

101. STREETS AND SIDEWALKS

102. FIREWORKS

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CHAPTER 90: ANIMAL CONTROL

Section

90.01 Definitions
90.02 Animal care regulations
90.03 Lost or stray animals
90.04 Biting animals; jurisdiction of Health Department
90.05 Impoundment
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90.29 Warning signs required
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90.31 Training of security dog; requirements
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90.34 Concealing an animal from an enforcement officer or falsely denying ownership or keeping of animal
90.35 Revocation of license, permit, or waiver
90.36 Muzzling of animal
90.37 Animal causing nuisance prohibited
90.38 Tethering of animal
90.39 Pit Bulls

90.99 Penalty

§ 90.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALTERED ANIMAL. An animal that has been operated on to prevent it from procreating.

ANIMAL. Any living, nonhuman vertebrate creature.

ANIMAL CONCESSION. Any person who for compensation has any animal available for hire or on display.

ANIMAL CONTROL. The Lake County Animal Control Shelter.

AT LARGE. Not confined without means of escape in a cage, corral, house, pen, vehicle, yard, or other secure enclosure, unless otherwise under the control of a competent person.

CIRCUS. A commercial variety show which includes animal acts for public entertainment.

COMMERCIAL ANIMAL EXHIBIT. A display or show of wild, domestic, or exotic animals in a shopping center, retail establishment, adjacent lot, or elsewhere, for the purpose of promotion of retail sales.

DIRECTOR. The Director of the Lake County Animal Control Shelter of or the acting head of the Lake County Animal Control Shelter.

DOMESTIC ANIMAL. A cat, cow, dog, goat, horse, jackass, llama, mule, pony, poultry, rabbit, sheep, or swine.

GROOMING SHOP. An establishment where animals are bathed, clipped, plucked, or otherwise groomed.

HEALTH DEPARTMENT. The Lake County Health Department.

KEEPER. To keep or to permit any domestic animal to frequent or remain on or within one's building, enclosure, house, premises, or property, and to feed, lodge or otherwise care for such an animal.

LICENSED VETERINARIAN. A person licensed to practice veterinary medicine in the State of Indiana.

PERSON. An individual, corporation, partnership, or other association or organization, but shall exclude the following:

(1) Police officers, federal or state armed forces, park rangers, game wardens, conservation officers, and other such governmental agencies, with respect to actions which constitute a discharge of their official duties; and

(2) An individual, partnership, corporation, or other association, organization, or institution of higher education, which is registered as a research facility with the United States Secretary of Agriculture under 7 U.S.C. §§ 2131 *et seq.*, commonly known as the Animal Welfare Act, while engaged in the course of their performance as such.

PET SHOP. A person, group of persons, partnership or corporation, whether operated separately or in connection with another business enterprise, except a licensed cattery, kennel, or breeder, that buys, sells, or offers for sale any species of animals.

PIT BULL.

(1) Any and all of the following dogs:

(a) The Staffordshire Bull Terrier breed of dogs;

(b) The American Staffordshire Terrier breed of dogs;

(c) The American Pit Bull Terrier breed of dogs;

(d) Dogs which have the appearance and characteristics of being predominately of the breeds of dogs known as Staffordshire Bull Terrier, American Pit Bull Terrier, or American Staffordshire Terrier.

(2) The registration of a dog at any time in any jurisdiction as a Pit Bull or any of the dogs listed above shall constitute prima facie evidence the animal is prohibited by this section.

PLANNED BREEDING. The act of having two animals mate for purpose of procreation.

RESTRAINT. Confinement without means of escape by placing an animal in a cage, corral, house, pen, vehicle, yard or other secure enclosure, or under the control of a person by use a leash or other securing device.

SERVICE ANIMAL. An animal that a person who is impaired by:

(1) Blindness or any other visual impairment;

(2) Deafness or any other aural impairment;

(3) A physical disability; or

(4) A medical condition;

relies for navigation, assistance in performing daily activities, or alert signals regarding the onset of the person's medical condition.

TETHER. Attaching a dog to a stationary object or pulley run by means of a chain, rope, tether, cable, or similar restraint.

WILD ANIMAL. **A**ny live animal which can normally be found in the wild state and shall include but not be limited to an alligator, coyote, crocodile, fox, leopard, lion, lynx, monkey, non-human primate, panther, poisonous or constricting snake, squirrel, tiger, or wolf, as well as an animal which is crossbred with any wild animal.

ZOOLOGICAL PARK. A permanent establishment that is:

(1) A member of the American Association of Zoological Parks and Aquariums; or

(2) An agency of local government, open to and administered for the public, to provide education, conservation, and preservation of the earth's fauna. (Ord. 1280C, passed 10-10-2006)

§ 90.02 ANIMAL CARE REGULATIONS.

(A) *Exceptions; acceptable farm practices exception*. The animal care regulations declared herein are subject to an exception for acceptable farm practices. To qualify for this exception, a person must be engaged in farming. To constitute farming a minimum of 20 acres must be in use for purposes of agriculture or animal husbandry. Moreover, to qualify for this exception, the density of animals (number of animals to area of land) may not exceed any maximum limit set by any applicable zoning ordinance, health ordinance or other ordinance of Lake County.

(B) *Regulations*. The animal care regulations declared herein are further subject to an exception for activities preemptively regulated by the Indiana Board of Animal Health.

(1) *Abandonment*. A person shall not abandon any animal anywhere within the county's limits or any public or private place, way, or building.

(2) *Animal in heat*. An owner or keeper of any animal in heat shall restrain the animal so as to prevent mating and/or to prevent a public nuisance, except as part of a planned breeding where the animals are confined without means of escape in a cage, corral, house, pen, vehicle, yard, or other secure enclosure and a public nuisance is not created.

(3) *Animal in vehicles*. A person shall not leave an animal unattended in a vehicle when the conditions within the vehicle would constitute a health hazard to the animal.

(4) *Appropriate shelter*. An owner or keeper of an animal shall not confine or allow the animal to remain outdoors without access to appropriate shelter from the elements. The following factors to be used in determining the appropriateness of the shelter shall include, but not be limited to: the outdoor environment, weather conditions, and the features of any structure used as a shelter.

(5) *Cruelty*. A person shall not abuse any animal, except that reasonable force may be employed to drive off vicious or trespassing animals.

(6) *Destruction of animals*. A person shall not destroy any domestic animal within the unincorporated area limits; provided however, this provision shall not apply to the following:

(a) A duly authorized agent of Animal Control;

(b) A licensed veterinarian;

(c) A person acting in immediate self-protection;

(d) A county police officer or firefighter acting to prevent undue suffering; and

(e) A slaughterhouse, or a farmer for personal consumption.

(7) *Fighting*. A person shall not permit or conduct a dogfight, cockfight, or any other combat between animals or between animals and people.

(8) *Food and water*. An owner or keeper of an animal shall provide in adequate amounts fresh, potable drinking water, and food in adequate amounts and nutritional value for the animal's species to maintain the good health of the animal.

(9) *Impoundment*. A violation by a person of this chapter may result in impoundment of the animal in accordance § 90.05.

(10) *Interfering with enforcement*. A person shall not interfere with, hinder, or molest an Animal Control Officer in the pursuit of his or her duties.

(11) *Medical care*. An owner or keeper of an animal shall provide the animal with adequate and reasonable care in order to prevent unnecessary animal suffering maintain and to maintain the good health of the animal.

(12) *Motor vehicle*. A person operating a motor vehicle who causes injury or death to a domestic animal shall stop at once, assess the extent of injury, and immediately notify the owner or Animal Control of the location of the animal.

(13) *Poisonous bait* A person setting any type of poisonous bait shall follow the instructions on the FPA label of the poisonous substance.

(14) *Prohibited animal event*. A person, group of persons, or profit or not for profit organization, whether for pay, compensation, or fee promotional purposes, shall not conduct or allow any event involving contests between animals, between an animal(s) and a person(s), or between a person(s) using an animal(s), except those events reviewed and approved for the safety, well-being and comfort of the animals involved by Animal Control.

(15) *Public nuisance*. A person shall not maintain a public nuisance.

(16) *Removal of excrement*. An owner or keeper of an animal shall immediately remove the animal's excrement from public land or from the property of another when the act is without the consent of the property owner, except a blind person working with a guide dog.

(17) *Sanitation*. An owner or keeper of an animal shall keep the animal in a sanitary manner by regularly and as often as necessary maintaining all animal areas or areas of animal contact so as to prevent odor or health and sanitation problems.

(18) *Transport of animals*. A person shall transport an animal by motor vehicle only in a safe manner. Dogs transported in open trailers or open truck beds must be secured by a leash or by other means.

(19) *Vaccination tags*. Dogs and cats over the age of six months must be vaccinated annually by a licensed veterinarian for rabies. Dogs and cats must wear a collar or harness when outside the owner's property.

(20) *Vicious animals*. A person shall not own, keep, or harbor a vicious animal; provided, this section shall not apply to an animal under the control of a law enforcement or military agency. For the purpose of this section, an animal may be declared vicious by the Director if any one of the following five facts or criteria, below, are met. This division shall not be construed to prohibit the use of guard dogs or security dogs for civilian purposes, even though the

dogs may display an aggressive character in keeping with their protective duties. However, those dogs shall be subject to the viciousness standards of division (B)(20)(b) below.

(a) Two or more credible complaints are received from two or more people, not within the same household, regarding the animal's viciousness and this viciousness is verified by an animal control officer.

(b) The animal, while running at large or while being restrained by the owner or keeper with a leash or other securing device, has bitten a person and the bite and attack was unprovoked.

(c) The animal exhibits vicious propensities in present or past conduct including but not limited to conduct such that the animal:

1. Has bitten a person(s) on three or more separate occasions without evidence of provocation;

2. Did bite or attack once without evidence or provocation causing wounds or injuries amounting to serious bodily injury to a person as defined in I.C. Title 35; or

3. Could not be controlled or restrained at the time of the bite or attack to prevent the occurrence.

(d) An animal whose possession would be unlawful (for example, a fighting animal) pursuant to I.C. 35-46-3-8 shall be deemed a vicious animal.

(e) 1. Any animal which, while running at large or while being restrained by the owner or keeper with a leash or other securing device, and without evidence of provocation, kills or seriously injures a domestic animal(s) or livestock.

2. The destruction of a vicious animal is necessary to preserve the public health, safety, and welfare of the community.

3. Whenever an animal is declared vicious, the Director shall notify the owner of the animal of the declaration. The notice shall be served either in person or by certified or registered mail. The animal, if not already in the custody of the Director or his or her designee shall be surrendered to the Director within ten days from the date of receipt of the notification. The owner must appeal the declaration to the Director or the animal shall be humanely destroyed by Animal Control at any time during the ten-day period. Any vicious animal whose ownership is unknown after three days of custody at Animal Control or a surrogate location may then be humanely destroyed.

4. a. Any decision of the Director under the provisions of these subdivisions may be appealed to the Animal Control Board of Appeals (hereinafter Board of Appeals) The Board of Appeals shall consist of three Board members, one appointed by each of the following bodies, the Lake County Commissioners, the Lake County Council, and the Lake County Sheriff's Department. The three Board members shall decide the matter by simple majority vote without submission of their decision to the whole Board of Appeals. Any such panel of three Board members may convene a hearing or other session with a quorum of two Board members. The Board of Appeals shall review the information provided by both the Director and the owner of the animal and render a decision to the effect that:

i. The animal is not vicious; or

ii. The animal is vicious and should be destroyed.

b. The appeal by the owner to the Board of Appeals shall be filed with Animal Control within nine days after receipt of notification from Animal Control that the animal shall be destroyed. The disposition of any animal shall be stayed during the appeal process. The decision of the Board of Appeals shall be final and binding upon the court and upon the appellant. The owner of any animal which is impounded and destroyed under this

section shall be held responsible for payment of any expenses incurred by Animal Control for the impoundment and destruction, and failure to pay that fee to Animal Control within 15 days after destruction of the animal shall constitute a violation of the section. In determining the appeals, the Director shall appoint three members to hear and decide the matter by simple majority vote without submission of their decision to the whole Board, any such panel of three Board members may convene a hearing or other session with a quorum of two members.

(21) *Wild animals*. Absent a waiver by the Director, a person shall not own or keep a wild animal, regardless of any state or federal permit allowing the keeping of the animal. This division does not prohibit the treatment of an injured wild animal by a licensed veterinarian or a licensed rehabilitator of wild animals.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.03 LOST OR STRAY ANIMALS.

(A) A person finding a stray animal shall notify Animal Control within 48 hours. At the sole discretion of the Department, the animal may be kept by the finder and a found report left with Animal Control to enable the finder an opportunity to return the animal to its rightful owner. Upon demand by Animal Control, any found animal shall be surrendered to Animal Control and held for three working days before a disposition is made.

(B) A person finding an animal shall comply with all rules and regulations of this chapter pertaining to humane care and treatment of animals while the animal is in its custody awaiting return to its actual owner.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.04 BITING ANIMALS; JURISDICTION OF HEALTH DEPARTMENT.

Pursuant to state law and administrative guidelines enacted under the authority of the same state law, I.C. 16-41-2-1 and 410 I.A.C. 1-2.3-52.

(A) A person reporting a human bitten by a domestic or wild animal shall be instructed to contact the Health Department immediately as Animal Control recognizes the Health Department has sole jurisdiction over the biting incidents.

(B) When requested, Animal Control shall assist the Health Department by rendering such services as capturing and transporting the biting or bitten animal. Any actions conducted by Animal Control at the request of the Health Department shall conform to the requirements of state law.

(C) The keeper of the biting animal shall make payment to Animal Control for any services Animal Control has provided at the request of the Health Department.
(Ord. 1280C, passed 10-10-2006)

§ 90.05 IMPOUNDMENT.

Animal Control shall operate a program for impoundment of or the ordering of an impoundment by a third-party, including but not limited to a licensed veterinarian, the following types of domestic animals:

(A) A domestic animal at large captured by Animal Control;

(B) A domestic animal found in the unincorporated area of Lake County and brought to Animal Control by any person for which the owner cannot be immediately located;

(C) An injured domestic animal brought to Animal Control;

(D) An animal whose owner living in the unincorporated area of Lake County wishes to relinquish ownership;

(E) A cat or dog captured by the Sheriff or any law enforcement officer of any unit of government within Animal Control's jurisdiction because the dog does not have a current rabies tag or a current license tag indicating the applicable dog tax has been paid;

(F) Any domestic or wild animal to prevent present or future inhumane treatment; and

(G) Any animal whose possession would be unlawful (such as a fighting animal) pursuant to I.C. 35-46-3-8.
(Ord. 1280C, passed 10-10-2006)

§ 90.06 DISPOSITION OF IMPOUNDED ANIMALS, RECLAMATION BY OWNER AND ADOPTION OR DESTRUCTION OF UNCLAIMED ANIMALS.

A domestic animal impounded by Animal Control for any reason including, but not limited to, being a stray or at large animal shall be returned to the lawful owner, placed for adoption, or humanely destroyed and disposed of in accordance with applicable law.

(A) *Reclamation by and return to owner.*

(1) Animal Control shall undertake reasonable steps to locate the owner of any impounded domestic animal with apparent sign of ownership, such as an identification tag, animal license tag, rabies tag, tattoo, and/or microchip.

(2) An impounded domestic animal shall not be returned to the owner until each of the following is met:

(a) Proof of ownership;

(b) The owner making payment of all fees established under this chapter and imposed by Animal Control;

(c) The owner obtaining all licenses;

(d) The owner providing proof of rabies vaccination (where applicable) or proof of prepayment of vaccination fees and licensing; and

(e) The animal being identified by a rabies tag denoting ownership.

(B) *Impounded domestic animal to become property of Animal Control.* An impounded domestic animal shall become the property of Animal Control if unclaimed:

(1) After being held ten working days for an animal with apparent sign of ownership, such as an identification tag, animal license tag, rabies tag, tattoo, and/or microchip.

(2) After being held three working days for an animal with no apparent sign of ownership.

(C) *Unclaimed animals.* Unclaimed animals becoming the property of Animal Control shall be placed for adoption or humanely destroyed.

(D) *Adoption.*

(1) A person who adopts a domestic animal shall have the animal examined and vaccinated in accordance with law by a licensed veterinarian within three working days after adoption.

(2) A domestic animal examined by a licensed veterinarian within three working days and found to be in poor or ill health by the veterinarian may be returned to Animal Control with full exchange privileges.

(E) *Humane destruction.*

(1) Euthanasia of an animal shall be accomplished by drugs approved as humane, as legalized by state law and shall be administered by the Director, by licensed veterinarians, by supervised veterinary technicians, or by euthanasia technicians.

(2) Any injured or unhealthy impounded animal may be euthanized when the act is, in the judgment of the Director, the humane action.
(Ord. 1280C, passed 10-10-2006)

§ 90.07 FEES.

(A) The Lake County Council shall adopt a schedule of fees for any and all services rendered by Animal Control.

(B) Disposal of an animal by any method specified herein does not relieve the owner of liability for violations and for any accrued charges for impoundment. An escalating fee for successive impoundments may be enacted.
(Ord. 1280C, passed 10-10-2006)

§ 90.08 RABIES CONTROL.

Pursuant to state law and administrative guidelines enacted under the authority of the same state law, I.C. 16-41-2-1 and 410 I.A.C. 1-2.3-52.

(A) Animal Control recognizes the Health Department has sole jurisdiction over rabies control.

(B) When requested, Animal Control shall assist the Health Department in rabies control by rendering such services as capturing and transporting a suspect or rabid animal. Any actions conducted by Animal Control at the request of the Health Department shall conform to the requirements of state law.

(C) The keeper of the suspect or rabid animal shall make payment to Animal Control for any services Animal Control has provided at the request of the Health Department.
(Ord. 1280C, passed 10-10-2006)

§ 90.09 PET REGISTRATION: PERMITS, EXCEPTIONS, TAGS.

(A) Any person owning, keeping, harboring, or having custody of any dog or cat over the age of three months must obtain a pet registration for that animal; provided, however, that no pet registration shall be required of an animal welfare organization, municipal animal control facility, governmental agency, or for any trained guide dog for the visually impaired, or trained hearing dog for the hearing impaired. Animals belonging to those agencies or persons shall be issued complimentary registration tags.

(B) A durable tag stamped with registration number and year of issuance shall be provided to the pet registration holders for each registration granted. Dogs and cats must wear their tags at all times on their collars, except when involved in any organized show, obedience demonstration, training situation, or under the care of a licensed veterinarian.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.10 REGISTRATION: APPLICATION, TERM, INSPECTION, FEES.

(A) Application for registrations, permits, or waivers shall be made at or mailed to a facility designated by Animal Control. The application shall include the name and address of the applicant, the type of registration, permit or waiver applied for, the number and description of the animal, proof of rabies vaccination, when applicable, information regarding sterilization, and the appropriate fee.

(B) For an annual registration permit or waiver, the registration, permit or waiver may be purchased 90 days in advance of the date the registration or permit is required. All annual registrations, permits, and waivers issued under this chapter shall expire on March 31 of each year.

(C) At the time of issuance, the facility designated by Animal Control shall issue a registration, permit, or wavier in written form. The

registration, permit, or waiver shall include the number of the registration, permit, or waiver, the type or registration, permit or waiver, and all pertinent information, in addition, Animal Control shall issue a durable tag stamped with the registration, permit, or waiver number, and the year of issuance.

(D) The facility designated by Animal Control shall maintain records of the identifying registration, permit or waiver number.

(E) All fees shall be paid at the time of the application and prior to the issuance of the permit, registration or waiver.

(F) It shall be unlawful for an owner or keeper of a dog or cat over the age of three months to fail to provide the dog or cat with current pet registration as provided in this section.

(G) It shall be unlawful for an owner or keeper of a dog or cat over the age of three months to fail to maintain in his or her possession a current rabies vaccination tag showing that the animal has been vaccinated against rabies as otherwise provided in this chapter.

(H) A registration, permit, or waiver shall not be issued unless proof of vaccination against rabies, when applicable, is shown at the time of the application for the registration, permit, or waiver.

(I) An owner or keeper of the animal who moves into the county for purposes of establishing a residence shall have 30 days in which to obtain a registration, permit, or wavier as required under this chapter.

(J) Absent some specific provision to the contrary, the term for all permits or waivers shall be for the same term as a dog or cat registration pursuant to this chapter.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.11 INSPECTION.

Whenever it is necessary to make an inspection to enforce any of the provisions of or perform any duty imposed by this section or when there is reasonable cause to believe that there exists in any building, upon any premises, or upon any land, whether it be fenced, open, public, or private, any violation of the provisions of this chapter or Indiana state law, the animal control officer or police officer is authorized at all reasonable times to inspect the same for compliance with the provisions of this chapter or state law; provided that:

(A) If the property is occupied, the officer shall first present proper credentials to the occupant and request entry explaining the reasons therefor;

(B) If the property is unoccupied but not abandoned, the officer shall make a reasonable effort to locate the owner or other persons having control of the property and request entry explaining the reasons therefor;

(C) An animal control officer may enter a building or other structure upon the reasonable cause described above and upon further reasonable cause to believe that the building or structure has been abandoned; the entry may be made without a warrant and without consent of the owner;

(D) If animals can be seen or heard from within a motor vehicle or trailer, and if it appears that the animals are being held under conditions posing a substantial and immediate threat to their health or lives, an animal control officer may enter the vehicle or trailer without a warrant and without the consent of any owner, whether the owner be present or absent known, or unknown;

(E) Upon such exigent circumstances described above in division (D) above, an animal control officer may enter a building or structure that is not abandoned, whether occupied or unoccupied, without a warrant and without consent of the owner, whether the owner be present or absent, known or unknown;

(F) In the event that animal control officer, Board of Heath, or police officer has reasonable cause to believe that the keeping or maintaining of an animal is so hazardous, unsafe, or dangerous as to require immediate inspection to safeguard the animal or the public health or safety, the officer shall first present proper credentials and request entry explaining the reasons therefor. In addition to the warrantless entries described above, an animal control officer may petition for a judicial warrant authorizing entry, search, and/or seizure; and

(G) Whenever an entry is authorized under this section, the entry may be made despite the circumstance that some property damage may result.
(Ord. 1280C, passed 10-10-2006)

§ 90.12 KENNEL/CATTERY PERMITS.

(A) A person owning or keeping more than six dogs or six cats, or any combination thereof, shall obtain and maintain a kennel/cattery permit, except upon farms consisting of at least 20 acres of land in use for farming or animal husbandry purposes.

(B) A person engaging in boarding dog(s) or cat(s) for any purpose must have a kennel/cattery permit.

(C) An applicant for a kennel/cannery permit shall have a permit from the Lake County Plan Commission or shall demonstrate compliance with all zoning laws or an exemption from any county permit or zoning law requirement.

(D) An applicant for a kennel/cattery permit shall be issued a permit only upon the satisfaction of the Director that the animals shall be housed or are being housed in a sanitary, safe, and humane manner without over-density and without constituting a nuisance to properties abutting or nearby, in compliance with § 90.02, and in accordance with the breed of the animal. Kennel/cattery permits must specify the maximum number of animals permitted. Such permits may be revoked or their renewal may be refused for any violation of state law, of state animal health regulations, or for any breach of duty imposed by this chapter.

(E) A person operating a kennel/cattery shall accept a dog or cat only if the dog or cat is in compliance with the rabies vaccination requirements of the State of Indiana and shall request proof of the vaccination from the owner or keeper of the animal. Furthermore, a person operating a kennel/cattery shall have the right to request a dog or cat to be vaccinated against other common diseases and shall have the right to request the proof of the vaccination from the owner or keeper of the animal.

(F) In the event an animal dies while being boarded or while in training, the person operating the kennel/cattery shall either preserve the body of the dog or cat until the owner's return or shall take the body of the dog or cat to a licensed veterinarian for an autopsy. The cost of the autopsy shall be the responsibility of the kennel/cattery owner.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.13 GROOMING SHOP PERMIT.

(A) A person owning or operating a grooming shop as defined in this chapter shall obtain a grooming shop permit.

(B) A person owning or operating a grooming shop shall have the right to request that a dog or cat accepted for grooming be vaccinated against common diseases, including a rabies vaccination, and to require proof of the vaccinations be furnished to the shop owner or operator.

(C) A person owning or operating a grooming shop shall make the grooming shop available for reasonable inspection by Animal Control during normal operating hours.
(Ord. 1280C, passed 10-10-2006)

§ 90.14 PET SHOP PERMIT.

(A) A person owning or operating a pet shop as defined in this chapter shall obtain a pet shop permit.

(B) A person owning or operating a pet shop shall make the pet shop available for reasonable inspection by Animal Control during normal operating hours.

(C) A person owning or operating a pet shop shall furnish the purchaser with a written statement at the time of sale containing each of the following:

(1) Date of sale;

(2) Name, address and telephone number of purchaser and permit holder;

(3) Permit number of permit holder;

(4) Breed, description, approximate age and sex of dog, cat or other animal sold; (Small mammals, parrot-type birds, and fish not included.)

(5) Medication and prophylactic immunization and date administered;

(6) Internal parasite medication(s) and date(s) administered; and

(7) A guarantee of good health for a period of not less than one week with the recommendation to have the animal examined by a licensed veterinarian.

(D) A person owning or operating a pet shop shall retain a copy of the written statement required by division (C) above for a period of not less than 12 months from the date of sale and shall make that written statement available for reasonable inspection to Animal Control during normal operating hours.

(E) Animal Control or the Lake County Health Department may restrict the sale of any animal suspected of being diseased or otherwise unfit for sale.

(F) Animal Control or the Lake County Health Department shall have the right to have the animal suspected of being diseased or otherwise unfit for sale examined by a licensed veterinarian. If the licensed veterinarian finds the animal diseased or otherwise unfit for sale, the owner or operator of the pet shop shall reimburse the enforcing agency's veterinary fees.

(G) The inspection is to be made by a veterinarian within 24 hours of the enforcing agency's determination that the animal is diseased or otherwise unfit for sale.

(H) All pet shops defined herein and stores selling animals, birds, reptiles, and fish as pets shall take care to house animals in a sanitary manner; appropriate medical services, care, and housing shall be given according to individual species needs.

(I) No puppy or kitten under the age of eight weeks may be offered for sale, trade, or other compensation, or for free giveaway, except where custody of the puppy or kitten is surrendered to Animal Control.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.15 CIRCUSES, ANIMAL CONCESSIONS AND COMMERCIAL ANIMAL EXHIBITS.

(A) A person owning or operating a circus, animal concession, or a commercial animal exhibit as defined in this chapter shall obtain a circus, animal concessions, or commercial animal exhibit permit. Township and county fairs are exempt from this section.

(B) A person owning or operating a circus, animal concession, or commercial animal exhibit shall comply with the rules and regulations of this chapter pertaining to the humane care and treatment of animals, including but not limited to, appropriate shelter, food and water, and medical services.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.16 SECURITY DOG ENTERPRISE.

(A) A person supplying a security, patrol, or watch dog for hire to other persons shall be subject to regulation under this chapter if either of the following are located within the county: the central business office or the kennel of the person supplying the dog; or the customer location where the dog is providing the services.

(B) A person supplying a security, patrol, or watch dog for hire to other persons shall obtain a permit. The Director may issue a permit upon proof of compliance with applicable zoning regulations.

(C) Both at the kennel housing the dog and at the customer location where the dog is supplying the services, the owner of a security, patrol, or watch dog for hire to other persons shall comply with the rules and regulations of this chapter pertaining to the humane care and treatment of animals, including but not limited to, appropriate shelter, food and water, and medical services.

(D) A person supplying a security, patrol, or watch dog for hire to other persons shall make its central business location, the kennel, and customer locations shall be open to reasonable inspection by animal control officers during the person's normal operating hours and during the hours the dog is being supplied to the customer.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.17 WAIVERS FOR WILD ANIMALS.

(A) This section does not apply to licensed commercial animal dealers, zoological parks, circuses, or carnivals.

(B) In the case of an animal kept within the jurisdictional area continuously since 1-1-1996 or some earlier date and whose continued keeping would now be in violation of this chapter, but whose owner applied to the Director for a timely waiver for the wild animal, the owner shall:

(1) Comply with any and all applicable federal or state permit requirements; and

(2) Satisfy Animal Control the animal is being kept under conditions safe, healthy, and humane circumstances.

(C) An applicant for a wild animal waiver consents to inspection of the animal's accommodations at the time of the initial application, upon renewal, and during any period of waiver.

(D) The Director may issue a wild animal waiver to the owner of an animal not subject to the waiver provision of division (A) above. To obtain a waiver under this division, the owner must:

(1) Satisfy all requirements of division (A);

(2) Supply a veterinarians certificate attesting to the good health of the animal; and

(3) Further demonstrate full compliance with any applicable regulations of the Indiana DNR or other state agency.

(E) (1) If an emergency exists, the Director may summarily suspend a permit issued under this section. The Director may summarily seize and hold an animal for which a permit is required under this section, pending the outcome of the proceedings under this section, if any of the following conditions exist:

(a) The animal has bitten any person or another animal;

(b) The animal poses a danger to a person's life, physical well-being, or property, or a danger to another animal's life or physical well-being, where the official records of Animal Control indicate a dog or cat has bitten any person or persons, it shall be prima facie evidence that the dog or cat is a dangerous animal; or

(c) The life or health of the animal is in peril.

(2) After suspending a permit or seizing and holding an animal under division (E) above, Animal Control shall proceed as quickly as feasible to provide the opportunity for completed adjudicative proceedings. The proceedings may result in the revocation, temporary suspension, or modification of the permit. Provision may be made for a final disposition with respect to the wild animal, including confiscation of the animal. Any decision of the Director under the provisions of this section may be appealed to the Animal Control Board of Appeals (hereinafter Board of Appeals). The Board of Appeals shall consist of three Board members, one appointed by each of the following bodies, the Lake County Commissioners, the Lake County Council, and the Lake County Sheriff's Department. The three Board members shall decide the matter by simple majority vote without submission of their decision to the whole Board of Appeals. Any such panel of three Board members may convene a hearing or other session with a quorum of two Board members. The Board of Appeals shall review the information provided by both the Director and the owner of the animal and render a decision to the effect that:

(a) The animal is in a position to harm another animal; or

(b) The life or health of the animal is in peril.

(3) The disposition of any animal shall be stayed during the appeal process. The decision of the Board of Appeals shall be final and binding upon the Court and upon the appellant. This division shall be the exclusive remedy available to a person aggrieved by a determination of Animal Control under this section.

(F) The Director may contract with experts in the handling of animals for which a permit is required under this section to assist the Director in seizing and holding an animal under this section. A person who seizes and holds an animal under a contract with the Director is not subject to legal action arising from the seizure or holding to the same extent as if the person was an employee of Animal Control.

(G) The owner or keeper of an animal seized under this section is liable for the costs of seizing and holding the animal and of the proceedings under this section, including a trial, if any.
(Ord. 1280C, passed 10-10-2006)

§ 90.18 SCHEDULE OF FEES.

In addition to all other fees required by law to be paid, including those provided under this chapter, the following fees shall be paid:

(A) *Annual pet registration.*

(1) Annual fee, with the year being January 1 and ending December 31, or part thereof.

Each altered (neutered/spayed) dog or cat	$6 ($3 if paid prior to March 31)
Each unaltered (unneutered/ unspayed) dog or cat	$20 ($10 if paid prior to March 31)

(2) Upon a statement from a licensed veterinarian setting forth that the altering of the dog or cat shall constitute a threat to the health of the dog or cat, the payment of the permit fee for an unaltered dog or cat shall not be required but the dog or cat shall be classified as an altered dog or cat for purposes of this division.

(3) An owner of service animal shall be exempt from the annual permit fee required under this division.

(4) A dog or cat owner 62 years of age or older who owns an altered dog or cat may receive his or her permit required under this division free of charge; however, if the dog or cat has not been altered, the regular fee for an unaltered dog or cat shall apply.

(B) *Adoption.*

(1) *Dogs.*

Male dog	$63.75 each ($28.75 adoption and $35 neutering)
Female dog	$73.75 each ($28.75 adoption and $45 neutering)

(2) *Cats.*

Male cat	$48.75 each ($28.75 adoption and $20 neutering)
Female cat	$73.75 each ($28.75 adoption and $35 neutering)

(3) *Dog or cat, already neutered.* Any dog or cat already neutered, $35 each adoption fee only.

(4) *Micro chip and registration.* Micro chip and registration $16.25 additional fee per dog or cat adopted.

(5) *Director's discretion.* Should the Director, in his or her sole discretion, determine it is in the best interest of the operation of Animal Control or the animals, the Director has the authority to reduce the above fees as contained in this division (B).

(C) *Wild animal annual waiver fee.* Annual fee, with the year being January 1 and ending December 31, or part thereof: $75 each wild animal.

(D) *Custody of domestic animal transferred to animal control.*

(1) An owner or keeper of an animal transferring custody of the animal to Animal Control shall pay the following applicable fee:

Dog or cat younger than three months old	$5 each
Dog or cat three months old or older but younger than eight years	$10 each
Dog or cat eight years old or older	$30 each
All other animals	
Under 10 lbs	$10 each
10 lbs. or over	$25 each

(2) If in any six-month period the owner or keeper shall transfer ownership of an additional animal, the above fee paid by the owner or keeper shall be doubled.

(3) Animal control shall have the sole discretion to decline the acceptance of any the animal.

(4) Should Animal Control determine the transferred animal is not eligible for adoption, the owner or keeper shall pay $30 for the euthanasia and disposal of the animal.

(E) *Fees resulting from the impoundment of an animal.*

(1) An owner or keeper of an animal impounded for any reason as provided under this chapter shall pay the following fee for the housing of the animal:

[See table on following page.]

Fees for Impoundment of an Animal	
Cat	$8 each day or any part thereof
Dog	$10 per day or any part thereof
Livestock	The greater of $75 per day or any part thereof, or the daily fee or any part thereof of a third-party impounding the animal at the direction of Animal Control
Any other animal	
Under 10 lbs.	$8 each day or any part thereof, or the daily fee or any part thereof of a third party impounding the animal at the direction of Animal Control
10 lbs or over	$10 each day or any part thereof, or the daily fee or any part thereof of a third party impounding the animal at the direction of Animal Control

(2) In addition to the housing fees listed above in this section, an owner or keeper shall pay the following fee for the return of the same animal from impoundment during the same continuous 12-month period:

First occurrence	$25
Second occurrence	$50
Third occurrence	$75
Thereafter	$25 for each additional occurrence

(F) *Vaccinations and veterinary services*. An owner or keeper of an animal having the animal impounded for any reason as provided under this chapter shall pay for any services provided to the impounded animal by Animal Control or by a third-party as directed by Animal Control. These services shall include but not be limited to, any vaccination including a rabies vaccination, any necessary veterinary services, or any necessary laboratory or blood work.

(1) If the above service is provided by Animal Control, the fee shall be:

Vaccination	$20
Laboratory or blood work	$10

(2) If the above service is provided by a third party as directed by Animal Control, the fee shall be the cost the service provided plus 10%.

(G) *Services provided at request of incorporated areas of county*. The following fees shall be imposed where Animal Control provides services to an animal at the request of an incorporated area of the county:

Housing of animal	
First 3 days	$15 each day or part thereof
More than 3 days	$5 per day each or part thereof
Euthanasia and disposal	$15 each animal
Disposal only	$10 each animal

(Ord. 1280C, passed 10-10-2006)

§ 90.19 OTHER FEES.

The following are other fees assessed.

Other Fees	
Circus, animal concession or commercial animal exhibit	$50 weekly
Grooming shop	$75 annually

Other Fees	
Kennel/cattery	
One to ten animals	$75 annually
Eleven to 20 animals	$100 annually
Twenty-one to 40 animals	$200 annually
Over 40 animals	$500 annually
Pet shop	$100 annually
Security dog enterprises	
One to ten dogs	$100 annually
Eleven to 20 dogs	$250 annually
Over 20 dogs	$500 annually

(Ord. 1280C, passed 10-10-2006)

§ 90.20 ANIMALS AT LARGE PROHIBITED.

An owner or keeper of an animal shall not cause, suffer, or allow the animal to be at large.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.21 CUSTODY AND DISPOSITION OF DEAD ANIMAL.

A person shall not allow the body, or any part thereof, of a dead animal to be kept, held, or disposed of in violation of this chapter, as follows:

(A) No public or private carrier shall either transport any dead animal through or into the county, or allow it to remain in or on any of its cars, vehicles, tracks, or places controlled by it, in either instance longer than five hours.

(B) A person who operates a slaughterhouse, butcher shop, or other place in the county shall not permit any parts of a dead animal that are not fit and intended for use as food to accumulate or be kept on the premises over 24 hours after being received, or after the death of the animal.

(C) A person shall not skin, dismember, dissect, cut up, or dispose of the body of a dead animal, or any parts thereof, in the county unless the person is regularly engaged in the business of killing and disposing of the animals for food or otherwise, and is so authorized by law, or does so for the person's own use.

(D) A person shall not possess, keep, use, or dispose in the county a dead animal, or parts thereof, or offal of a live animal in any manner creating an offensive order or sight, or constitutes a public nuisance affecting health and comfort in any respect.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.22 UNLAWFUL USE OF DOG.

A person shall not make use of an animal in the commission or furtherance of a criminal activity.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.23 ATTEMPTS TO POISON ANIMAL.

A person shall not throw, or deposit poisoned meat or any poison or harmful substance in a street, alley, marketplace or public place, or on any private premises for the purpose of destroying or injuring any dog or cat.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.24 ENTICEMENT OF ANOTHER PERSON'S ANIMAL.

(A) Without authorization, a person shall not enter or invade the private premises of another person to capture, entice or take an animal out of its

enclosure or premises of the owner or keeper, or to seize an animal at any place while the animal is accompanied by its owner or keeper.

(B) Except as expressly authorized by this chapter, a person shall not entice any animal away from the premises of its owner or keeper, or to entice an animal from a street, alley, or public place with the intent to deprive the owner of keeper of the animal's possession.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.25 INTERFERENCE WITH ANOTHER PERSON'S ANIMAL.

(A) A person shall not feed, tease, tantalize, molest, or provoke an animal without the express consent of the animal's owner or keeper, if any, while the animal is on the owner or keeper's property or under the owner or keeper's control.

(B) Neither a person in violation of this section who is attacked or bitten by the animal, nor a person having a derivative claim by reason of injury to that person, shall have a right of action to recover damages from the owner or keeper of the animal.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.26 ANIMAL TRAPS.

(A) A person shall not use, place, or set or cause to be used, placed or set a leg-hold trap, snare, net, or other device upon any land or waters.

(B) This section shall not apply to a leg-hold trap, snare, net or other device placed on private property where the leg-hold trap, snare, net, or other device is placed and maintained by the owner or his or her agent and the owner or agent knows the placement of the leg-hold trap, snare, net, or other device, and is not in violation of another section of this chapter.

(C) A person placing, setting, or causing to be used, placed or set a leg-hold trap, snare, net, or other device shall inspect and empty the leg-hold trap, snare, net, or other device at least once every 24 hours.

(D) This section shall not pertain to cage-type, live traps or to traps each designed specifically for rats, moles or gophers, so long as the owner of the property is aware of the location of the traps.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.27 OFFENSIVE USE OF AN ANIMAL.

A person shall not deposit a live or dead animal upon public or private premises not owned by that person, or to throw a live or dead animal or insect against any other person, or aid or abet another person in doing so.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.28 REGISTRATION: NOTIFICATION OF CHANGE.

During the term of a registration required by this chapter, the registrant within 30 days shall notify Animal Control in writing of any change in the circumstances which would render the information contained in the registration to be incomplete, inaccurate.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.29 WARNING SIGNS REQUIRED.

(A) The owner or occupant of premises where a wild or dangerous animal is kept shall post at each entrance to that premises, conspicuous signs which shall state, "WARNING: WILD OR DANGEROUS ANIMAL. FOR FURTHER INFORMATION CALL (the telephone number of the owner or occupant of the premises.)"

(B) The owner or occupant of premises where a security dog is kept shall post, at each entrance of the premises accessible to the dog, conspicuous signs which shall state, "WARNING: SECURITY DOG GUARDING THIS PROPERTY. FOR FURTHER INFORMATION CALL (the telephone number of the owner or occupant of the premises.)"
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.30 TRANSFERENCE.

(A) A license, permit, or waiver issued to a person under this chapter shall not be transferable or assignable to another person by the person holding the license, permit, or waiver.

(B) A license, permit or waiver issued to a person for a specific animal under this chapter shall not be transferable or assignable to another animal.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.31 TRAINING OF SECURITY DOG; REQUIREMENTS.

A person shall not train any dog as a security dog without possessing a valid license. This section shall not apply to governmental bodies.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.32 SALE OR TRANSPORT OF A BITING ANIMAL.

An owner or keeper of an animal that has bitten another animal or person shall not sell, give away, or permit the biting animal to be taken outside the county limits or otherwise dispose of such a biting animal until the animal is examined for rabies.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.33 PRIMARY ENCLOSURE REQUIREMENTS FOR ANIMALS HOUSED OUTDOORS.

(A) Primary enclosures shall be structurally sound and maintained in good repair so as to:

(1) Contain the animal;

(2) Protect the animal from injury;

(3) Keep predators out;

(4) Ensure the animal remains dry and clean;

(5) Permit the animal convenient access to food and water as required by this chapter;

(6) Provide such convenient space for the animal to turn about freely and to stand, sit, and lie in a comfortable, normal position; and

(7) Have no sharp edges accessible to the animal that could cause injury.

(B) Each dog in a primary enclosure shall be provided a minimum square footage of floor space equal to the mathematical square of the sum of the length of the dog in inches, as measured from the tip of its nose to the base of its tail, plus six inches, expressed in square feet. An animal housed in an accessory building (including but not limited to a garage or shed) shall have access to an outside kennel run.

(C) Animals housed in the same primary enclosure shall be maintained in compatible groups, with following additional restrictions.

(1) A female should not be housed in a primary enclosure with an unaltered male, except for breeding purposes.

(2) An animal exhibiting a vicious disposition shall be housed individually in a primary enclosure.

(3) An immature animal shall not be housed in the same primary enclosure with an adult, other than its mother, except when permanently maintained in breeding colonies.

(4) Animals of a different species shall not be housed in the same primary enclosure.

(D) The floors of a primary enclosure shall be constructed so as to protect the animal's feet and legs from injury. Enclosures may have grid type flooring, provided the grid material is of adequate gauge to prevent sagging under the weight of the animal and the mesh is small enough to prevent its feet from passing through or to cause cutting injuries to the foot pad.

(E) An adult dog confined in a cage less than double the minimum standard size as stated in division (B) above shall be exercised in runs at least twice daily or walked on a leash for at least 20 minutes a day.

(F) An animal shall not be tied to a fence, cage, or other structure in lieu of being housed.

(G) An animal shall not be housed in a vehicle in lieu of being kept in a suitable primary enclosure.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.34 CONCEALING AN ANIMAL FROM AN ENFORCEMENT OFFICER OR FALSELY DENYING OWNERSHIP OR KEEPING OF ANIMAL.

A person shall not conceal or falsely deny ownership or the keeping of an animal owned or kept by him or her from an official properly authorized to enforce this chapter.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.35 REVOCATION OF LICENSE, PERMIT, OR WAIVER.

In addition to other penalties provided for in the chapter, Animal Control shall have the right to revoke any license, permit, or waiver should the person holding the license, permit, or waiver be in violation of any provisions of this chapter.
(Ord. 1280C, passed 10-10-2006)

§ 90.36 MUZZLING OF ANIMAL.

Animal Control shall have the right to demand an owner to muzzle an animal while out of doors when there is potential danger to the general public
(Ord. 1280C, passed 10-10-2006)

§ 90.37 ANIMAL CAUSING NUISANCE PROHIBITED.

It shall be unlawful for a person to own or keep any animal which by frequent or habitual howling, yelping, barking, screeching, other vocalization, or otherwise shall cause serious annoyance or disturbance to persons in the vicinity.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.38 TETHERING OF ANIMAL.

(A) (1) An animal shall not be tethered:

(a) By use of chains or tethers, restraints or implements directly to a dog without the proper use of a collar harness, or other device designed for that purpose and made from a material that prevents injury or choking to the animal;

(b) By use of a tether or any assembly or attachments thereto to tether a dog that shall weigh more than one-eighth of the animal's body weight, or due to weight, inhibit the free movement of the animal within the area tethered;

(c) By use of a choke chain or in such a manner as to cause injury, strangulation, or entanglement of the dog on fences, trees, or other human-made or natural obstacles;

(d) Whereby the animal is without access to shade when sunlight is likely to cause overheating, or appropriate shelter to provide insulation and protection against cold and dampness when the atmospheric temperature falls below 40°F;

(e) Whereby the animal's food and water supply are not secured so that they cannot be tipped over by the tether;

(f) In an open area where it can be teased by a person or in an open area that does not provide the dog protection from attack by other animals;

(g) In an area where bare earth is present and no steps have been taken to prevent the surface from becoming wet and muddy in the event of precipitation;

(h) Whereby the tether is too short for the animal to move around for the animal to urinate or defecate in a separate area from the area where it must eat, drink, or lie down; or

(i) Whereby the tethering causes injury, stress, or demonstrable socialization problems.

(2) Failure to provide relief to a dog in distress when exposed to any of the conditions listed in this section is proof that the dog was unlawfully tethered.

(B) An animal shall not be continuously tethered for more than one continuous hour, except that tethering of the same dog may resume after a hiatus of four continuous hours, for up to four hours total time on tether per 24-hour day.

(C) A female animal shall not be tethered in a manner that prevents her from defending herself or from avoiding a male and an animal that has not been spayed or neutered shall not be tethered for any period of time.

(D) An animal shall not be tethered between the hours of 10:00 p.m. to 8:00 a.m.

(E) An animal shall not be tethered upon or along any public right-of-way including a public park.

(F) Nothing in this section shall be construed to prohibit an owner or keeper from walking an animal with a hand held leash.
(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.39 PIT BULLS.

The keeper of a Pit Bull dog shall be subject to the following mandatory requirements:

(A) When a Pit Bull dog is not being confined in a pen or kennel or indoors, the dog shall be:

(1) Muzzled by a muzzling device sufficient to prevent the dog from biting persons or other animals;

(2) Securely leashed with a leash no longer than four feet in length and with the keeper in physical control of the leash at all times. The leash shall be capable of restraining four times the weight of the dog with the restraining device attached to an escape proof commercial quality walking harness which fastens securely across the shoulders and midchest encompassing the rib area and upper abdomen of the dog. No neck collar of any type or material shall be used in place of a walking harness. The dogs may not be leashed to inanimate objects such as trees, posts, buildings and the like; and

(3) If the dog bites a person or other animal, it shall be a prima facie case that the animal was not securely muzzled and leashed.

(B) When a Pit Bull dog is being confined in a pen or kennel, the pen or kennel:

(1) Shall be securely locked with a key or combination lock with the key under the secured control of the keeper of the dog. If the dog is out of the kennel and no lock is found on the kennel, it shall be a prima facie case that the pen or kennel was not securely locked or the key was not under the secured control of the keeper; and

(2) Shall have secure sides and a secure top attached to the sides and a secure bottom or floor attached to the sides of the pen, or if the floor is not attached to the sides, the sides of the pen shall be securely embedded in the ground no less than two feet. All pens and kennels erected to house Pit Bull dogs shall comply with all zoning and building regulations of the county and shall be adequately lighted and ventilated and kept in a clean and sanitary condition. If the dog is out of the pen or kennel and the pen or kennel is found to be securely locked, it shall be a prima facie case that the pen or kennel was not secure.

(C) (1) When a Pit Bull dog is confined indoors:

(a) The dog shall not be confined on a porch, patio or in any part of a house or structure that would allow the dog to exit the building on its own volition; and

(b) The dog shall not be confined in a house or structure when the windows are open or when screen windows or screen doors are the only obstacle preventing the dog from exiting the structure.

(2) If a dog is out of the house or structure, it shall be a prima facie case that the dog was not restricted from those areas where the dog could exit the building.

(D) A keeper of a Pit Bull dog shall within ten days of the effective date of this chapter display a sign easily readable by the public using the words "Beware of Dog" in a prominent place on both the premises and, if a kennel or pen is used to confine the animal, on the pen or kennel.

(E) A keeper of a Pit Bull dog shall within ten days of the effective date of this chapter provide proof to the County Clerk of public liability insurance in a single incident amount of $50,000 for bodily injury to or death of any person or persons or for damage to property, including an animal, owned by any persons which may result from the Pit Bull dog. At the time of subsequent licensing of the Pit Bull dog, the keeper shall show proof of insurance for the present registration period and proof that there was insurance coverage throughout the period of the prior registration year. If the liability insurance is canceled, lapsed, or for any other reason becomes non-enforceable, the keeper shall be in violation of the provisions of this chapter and subject to the penalties provided herein.

(F) A keeper of a Pit Bull dog shall within ten days of the effective date of this chapter provide the County Clerk of public Identification photographs which shall be two color photographs of the registered that are large and clear showing the color and approximate size of the animal.

(G) A keeper of a Pit Bull shall within ten days of the occurrence, report the following information in writing to the City Clerk:

(1) The removal from the county or death of the Pit Bull dog;

(2) The birth of offspring to the Pit Bull dog (male or female); and

(3) The new address and phone number of the keeper of the Pit Bull dog should the keeper move within the corporate county limits or the Pit Bull dog be sold or otherwise transferred to another keeper within the county.

(Ord. 1280C, passed 10-10-2006) Penalty, see § 90.99

§ 90.99 PENALTY.

(A) (1) Unless otherwise provided in this chapter, a person violating any provision of this chapter shall, upon conviction, be fined not less than $100 and not more than $1,000 and upon conviction of a second or subsequent violation shall be fined not less than $250 and not more than $2,500.

(2) Each day a violation of this chapter occurs shall constitute a separate and distinct offense.

(3) Applicable provisions of this chapter may be enforced by injunctive relief.

(B) (1) In addition to other enforcement provisions of this chapter and except as provided in division (B)(2) below, the first violation of § 90.20 in any 12-month period shall be subject to written admission of the violation and/or subject to a fine of $50 or less. All second and subsequent violations in any 12-month period are subject to a fine of not less than $100.

(2) If, while the animal is at large in violation of § 90.20, it:

(a) Attacks another animal; or

(b) Chases or approaches a person in a menacing fashion or apparent attitude of attack;

(c) The fine imposed shall not be less than $250. If another animal or person is injured as a result of the animal's actions, the fine imposed shall not be less than $500.

(C) A person who violates § 90.21 shall be fined in the amount of not less than $100.

(D) A person who violates § 90.22 shall be fined in the amount of not less than $100.

(E) A person who violates § 90.23 shall be fined in the amount of not less than $100.

(F) A person who violates § 90.24 shall be fined in the amount of not less than $250.

(G) A person who violates § 90.25 shall be fined in the amount of not less than $50.

(H) A person who violates § 90.26 shall be fined in the amount of not less than $100.

(I) A person who violates § 90.27 shall be fined in the amount of not less than $100.

(J) A person who violates § 90.28 shall be fined in the amount of not less than $100.

(K) A person who violates § 90.29 shall be fined in the amount of not less than $100.

(L) A person who violates § 90.33 shall be fined in the amount of not less than $100 each day of the violation until the violation is corrected by the owner or keeper of the animal.

(M) A person who violates § 90.34 shall be fined in the amount of not less than $100.

(N) A person who violates § 90.37 shall be fined in the amount of not less than $25. Subsequent and continued violations may also subject the owner to impoundment of the animal by Animal Control.

(O) It shall be unlawful for a keeper of a Pit Bull dog to fail to comply with the requirements and conditions set forth in § 90.39. A keeper shall be subject to a fine of no less than $100 for violating this chapter. Any dog found to be the subject of a violation of § 90.39 shall be subject to immediate seizure, impoundment, removal from the county, or euthanasia. In addition, failure to comply may result in the county barring the keeper from keeping any such Pit Bull dog for a period of time as set by Animal Control.

(Ord. 1280C, passed 10-10-2006)

CHAPTER 91: CABLE TELEVISION SYSTEM

Section

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§ 91.01 SHORT TITLE.

This chapter shall be known and may be cited as the Franchise Area.
(Prior Code, § 92.01) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ADDITIONAL SERVICES. Any communications services other than regular subscriber service and pay television provided by grantee over the CATV system either directly or as a carrier for its subsidiaries, affiliates, or any other person engaged in communications services, including, but not limited to, burglar alarm, data and other electronic intelligence transmission, facsimile reproduction, meter reading, and home shopping. ***ADDITIONAL SERVICES*** shall not include the delivery by the CATV system of any programming on the educational access channels or public access channels, which programming is included in regular subscriber service.

ANNIVERSARY DATE. The date on which this franchise was accepted by grantee.

CATV. Community antenna television.

CATV SYSTEM. A system of cables, wires, lines, towers, wave guides, microwave, and laser beams, and any associated converters, equipment, or facilities designed and constructed for the purpose of

producing, receiving, amplifying, and distributing by audio, video and other forms of electronic or electric signals to and from subscribers and locations in the franchise area.

CHANNELS. A band of frequencies, six megahertz wide, in the electromagnetic spectrum which are capable of carrying either one audio-video television signals and non-video signals or two non-video signals.

CONVERTER. An electronic device which converts signals to a frequency not susceptible to interference within the television receiver of a subscriber and which, by an appropriate channel selector, also permits a subscriber to view all signals delivered at designated dial locations.

COUNTY COUNCIL. The present governing body of franchise area or any successor to the legislative powers of the present County Council.

EDUCATION ACCESS CHANNELS. Channels on the CATV system which are reserved for carriage of programs provided by local educational authorities who obtain use of channels from grantee for the presentation of the material.

FEDERAL COMMUNICATIONS COMMISSION or ***FCC.*** That agency hereunder in terms of a franchise privilege, permit, license, or otherwise, to construct, operate, and maintain the CATV system.

FRANCHISE. Includes any authorization granted hereunder in terms of a franchise privilege, permit, license, or otherwise, to construct, operate, and maintain the CATV system.

FRANCHISE AREA. The unincorporated areas of the county.

FRANCHISE YEAR. Any 12-month period commencing on an anniversary date and extending to the day immediately preceding the next subsequent anniversary date.

GRANTEE. Newtown County Cablevision, Inc. or any person who succeeds accordance with the provisions of this franchise.

GRANTEE CHANNELS. The channels on the CATV system which are reserved for carriage of program material originated locally by grantee.

GROSS REVENUES. All revenues collected by the grantee, including but not limited to, regular subscriber revenues, pay television revenues, revenues derived from auxiliary services, leased channel revenues, and advertising revenues. ***GROSS REVENUES*** shall not include any taxes which are imposed on any subscriber or user of CATV system by any governmental unit including copyright fees.

PAY TELEVISION. The delivery over the CATV system of programming to subscribers for a fee or charge over and above the charge for regular subscriber service, on a per-program, per-channel, or other subscription basis.

PUBLIC ACCESS CHANNEL. Channels on the CATV system which are reserved for carriage of program material in the public interest provided by persons who obtain use of the channels from grantee for the presentation of material.

REGULAR SUBSCRIBER SERVICE. The carriage of broadcast signals and FCC mandated nonbroadcast services.

SERVICE AREA. The entire area served by grantee's cable TV system including areas outside the franchise area.

STREET. The surface or the space above and below any public street, and road, highway, alley, bridge, sidewalk, or other public place or way now or hereafter held by franchise area for the purpose of public travel and shall include other easements or right-of-ways now held or hereafter held by franchise area and grantee to the use thereof for the purpose of installing or transmitting CATV system transmissions over poles, wires, cables, conductors, conduits, manholes, amplifiers, appurtenances,

attachments, and other structures, equipment, and facility as may be ordinarily necessary and pertinent to a CATV system.

SUBSCRIBER. Any person who receives any service delivered by the CATV system.

USER OF CATV SYSTEM. A person who utilizes the CATV system to produce or to transmit programs or other communications to subscribers.
(Prior Code, § 92.02) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.03 GRANT OF AUTHORITY.

There is granted to Newtown County Cablevision, Inc. the right, privilege and franchise to have, acquire, construct, reconstruct, maintain, use, and operate in the franchise area a CATV system, and to have, acquire, construct, reconstruct, maintain, use, and operate in, over, under, and along the present and future streets of franchise area as well as other easements and rights-of-way held by franchise area all necessary or desirable poles, towers, anchors, wires, and other structures and appurtenances necessary for the construction, maintenance, and operation of a CATV system in the franchise area.
(Prior Code, § 92.03) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.04 TERMS OF FRANCHISE, RENEWAL.

(A) Upon the filing with franchise area by grantee of the written acceptance required herein, this franchise shall be in full force and effect for a term and period of 15 years commencing 30 days after its final passage and approval.

(B) If the franchise area is not satisfied that compliance has been achieved, or that good faith progress is being made toward compliance, it may schedule a public hearing to determine whether the franchise should be revoked. The grantee and the public shall be given at least 90-days' notice of the hearing and all interested parties shall be heard in open hearing. At the conclusion of the public hearing, the franchise area shall determine whether the franchise should be terminated and shall set forth, in writing, the facts and reasons upon which its decision is based.

(C) The County Council may hold a public hearing not less than 12 months prior to the expiration date of this franchise, the purpose of which will be to review grantee's performance during the entire term of its franchise, to consider, among other matters, the adequacy of this franchise, from the standpoint of the franchise area, grantee, and FCC's rules for cable television and to determine the advisability of renewing grantee's franchise for an additional period of years. The County Council may hear any interested persons during the hearings and may determine whether grantee did reasonably comply with the terms and conditions imposed by the franchise. If the County Council determines that the grantee's performance has been satisfactory in accordance with the terms and conditions imposed by this franchise, the County Council may, at its sole option, renew grantee's franchise for an additional 15-year period subject to the approval of the County Council.

(D) The grantee shall notify the franchise area in writing 18 months prior to the expiration date of grantee's request to renew or not to renew and at the same time grantee may request that a public hearing be held. However, at the time of the renewal request, all terms and conditions of this franchise shall be subject to review and change and the franchise area need not approve any renewal franchise unless there is mutual agreement at that time between the franchise area and grantee as to all the terms and provisions of the franchise renewal. However, renewal shall not be unreasonably denied. If this franchise is renewed by the franchise area, all of the terms and provisions contained herein shall be controlling during the renewal period, except to the extent that the terms and provisions are modified by the franchise area, or unless the franchise is superseded by a new franchise. Should the franchise area, for any reason, be unable to complete the renewal proceeding prior to expiration of this franchise, the grantee shall have the right to continue operation of this CATV system pursuant to the terms of this franchise until the time as the renewal

proceeding is concluded. Should the franchise area deny any renewal of this franchise, the denial shall be accompanied by a written statement setting forth the reasons for the denial. The grantee shall have the right to request review of any denial by any court of competent jurisdiction.
(Prior Code, § 92.04) Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.05 NONEXCLUSIVE FRANCHISE.

The rights, privileges, and franchise granted hereby are not exclusive and nothing herein contained shall be construed to prevent grantor from granting any like or similar rights, privileges, and franchise to any other person within all or any portion of grantor.
(Prior Code, § 92.05) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.06 USE, RENTAL, OR LEASE OF UTILITY POLES, FACILITIES.

There is granted to the grantee the authority to contract with franchise area or any appropriate board or agency thereof or with the holder or owner of any utility franchise in franchise area for the use, rental, or lease of its poles, underground conduits and other structures and facilities for the purpose of extending, carrying, or laying grantee's wires, cables, electronic conductors, and other facilities and appurtenances necessary or desirable in conjunction with the operation of its CATV system. The franchise area agrees that any public utility owning or controlling the poles or underground conduits may, without amendment to its franchise, allow, and is encouraged to allow, the grantee to make the use thereof pursuant to any agreement reached between the utility and grantee.
(Prior Code, § 92.06) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.07 COMPLIANCE WITH APPLICABLE LAWS.

The work done and activity in connection with the construction, reconstruction, maintenance, operation, or repair of grantee's CATV system shall be subject to and governed by the laws of the state, and the United States of America, including the FCC and any other local, county, state, or federal agency having jurisdiction.
(Prior Code, § 92.07) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.08 SUBJECT TO POLICE POWERS OF COUNTY.

The construction, maintenance, and operation of grantee's CATV system and all property of grantee subject to the provisions of this franchise shall be subject to all lawful police powers, rules, and regulations of franchise area. The franchise area shall have the power at any time to order and require grantee to remove or abate any pole, line, tower, wire, cable, guy, conduit, electric conductor, or any other structure or facility that is dangerous to life or property. In the event the grantee, after written notice, fails or refuses to act, the franchise area shall have the power to remove or abate the same at the expense of the grantee, all without compensation or liability for damages to the grantee. The grantee agrees to furnish franchise area with a copy of its strand map at least 15 days prior to commencing construction of the CATV system.
(Prior Code, § 92.08) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.09 CONDITIONS OF STREET OCCUPANCY.

(A) *Use.* All structures, wires, cables, equipment, and facilities erected or maintained by the grantee with franchise area shall be located as to cause minimum interference with the proper and intended use of the streets and with the rights or reasonable convenience of the owners or occupiers of property which adjoins any of the streets.

(B) *Restoration.* The surface of any street or surrounding landscape disturbed by the grantee in laying, constructing, maintaining, operation, using, extending, removing, replacing, or repairing its CATV system shall be restored by the grantee immediately after the completion of the work, at its cost and expense, to as good a condition as before the commencement of the work and maintained by the grantee to the satisfaction of the County Council or other person designated as liaison by the franchise area with notification to the grantee for one year from the date of completion of the restoration work. No street shall be encumbered by construction, maintenance, removal, restoration, or repair work by the grantee for a longer period than shall be necessary to execute the work. If there is an unreasonable delay by the grantee in restoring and maintaining streets after the excavation or repairs have been made, the franchise area shall have the right, without further notice, to restore or repair the same and to require the grantee to pay the reasonable cost of the restoration or repair.

(C) *Relocation.* Whenever by reason of the construction, repair, maintenance, relocation, widening, raising, or lowering of the grade of any street by the franchise area or by the location or manner of construction, reconstruction, maintenance, or repair of any public property, structure, or facility by the franchise area, it shall be deemed necessary by the franchise area for the grantee to move, relocate, change, alter, or modify any of its facilities or structures, the change, relocation, alteration, or modification shall be promptly made by the grantee, at its cost and expense, when directed in writing to do so by the franchise area, without claim for or right of reimbursement of cost or damages against the franchise area. In the event the grantee, after the notice, fails or refuses to commence, pursue, or complete the relocation work within a reasonable time, the franchise area shall have the authority, but not the obligation, to remove or abate the structures or facilities and to require grantee to pay to the franchise area the reasonable cost of the removal or abatement.

(D) *Temporary removal of wire for building.* Upon written request of any person holding a building moving permit issued by the franchise area, the grantee shall remove, raise, or lower its wires and cable temporarily to permit the moving of houses, buildings, or other bulky structures. The reasonable expense of the temporary removal, raising, or lowering shall be paid by the beneficial person, and grantee may require the payment in advance, grantee being without obligation to remove, raise, or lower its wires and cables until the payment shall have been made. The grantee shall be given not less than 72-hours' advance written notice to arrange for the temporary wire and cable adjustments.

(E) *Tree trimming.* The County Council may, from time to time, pass ordinances authorizing the grantee to trim or remove trees on or along the franchise area property.

(F) *Placement of fixtures.* The grantee shall not place poles, towers, or similar fixtures where the same will interfere with any gas, electric, or telephone fixtures, water hydrant or main, drainage facility, sanitary sewer, or any other structure similar in nature and appurtenances thereto, and all the poles, towers, and similar facilities shall be placed as directed by the franchise area and in the manner as not to interfere with the usual travel or use of the streets.
(Prior Code, § 92.09) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.10 INDEMNIFICATION, LIABILITY FOR DAMAGES.

The grantee shall indemnify and pay and, by its acceptance of this franchise specifically agrees that, it will indemnify and pay the following:

(A) *Damages and penalties.* All damages or penalties which the county, its officers, agents, or employees, may legally be required to pay as result of damages arising out of copyright infringements and all other damages arising out of the installation, maintenance, or operation of the grantee's CATV system, whether or not any act or omission complained of is authorized, allowed or prohibited by this franchise; and

(B) *Expenses*. All expenses incurred by the franchise area in defending itself, its officers, agents, or employees, against any and all claims for damages or penalties described in division (A) above. These expenses shall include all out-of-pocket expenses, such as, but not limited to, attorney fees, witness fees, and court costs and shall also include the reasonable value of any services rendered by officers or employees of the county.

(C) *Intent of section*. It is the intent of this section and by its acceptance of this franchise, the grantee specifically agrees that it shall indemnify and hold the county, its officers, agents, and employees, harmless from all liability, damage, cost, or expense arising from claims for injury to persons, damage to property or penalties occasioned by reason of any conduct undertaken by reason of this franchise. The franchise area shall not and does not by reason of the granting of this franchise, assume any liability of the grantee whatsoever for injury to persons, damage to property, or penalties.

(D) *Claims*. The franchise area shall notify the grantee in writing within a reasonable time after the presentation of any claim or demand, either by suit or otherwise, made against the franchise area relative to the foregoing. Where any claim or demand against the franchise area is made by suit or other legal action, written notice shall be given by the franchise area to the grantee in the defense of the proceeding. Failure of the franchise area to so notify the grantee shall not release the grantee from its obligation to indemnify the franchise area.
(Prior Code, § 92.10) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.11 LIABILITY INSURANCE.

(A) *Minimum coverage*. Within 30 days after the effective date of this franchise, the grantee shall file with the county, and shall maintain on file throughout the term of this franchise, a liability insurance policy issued by a company duly authorized to do business in the state, insuring the franchise area and the grantee with respect to the installation, maintenance, and operation of the grantee's CATV system in the following minimum amounts:

(1) Five hundred thousand dollars for bodily injury or death to any one person;

(2) One million dollars for bodily injury or death resulting from any one accident;

(3) One hundred and fifty thousand dollars for property damage resulting from any one occurrence; and

(4) One hundred and fifty thousand dollars for all other types of liability.

(B) *Notice of cancellation or reduction*. The policy of liability insurance shall contain the provision that written notice of expiration, cancellation, or reduction in coverage of the policy shall be delivered to the county and to the grantee at least 30 days in advance of the effective date thereof.

(C) *Term*. The liability insurance shall be kept in full force and effect by the grantee during the existence of this franchise and thereafter until after the removal of all poles, wires, cables, underground conduits, manholes, and other conductors and fixtures incident to the maintenance and operation of the grantee's CATV system, should the removal be required by the County Council or undertaken by the grantee.
(Prior Code, § 92.11) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.12 INSTALLATION SCHEDULES.

(A) *Permits, licenses and certificates*. Within 30 days after the acceptance of this franchise, the grantee shall proceed with due diligence to obtain all necessary permits and authorizations which are required in the conduct of its business, including, but not limited to, utility, joint-use attachment agreements and permits, licenses, authorizations, and

certifications to be granted by duly constituted local, state, and federal governmental entities and regulatory agencies having jurisdiction over the installation and operation of CATV systems. The grantee agrees to notify the franchise area in writing within 15 days of receipt of all the permits and authorizations.

(B) *Start of construction*. Within six months after obtaining all necessary permits, licenses, authorizations, and certifications, and after completion of sufficient make-ready work by utility companies in connection with the use of utility poles and facilities, the grantee shall commence with construction and installation of its CATV system, subject to the conditions of this franchise.

(C) *Initial rendering of services*. Within 12 months after commencement of construction of its CATV system, the grantee shall extend CATV service to any dwelling unit at the standard rate if requested by the owner. However, the grantee is not required to provide service in the franchise area except where there is a density of at least 40 homes per contiguous mile of the system of 25 customers within the particular contiguous mile of the system, provided that the extensions are technically and economically feasible to the grantee. In the event that a potential subscriber's premises are located at a distance from a distribution cable that the grantee deems it neither technically or economically feasible to provide service, then, in that event, the grantee shall provide service to the potential subscriber upon payment by the subscriber of the costs of materials and labor for extending the service beyond a distance of 200 feet from the distribution cable.

(D) *Compliance*. Failure of the grantee to commence and diligently pursue each of the foregoing requirements and to abide by and to complete each of the matters set forth herein shall be grounds for termination of the franchise; provided, however, the grantee shall notify the County Council as soon as reasonably possible of any major delay in meeting the construction schedule despite the grantee's good faith efforts and because of circumstances beyond the grantee's control. The grantee shall be relieved from any of the foregoing time requirements without forfeiture of this franchise, where the delay is attributable to strikes, labor disputes, riots, weather conditions, wars, or national emergency. Additionally, the County Council may extend the time for commencement and completion of construction and installation for additional periods for any other reason in the event the grantee, acting in good faith, experiences delays; the extension shall not be unreasonably withheld. The grantee shall provide the franchise area with a report at least once each month setting forth the progress made as of the date of each report. The franchise area may request any additional information not included in the report which shall be provided by the grantee to the franchise area.

(E) *Delays in construction*. The grantee shall advise the franchise area of any delays in construction, the reason for the delay and the probable length of same.

(Prior Code, § 92.12) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.13 OPERATIONAL STANDARDS.

The County Council shall require that the grantee's CATV system shall be installed, maintained, and operated in accordance with the highest accepted standards of industry to the end that the subscriber may receive the best and most desirable form of service. Towards accomplishment of this purpose, grantee and its CATV system shall meet the following minimum standards and service offerings:

(A) *Compliance with FCC rules*. The grantee shall comply with all current and present rules and regulations of the FCC in connection with and relating to the operation of its CATV system, regardless of whether the rules and regulations are changed in the future, or deregulation shall occur, or for any other such event.

(B) *Quality of color signals*. The grantee's CATV system shall be capable of transmitting and passing the entire color television spectrum without the introduction of material degradation of color intelligence and fidelity.

(C) *Rated for continuance operation*. The grantee's CATV system shall be designated and rated for 24 hours a day continuous operation.

(D) *Quality of picture*. The grantee's CATV system shall be capable of and shall produce a picture upon any subscriber's television screen in black and white or color, a color picture, that is undistorted and free from ghost images and accompanied by proper sound, assuming the technical, standard production television set is in good repair and the television broadcast signal transmission is satisfactory. In any event, the picture produced shall be as good as the state-of-the-art allows.

(E) *No cross-modulation or interference*. The grantee's CATV system shall transmit or distribute signals of adequate strength to produce good pictures with good sound in all television receivers of all subscribers without causing cross modulation in the cables or interference with other electrical or electronic system including existing television service in the franchise area.

(F) *Channel capacity*. The grantee's CATV system shall have a minimum channel capacity of 54 television channels.

(G) *Signals to be carried*. The grantee shall carry on its own CATV system the signals of all stations significantly viewed in the franchise area and the signal of one distant independent commercial station as well as the signals of the distant educational and non-English language stations as may be technically and economically feasible.

(H) *Temperature range*. The grantee's CATV system shall be capable of operating throughout the air temperature range of -20 to 100°F. (-29 to +38°C.) without degradation of audio or video facility.

(I) *Educational and public access channel*. At least one channel shall be reserved for the use of public access and the educational authorities in the franchise area and adjoining areas. This channel shall be provided free of charge.

(J) *Standard of care*. The grantee shall install, maintain and use approved methods and devices for preventing failures or accidents which are likely to cause damages, injuries or nuisances to the public.

(K) *Service and repair*. The grantee shall render efficient service, make repairs promptly and interrupt service only for good cause and for the shortest time possible. Insofar as possible, the interruptions shall be preceded by 48-hours' notice and shall occur during periods of minimum use of the CATV system. The grantee shall provide a daily prorate credit to any subscriber who is without service for any continuous period in excess of 24 hours due to fault of the grantee.

(L) *Grantee's office*. The grantee shall maintain a business office located in the franchise area which shall be open during all usual business hours, have a listed telephone and be so equipped, and operated that complaints and requests for installation, repairs, or adjustments may be received 24 hours a day, seven days a week. The grantee shall furnish the County Council or its designee or other designee of the franchise area with all the information requested by him or her or his or her office concerning subscriber complaints. The office shall maintain complete and updated maps of the grantee's CATV system and the construction plans and specifications thereof. The updated maps shall be provided at no cost to the franchise area from time to time reflecting the latest update.

(M) *Complaints*. The County Council designee shall be responsible for receiving and acting on any complaints unresolved within a reasonable time, and shall handle the same as electrical inspections and complaints are handled generally under the electrical code. The grantee shall be responsible for and shall remit to the county a sum equal to the prevailing charge for an electrical inspection generally for each and every complaint so handled. A written notice of this complaint procedure, including the identity of the responsible official, shall be given to each new subscriber at the time of initial subscription to the cable system. Subsequent notices thereof shall be sent to all subscribers at least biannually.

(N) *Service calls*. The grantee shall respond to all service calls within 24 hours and correct malfunctions as promptly as possible, but, in all events, within a reasonable time which shall be 72 hours after notice thereof, except during the time of general breakdown due to weather or other catastrophe. For this purpose, the grantee shall maintain a competent staff of employees sufficient in size to provide adequate and prompt service to subscribers. The grantee shall keep written record of all complaints as much as is reasonably possible, and the same shall be open for inspection by officials of the county during regular business hours.

(O) *State of the art*. The grantee shall, where economically feasible, undertake any and all construction and installation necessary to keep current with the latest developments in the state-of-the-art CATV, whether with respect to increasing channel capacity, developing other new services, instituting more extensive two-way service or otherwise.

(P) *Cable locator*. A cable locator shall be available at no cost to the franchise area at the franchise area's request.

(Q) *Key lock*. The grantee shall provide and install free of charge a parental guidance key lock system to all subscribers who desire to censor programming; however, the grantee may require a reasonable deposit on all these systems.

(R) *Public, educational and government channel programming*. Public, educational, and government channel programming may be combined on one or more composite channels. Grantee may utilize any time not otherwise used on the access channels for its own programming.
(Prior Code, § 92.13) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.14 PERFORMANCE BOND.

The grantee shall maintain throughout the period of installation and construction, a faithful performance bond in favor of the franchise area in a form and in sureties as shall be acceptable to the franchise area in the sum of $10,000 guaranteeing the faithful performance of all of the obligations of the grantee under this chapter. When the construction and installation of the CATV system is completed as defined herein, the sum of the performance bond shall be reduced to $5,000 through the remainder of the term of the franchise, or any renewal or extension thereof. The grantee shall post the performance bond before a building permit will be issued for commencement of construction.
(Prior Code, § 92.14) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.15 EMERGENCY USE OF CATV SYSTEM.

In the event of an emergency or disaster, the grantee shall upon request of the County Council or their designated representative, make available its facilities to the franchise area for emergency use during the period of the emergency or disaster and shall provide the personnel as may be necessary to operate its facilities under the circumstances.
(Prior Code, § 92.15) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.16 COMPLIANCE WITH STATE, FEDERAL LAWS.

Notwithstanding any other provision of this franchise to the contrary, the grantee shall at all times comply with the laws, rules, and regulations of the state or federal governments and any administrative agencies thereof. If any state or federal law, rule, or regulation shall require or permit the grantee to perform any other service in conflict with the provisions of this franchise or any other ordinance, rule, regulation, or charter thereof,
the grantee shall notify the County Council in writing of the point of conflict believed to exist between the state or federal law, rule, or regulation and this franchise, or any ordinance, law, regulation, or charter provision of the franchise area. If the County Council determines that a material provision of this

franchise does in fact conflict with the state or federal law, rule, or regulation, it shall have the right to modify any provision hereof with the approval of the County Council to the reasonable extent as may be necessary to carry out the full intent and purpose of this franchise.
(Prior Code, § 92.16) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.17 EMPLOYMENT REQUIREMENTS.

The grantee shall afford equal opportunity in employment to all qualified persons. No person shall be discriminated against in employment because or race, color, religion, national origin, sex, age, or handicap.
(Prior Code, § 92.17) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.18 OTHER BUSINESS ACTIVITY PROHIBITED; EXCEPTION.

The grantee shall not engage in the business of selling, repairing, or installing television receivers or radio receivers within the franchise area during the term of this franchise. The grantee shall not suggest, recommend, or single out any television or radio sales or service firm or business establishment to be patronized by subscribers. The grantee shall exercise all reasonable influence on its officers, agents, employees, and representatives to insure compliance with this section. It is provided, however, that this section does not prohibit the grantee from servicing or repairing converters and other technical equipment which it owns and which are leased or otherwise furnished to the subscribers for use with the grantee's services.
(Prior Code, § 92.18) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.19 PAYMENT OF GRANTOR.

(A) *Amount and time*. As compensation for the right, privilege, and franchises herein conferred, the grantee shall pay to County Council each year during the term of this franchise a sum equal to 3% of the grantee's gross revenue for the year provided that the fee may be increased to an amount not to exceed 5% of gross revenues upon approval of or deregulation by the Federal Communications Commission. The payments shall be made quarterly. The grantee shall file with the County Council within 60 days after the expiration of each quarter of each calendar year, or portion thereof, during which this franchise is in effect, a financial statement prepared according to generally accepted accounting principals showing in detail the gross revenue of the grantee during the preceding quarter of the calendar year. The statement shall be accompanied by the grantee's payment to the franchise area of 3% of the gross revenues for that quarter.

(B) *Right of inspection of records*. The grantor shall have the right to inspect the grantee's records showing the gross revenue from which payments to the franchise area are computed and to audit and recompute any and all amounts paid under this franchise. No acceptance of payment shall be construed as a release or as an accord and satisfaction of any claim grantor may have for further or additional sums payable under this franchise or for the performance of any other obligation hereunder.

(C) *Other payments to grantor*. The franchise fee payable hereunder shall be exclusive of and in addition to all ad valorem taxes or special assessments for municipal improvements.
(Prior Code, § 92.19) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.20 RECORDS, REPORTS.

(A) *Books of account*. The grantee shall keep complete and accurate books of accounts and records of its business and operations under and in connection with this franchise. All books of accounts and records shall be maintained at grantee's principal office.

(B) *Access by county*. The grantor through its duly designated officers, agents, or representatives, shall have access to all books and accounts and

records of the grantee for ascertaining the correctness of any and all reports and may examine its officers and employees under oath in respect thereto. Access shall be given the grantee to the officers, agents, or representatives of the county at all reasonable times not only to the grantee's records of gross revenues, but also to all of the grantee's plans, contract, engineering, planning, financial, statistical, customer, and subscriber service records relating to the customer and subscriber service records relating to the properties and operation of its CATV system and to all other records and reports required to be kept or which are kept by the grantee.

(C) *Annual report*. An annual report showing the number of subscribers as of that year's anniversary date of this franchise and gross revenue and regular subscriber service revenue received by grantee for the preceding calendar year, and other information as the grantor shall request with respect to the properties and expenses related to the grantee's CATV system, shall be filed by the grantee with the grantor within 90 days following the end of each calendar year or portion thereof during which this franchise is in effect.

(D) *False entry*. Any false entry in the books of accounts and records of the grantee or false statement in the reports to the franchise area or its duly designated officers, agents, or representatives, as a material fact, knowingly made by the grantee, shall constitute a violation of a material provision of this chapter.
(Prior Code, § 92.20) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.21 GRANTEE'S RULES.

The grantee shall have the authority to promulgate rules, regulations, terms, and conditions governing the conduct of its business as shall be reasonably necessary to enable the grantee to exercise its rights and to perform its obligations under this franchise and to assure an uninterrupted service to all subscribers. However, the rules, regulations, terms, and conditions shall not be in conflict with any of the provisions of this franchise or any ordinance of the grantor, the provisions of its Charter, the laws of the state, and the United States of America and the rules and regulations of the FCC. Any other federal, state, and local terms and conditions shall be filed with the county and shall thereafter be maintained current by the grantee.
(Prior Code, § 92.21) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.22 RATES.

(A) The initial rates the grantee will charge its subscribers shall be on file in the office of the County Council as of the date of the granting of the franchise. Thereafter, these rates shall be changed when appropriate in accordance with the provisions of this section. The initial rates and any changed rates from time to time shall be filed with the County Council and shall be incorporated herein by reference as though fully set out in this chapter.

(B) Any rates established shall be reasonable, just and fair to the public, and no greater than the lowest rate of any other franchise granted to the grantee by any other governmental unit in the county, and shall provide to the grantee a return upon its investment reasonably sufficient to:

(1) Assure confidence in the grantee's financial soundness;

(2) Support its credit and attract necessary capital under efficient and economical management; and

(3) Provide a return to equity owners commensurate with current returns on investment in other enterprises having corresponding risks.

(C) No rate established shall afford any undue preference or advantage among subscribers, but separate rates may be established for separate classes of subscribers.
(Prior Code, § 92.22) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.23 DISCONTINUANCE OF SERVICE.

(A) *Discontinuance of service for nonpayment.* The grantee may disconnect installations and discontinue service to a subscriber upon failure to pay the subscriber's bill within 30 days of the due date. However, the grantee shall give five-days' written notice to the subscriber, delivered either by mail or served in person, that service will be discontinued unless arrearages are paid before the expiration of the five-day period.

(B) *Disconnection of installation because of deceit.* The grantee may disconnect installations and discontinue service to a subscriber who operates or attempts to operate more than one television set at any one time on an installation for which no service fees are being paid, or permits anyone else to do the same. However, television servicepersons may disconnect or reconnect the terminal unit on the rear of the television receiver for the purpose of repairing or replacing receiver equipment at the request of a subscriber.
(Prior Code, § 92.23) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.24 DISTANT EXTENSION OF DISTRIBUTION CABLE.

In the event that a potential subscriber's premises are located at a distance from a distribution cable that the grantee deems it not economically feasible to provide service at the rates authorized herein, the County Council shall determine, upon
request from the potential subscriber or grantee, the amount, conditions, and refund provisions of the cable extension charge which, in addition to the rates authorized herein, would be fair and reasonable under the particular conditions and circumstances. In no event shall it be deemed "not economically feasible" to extend a distribution cable a distance of 200 feet or less, from an existing public utility or other public easement or right-of-way, where distribution cable is in place.
(Prior Code, § 92.24) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.25 PROHIBITION OF DISCRIMINATORY OR PREFERENTIAL PRACTICES.

In its rates or charges, or in making available the services of facilities of the CATV system, or in its rules or regulations, or in any other respect, the grantee shall not make or grant preference or advantage to any subscriber or potential subscriber or to the user of CATV system and shall not subject any person to any prejudice or disadvantage. This provision shall not be deemed to prohibit promotional campaigns to stimulate subscription to the CATV system or other legitimate uses thereof.
(Prior Code, § 92.25) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.26 REVOCATION OF FRANCHISE.

In addition to all other rights and power of the grantor by virtue of this franchise or otherwise, the grantor reserves, as an additional and as a separate and distinct power, the right to terminate and cancel this franchise and all rights and privileges of the grantee hereunder in any of the following events or for any of the following reasons.

(A) *Violation of provisions.* The grantee shall by act or omission violate any terms, conditions, or provisions of this franchise and shall refuse to effect compliance within 30 days following written demand by franchise area to do so.

(B) *Insolvent or bankrupt.* The grantee becomes insolvent or is adjudged bankrupt or all or any part of the grantee's facilities are sold under an instrument to secure a debt and are not redeemed by the grantee within 30 days from the date of the sale. However, this shall not be an event of termination or cancellation in the event of bankruptcy proceeding and the trustee, receiver, or debtor in possession agrees in writing to be bound by the terms of this franchise.

(C) *Fraud or deceit.* The grantee attempts to or does practice any fraud or deceit in its conduct or relations under this franchise with the grantor, subscribers, or potential subscribers.

(D) *Termination and cancellation.* Any termination and cancellation of this franchise shall be by ordinance adopted by the County Council and approved by the County Council. However, before any such ordinance is written, notice shall be given, which notice shall set forth the causes and reasons for the proposed termination and cancellation, shall advise the grantee that it will be provided an opportunity to be heard by the County Council regarding the proposed action before any action is taken, and shall set forth the time, date, and place of the hearing. In no event shall the hearing be held less than 30 days following delivery of the notice to the grantee.

(E) *Performance prevented.* Other than its failure, refusal, or inability to pay its debts and obligations, including, specifically, the payments to the grantor required by this franchise, the grantee shall not be declared in default or be subject to any sanction under any provision of this franchise in those cases in which performance of the provision is prevented by reasons beyond its control.
(Prior Code, § 92.26) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.27 ASSIGNMENT OF FRANCHISE.

The rights, privileges, and franchise granted hereunder may not be assigned, in whole or in part, without the prior consent of the County Council expressed by a resolution or ordinance and then only under conditions as may thereby be prescribed. No assignment to any person shall be effective until the assignee has filed with the county an instrument, duly executed, reciting the fact of the assignment, accepting the terms of this franchise, and agreeing to comply with all of the provisions hereof. No consent shall be required for a transfer:

(A) To a parent or subsidiary of a grantee;

(B) To a corporation whose stock is held by the same stockholders as the grantee;

(C) Of less than 20% of the voting securities of a corporate grantee unless the transfer also results in a transfer of voting control;

(D) Of stock from one present stockholder to another present stockholder unless the transfer also results in a transfer of voting control; or

(E) To a transfer that involved a reorganization or merger of interests with another entity for the purpose of securing financing and management assistance provided that the grantee and its principals retain an effective ownership interest in the reorganization or merged entity.
(Prior Code, § 92.27) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.28 ACCEPTANCE OF FRANCHISE.

Within 30 days from the effective date of this chapter, the grantee shall file with the County Council a written statement in the following form signed in its name and behalf:

> "To the County Council of the County of Lake, Indiana:
>
> For itself, its successors and assigns, US CABLE hereby accepts the attached ordinance and agrees to be bound by all of its terms, conditions, and provisions."
>
> By: ERIC BOEHM, General Manager/Vice President.
>
> Dated this third day of March, 1982.

(Prior Code, § 92.28) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.29 PUBLIC, EDUCATIONAL, AND MUNICIPAL SERVICE.

(A) The grantee shall without charge make one aerial connection for regular subscriber service into the internal distribution system of each existing and future municipal office buildings, police station, fire station, community center, library, and public and parochial schools. The grantee shall make a

connection at one outlet in each premises for the purpose of enabling the premises to distribute the regular subscriber service. Where the premises consists of more than one building, only one tie-in and connection shall be made.

(B) The grantee shall make such tie-in and connection at the location designated by the appropriate official at the location of the head-end of the internal distribution system of the premises. The responsibility of the grantee shall terminate when the tie-in and connection to the internal distribution system is completed, and the responsibility for performance of the internal distribution system, and for the distribution of the transmissions throughout the system shall be solely that of the premises. The grantee makes no representation of warranty as to the ability of the distribution system to carry the programs transmitted over its cable system; however, the grantee will offer, without charge, technical consulting services to the premises in order to make the internal system work effectively for the purposes intended herein.

(C) The procedure for making the connections shall be as follows: Connections will be made at the time when the grantee is serving the area within which the premises is located. At that time, the grantee shall send written notification of the provisions of this division to the premises. Thereafter, upon written request from the recipient official, the grantee will make the above-described tie-in and connection to the internal distribution system of the premises. When the grantee is serving the area, but the building on the premises to be connected with an aerial installation is located more than 500 feet from the nearest CATV cable, the cost of the aerial cable installation beyond 500 feet will be paid by the premises. For underground installations, the grantee shall charge the recipient its actual cost. The costs will be submitted to the premises, in writing, before installation is begun. All the premises will be connected according to the orderly progress and construction of the system.
(Prior Code, § 92.29) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.30 INTERFACE OF CATV COMPANIES.

Subject to the applicable rules and regulations of the FCC, in the event that more than one franchise is issued within, or immediately adjacent to the franchise area, and if the operating systems are contiguous and technically compatible with the grantee, and have allocated access channels, the grantee shall provide suitable interconnection facilities for one access channel at the boundary of its service area. In no event, however, shall the grantee be required to interconnect with a cable system not having substantially the same access provisions in its franchise as contained in this franchise, unless the system agrees voluntarily to connect with the grantee, nor shall the grantee be required to interconnect at any point beyond any area which it has trunk or feeder service. In no event shall interconnection be required where the combined cable system include more than 50 trunk amplifiers in cascade or as the state-of-the-art then permits.
(Prior Code, § 92.30) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.31 PUBLICATION COSTS; ATTORNEY FEES.

The grantee, upon receiving the franchise provided for herein, shall reimburse and pay to the grantor the cost of publication of this franchise as the publication is required by law. The grantee, after accepting the franchise, also shall pay all reasonable attorney fees, costs, and expenses incurred in granting this franchise.
(Prior Code, § 92.31) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.32 AMENDMENTS.

(A) The County Council expressly reserves the right to amend any provision of this chapter (including, but not limited to rates) to conform with

any more favorable provisions in any ordinance granting to the grantee a franchise in any municipality or other governmental unit in the county.

(B) The grantee agrees to file with the County Council a complete certified copy of any ordinance granting a franchise to the grantee by any governmental unit in the county, within 30 days of the effective date thereof, and to the extent possible, all more favorable provisions shall be retroactive in this chapter to the effective date.
(Prior Code, § 92.32)(Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

§ 91.33 INCORPORATION OF PROPOSAL.

The proposal furnished by the grantee to the franchise area is hereby made a part of this chapter; and all information and representations made in the proposal are binding on the grantee.
(Prior Code, § 92.33) (Ord. 966E, passed 2-22-1982; Ord. 1061A, passed 5-9-1989)

CHAPTER 92: HEALTH AND SAFETY

Section

Laboratory Services by Health Department

92.01 Fee schedule
92.02 Fees payable to County Health Department; County Health Fund
92.03 Swimming pool water testing

County Health Nurse Visits

92.15 Definitions
92.16 Fees for services
92.17 Collection and disposition of fees

LABORATORY SERVICES BY HEALTH DEPARTMENT

§ 92.01 FEE SCHEDULE.

The following schedule of fees shall be charged for the services provided by the County Health Department.

Service	*Fees*
*Food Service Establishment Permits***	
Number of employees per establishment	
1 to 4	$150
5 to 9	$210
10 to 14	$240
15 to 19	$270
20 to 24	$300
25 to 29	$320
30 to 34	$350
35 to 39	$380
40 to 44	$400
45 to 49	$430
50 +	$460
Food market permit	Annual fee $110
Temporary permit	$10/day (maximum $30 per event)

Service	*Fees*
Mobile Unit	$70
Assisted Living Facility	*Same as annual food service rates*
Food service violation re-inspection	$80
Environmental Sanitation	
Septic system - Residential	
New installations	$50
Repairs	$35
Septic System - Commercial	
New installations	$135
Repairs	$35
VA/FHA Well Water Collections	$50
Chemistry Tests	
Tests	
Acidity	$10
Alkalinity	$10
Aluminum	$20
Ammonia	$10
Arsenic	$20
Barium	$20
Boron	$20
Bromide	$15
B.O.D.	$20
Cadmium	$20
Calcium	$20
Chlorine	$5
Chloride	$15
Chromium	$20
C.O.D.	$20
Color	$5

Service	*Fees*
Copper	$20
Conductance	$7
Cyanide	$20
Detergent (ABS)	$15
Fluorine	$15
Fluoride	$15
Grease and oil	$25
Hardness (Calcium)	$10
Hardness (Magnesium)	$10
Hydrazine	$10
Iodide	$15
Iron (ferrous)	$15
Iron (ferric)	$15
Iron total	$15
Lead	$20
Loss on ignition	$20
Magnesium	$20
Manganese	$20
Mercury	$20
Nitrate as (N)	$10
Nitrite as (Nh4)	$10
Oxygen, dissolved	$10
pH	$20
Phenols	$20
Phosphate	$10
Phosphorous	$20
Potassium	$20
Selenium	$20
Silica	$20

Service	*Fees*
Silver	$20
Sodium	$20
Solids (filterable)	$10
Solids (non-filterable)	$10
Solids (settleable)	$8
Sulfate	$10
Sulfide	$10
Sulfites	$15
Sulfur (as H_2S)	$5
Sulfur (as SO_2)	$10
Tin	$10
Turbidity	$5
Volatile Acids	$10
Zinc	$20
Gas Chromotography	
Pesticides	$30 (minimum)
Volatile organics	$30
Polychlorinated Bi Phenyls (PCB)	$30
Solvents in water	$30
Solvents in air	$40
Polarized Microscopy	
Asbestos identification	$25
Mineral identification	$25
Particle identification in water	$25
Particle identification in food	$30
Particle identification in air	$35
Miscellaneous	
Formaldehyde in air	$40
Formaldehyde in insulation	$10

Service	*Fees*
Food Exam	
Aerobic plate count	$10
Coagulase positive staph	$18
Clostridium	$20
Enterococci (including fecal strep)	$15
MPN total coliform	$15
MPN fecal coliform	$15
Other food bacterial tests	$20/hour
Salmonella	$35
Bacteriology	
Enteric identification	$15
F.T.A.	$25
Gonococcus identification	$10
Neiseria identification	$15
Salmonella serotype	$35
V.D.R.L.	
Qualitative	$10
Quantitative	$15
Water Examinations	
Aerobic plate count	$5
MF fecal coliform	$15
MF total coliform	$15
MPN fecal coliform	$5
MPN total coliform	$10
MF fecal streptococci	$15
Milk Examination (Dairy Products)	
Aerobic plate count	$10
Detection of inhibitory substances	$15
Total coliform	$10
Yeasts and molds	$15

Service	*Fees*
Grocery Store Permits	$.40 per 100 square ft. with minimum fee of $30
*Yellow Fever Vaccination**	*The charge for administering of yellow fever vaccine or cholera vaccine or mantoux skin test will be the current cost of the pharmaceutical plus a $5 administration fee.
Tuberculosis Clinic	
Clinic services	
Chest x-ray	$5
Chest x-ray	$15
Physician written evaluations	$20
Sputum culture	$10
Tuberculosis control drugs	Cost
Visual examination	$5
Wastewater	
Wastewater land application permit	$30
Residential	
New on-site wastewater disposal permit - trench type	$125
Repair on-site wastewater disposal permit - trench type	$110
New on-site wastewater disposal permit - mound type	$200
Repair on -Site wastewater disposal permit - mound type	$185
Commercial	
New on-site wastewater disposal permit - trench type	$135
Repair on-site wastewater disposal permit - trench type	$120
New on-site wastewater disposal permit - mound type	$250
Repair on-site wastewater disposal permit - mound type	$235
Well water sample collection fee	$20

Service	*Fees*
Physical Examinations	
Physical examinations administered to Lake County employees requiring the examination to continue license	$25
Vital Records	
Certified birth certificate	$10
Certified death certificate	$11
Paternity affidavit	$15
Birth certificate name change	$15
Non-community Water Supply Analysis	
Collection of sample by staff member on pre-arranged date	$15
Complete total charges	
Monitor establishment requirements, automatically arrange for sample collection and process analysis back to establishment	$20
MPN Total Coliform analysis	$10
Processing completed report to E.P.A. and copy to establishment	$15
*Public Swimming Pools****	
Annual non-tax supported swimming pool permit	$2,180
Seasonal non-tax supported swimming pool permit	$670
Public Health Nursing	
Adult (travel) immunizations - administration fee	$10
Copy of immunization record	$2
** With any application for a new permit for a food service establishment with a permanent location in Lake County which is filed between the first day of January and the thirtieth day of June of any year, or an application for the continuing operation of an existing food service establishment with a permanent location in Lake County which is filed between the first day of January and the first day of March of any year, the applicant shall pay the Lake County Health Department the fees that are set out above.	
***With any application for a permit for a mobile food service establishment, the applicant shall pay to the Lake County Health Department the fee set out above provided, however, that if the mobile food service establishment operates for a permanent or temporary food service establishment with a valid permit, the mobile unit shall not be required to have a permit provided further that the permit number of the respective permanent or temporary food service establishment be conspicuously displayed on the side of each mobile unit in a manner prescribed by the County Health Officer.	

****Seasonal public swimming pool is a public swimming pool that is only operational between May 15 and September 15 of the year.

Renewal fees: every person operating an annual non-tax supported public swimming pool shall pay annually to the Health Department a renewal fee in accordance with the foregoing scale between the first day of January and the first day of March every year. If the renewal fee is not paid on or before the first day of March of each year then the permit is void. The public swimming pool may resume operation only after securing a permit from the Health Department and paying a penalty of up to $1,000 for renewal of the license.

Operation without a valid permit: any owner of an annual non-tax supported public swimming pool who begins operation of the public swimming pool before obtaining the necessary permit(s) shall be required to pay a double regular fee.

(Prior Code, § 93.01) (Ord. passed 7-7-1975; Ord. 27, passed 7-7-1975; Ord. 993B, passed 3-25-1986; Ord. 1025E, passed 9-2-1986; Ord. 993B, passed 5-12-1987; Ord. 993B-1, passed 4-12-1988; Ord. passed 4-13-1993; Ord. 993B-2, passed 7-12-1994; Ord. 993B-3, passed 1-9-2001; Ord. 23A-1, passed 10-16-2001; Ord. 1336A, passed 6-15-2011; Ord. 1336A-1, passed 5-15-2012; Ord. 1336A-2, passed 6-11-2013)

§ 92.02 FEES PAYABLE TO COUNTY HEALTH DEPARTMENT; COUNTY HEALTH FUND.

All fees collected under this subchapter shall be placed in the Lake County Health Department Fund. (Prior Code, § 93.02) (Ord. 27, passed 7-7-1975; Ord. 1025E, passed 9-2-1986)

§ 92.03 SWIMMING POOL WATER TESTING.

(A) All public swimming pools within the jurisdiction of the Lake County Health Department shall be required to obtain an annual permit for the Lake County Health Department in order to operate the swimming pool.

(B) The Board of the Health Department shall charge the following amounts annually for the testing of the water of swimming pools.

Pools open for business the entire year	$750
Pools open for a limited time during the summer months	$150
Pools that are operated by an organization that has a tax-exempt status	No fee

(C) Upon payment or exception from payment, water samples will be collected and analyzed by the Lake County Health Department on a weekly basis as required by Indiana State Health Department Rule, 410 I.A.C. 6-2.

(D) Fees collected under this section shall be accounted for and transferred to the Health Fund of the taxing jurisdiction, as required by I.C. 16-20-1-27. (Ord. 1224A, passed 2-12-2002)

COUNTY HEALTH NURSE VISITS

§ 92.15 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BOARD OF HEALTH. The Board of Health as provided for in I.C. 16-18-2-210 *et seq*.

HEALTH OFFICER. The County Health Officer or his or her authorized representative. (Prior Code, § 93.15) (Ord. 20, passed 10-24-1966)

§ 92.16 FEES FOR SERVICES.

The Board of Health having jurisdiction may charge a fee of $5 per visit for rendering to any person residing in the county the following services: Medical Home Health Services.
(Prior Code, § 93.16) (Ord. 20, passed 10-24-1966)

§ 92.17 COLLECTION AND DISPOSITION OF FEES.

(A) The Health Officer shall collect the fees and the fees shall be accounted for and transferred to the Health Fund of the taxing jurisdiction as provided for in I.C. 16-20-1-27.

(B) The charge for administering vaccines will be the current cost of the pharmaceutical plus an administration fee.

Vaccinations	*Fees*
Hepatitis A	$10
Hepatitis B	$10
Typhoid	$10
Tetanus	$10
Lymerix	$10
Meningococcal Meningitis	$10
Pnuenococcal Meningitis	$10

(C) The fees for birth certificates and death certificates are as follows.

Birth certificates	$10
Death certificates	$10

(Prior Code, § 93.17) (Ord. 20, passed 10-24-1966; Ord. 20A, passed 10-16-2001; Ord. 20A-1, passed 8-14-2007; Ord. 1336A, passed 6-15-2011; Ord. 1336A-1, passed 5-15-2012)

CHAPTER 93: NOISE

Section

93.01 Definitions
93.02 General prohibitions
93.03 Specific restrictions
93.04 Noise caused by motor vehicles
93.05 Stationary sources
93.06 Exemptions
93.07 Enforcement
93.08 Noise emanating from electronic sound systems in motor vehicles

93.99 Penalty
Appendix A: Scientific definitions
Appendix B: Octave-band breakdowns of dBA limits

§ 93.01 DEFINITIONS.

All terminology used in this chapter shall be in conformance with applicable publications of the American National Standards Institute (ANSI) or its successor body. For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

A-WEIGHTED SOUND LEVEL. The loudness of a sound measured through a filtering device intended to stimulate human hearing. The level is designated db(A) or dBA.

COMMERCIAL ZONE. Zones B-1, B-2, B-3, and OS-1.

DECIBEL (dB). A unit for measuring the sound pressure level of a sound.

FREQUENCY. An objective way to describe the pitch of sound.

HERTZ. A unit for measuring the frequency of a sound (sometimes called a ***CYCLES PER SECOND***.)

INDUSTRIAL ZONE. I-1.

LIGHT MOTOR VEHICLE. Any motorized vehicle with gross vehicular weight less than 8,000 pounds, including automobiles, vans, motorcycles, motor-driven cycles, motor scooters, dune buggies, snowmobiles, all-terrain vehicles, go-karts, minibikes, trail bikes, and light trucks.

MODIFIED EXHAUST SYSTEM. Any exhaust system in which the original noise abatement device: have been removed, altered, or replaced to produce more noise.

NOISE. Any unwanted sound.

OCTAVE BAND. A way to divide the entire frequency range of sounds into sections for more accurate measurement.

PLAINLY AUDIBLE. Any noise for which the information content is ambiguously communicated to the listener, including understandable spoken speech, comprehension of whether a voice is raised, agitated, or normal, or comprehensible musical rhythms.

RESIDENTIAL ZONES. Zones R-1, R.2, and R-3.

SOUND LEVEL METER. An instrument designed to measure sound pressure levels.

SOUND PRESSURE LEVEL. An objective way to describe the loudness of a sound.
(Prior Code, § 94.01) (Ord. 1116A, passed 4-13-1993)

§ 93.02 GENERAL PROHIBITIONS.

No person shall make or cause to be made any noise that unreasonably annoys, disturbs, injures, or endangers the comfort, repose, health, peace, safety, or welfare of any person or precludes their enjoyment of property or affects their property's value. This general prohibition is not limited by the specific restrictions listed in the following sections.
(Prior Code, § 94.02) (Ord. 1116A, passed 4-13-1993) Penalty, see § 93.99

§ 93.03 SPECIFIC RESTRICTIONS.

The following acts are declared to be unlawful:

(A) *Radios, television sets, musical instruments, tape or record players, amplifiers, and similar devices*. Operating or permitting the use or operation of any such device in such a manner as to be plainly audible across property boundaries or through partitions common to two or more persons within a building;

(B) *Domestic power tools*. Operating or permitting the use or operations of any mechanically powered saw, drill, sander, grinder, lawn or garden tool, lawnmower, or similar device used outdoors between the hours of 10:00 p.m. and 7:00 a.m. in such a manner that will disturb or annoy any reasonable person nearby;

(C) *Construction*. Operating or permitting the operation of any tools or equipment used in construction, drilling or demolition between the hours of 8:00 p.m. and 7:00 a.m. in such a manner that will disturb or annoy any reasonable person nearby;

(D) *Horns and signaling devices*. Operating a horn or other audible signaling device on any motor vehicle except in an emergency or when required by law;

(E) *Participation in noisy parties or gatherings*. Participation in any party or gathering between the hours of 10:00 p.m. and 8:00 a.m. giving rise to noise that is plainly audible across property boundaries or between partitions common to two or more persons within a building; and

(F) *Animals*. At no time owning, keeping, possessing, or harboring any animal or animals which, by frequent or habitual howling, barking, meowing, squawking, or other noise making, causes a noise disturbance. The provisions of this section shall also apply to all private or public facilities, including animal pounds, which hold or treat animals.
(Prior Code, § 94.03) (Ord. 1116A, passed 4-13-1993; Ord. 1116A-1, passed 10-14-1997) Penalty, see § 93.99

§ 93.04 NOISE CAUSED BY MOTOR VEHICLES.

(A) It shall be unlawful for any person to cause the sound pressure level of the noise emitted during the operation of a light motor vehicle to exceed 80 dBA in speed zones of 35 mph or less within corporate limits of the city. The sound pressure level measurements shall be made at a distance of not less than 15 feet from the edge of the lane of travel of the violator.

(B) It shall be unlawful for any person to operate a light motor vehicle which causes excessive noise as a result of a defective or modified rapid acceleration, de-acceleration, engine revving, or tire squealing.
(Prior Code, § 94.04) (Ord. 1116A, passed 4-13-1993) Penalty, see § 93.99

§ 93.05 STATIONARY SOURCES.

(A) It shall be unlawful for any person to cause the sound pressure level to exceed the limits listed below at any point on the boundary of the property where the person is located.

(1) If the person is located within a residential zone: 55 dBA between the hours of 10:00 p.m. and 6:00 a.m.

(2) If the person is located within commercial zone: 55 DBA at all times.

(3) If the person is located within an Industrial zone: 66 DBA at all times.

(B) If the property boundary lies between two zones, the lower limit shall apply regardless of the zone in which the person creating the noise is located.

(C) In addition to the above, no person within a residential or a commercial zone shall make or cause to be made any earth-shaking vibrations perceptible without the aid of instruments beyond the property boundary of the vibration source. No person within an industrial zone shall make or cause to be made any earth-shaking vibrations perceptible without the aid of instruments beyond the zone boundary of the zone in which the vibration source is located.
(Prior Code, § 94.05) (Ord. 1116A, passed 4-13-1993)
Penalty, see § 93.99

§ 93.06 EXEMPTIONS.

The provisions of this chapter shall not apply to the emission of sound for the purpose of alerting persons to the existence of an emergency or the emission of sound in the performance of work to prevent or alleviate physical or property damage threatened or caused by a public calamity or other emergency.
(Prior Code, § 94.06) (Ord. 1116A, passed 4-13-1993)

§ 93.07 ENFORCEMENT.

The provisions of this chapter shall be enforced through the Lake County Police Department. Citations issued shall be filed with the Lake Superior Court, County Division, and prosecuted by the County Attorney.
(Prior Code, § 94.07) (Ord. 1116A-2, passed 4-13-1993)

§ 93.08 NOISE EMANATING FROM ELECTRONIC SOUND SYSTEMS IN MOTOR VEHICLES.

(A) *Definitions*. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DEVICE. any radio, tape recorder/player, compact disc player, stereo system, record player, television or other electronic device capable of producing or reproducing any sound , noise, musical rhythm or vocal sound.

MOTOR VEHICLE. Any vehicle, such as but not limited to, automobiles, truck, motorcycles or any other vehicle propelled or operated by an mechanical means of power.

PLAINLY AUDIBLE. Any noise, musical sound, musical rhythm, or any other sound that is electronically amplified or broadcast in any manner that can be heard from a distance greater then 20 feet from the source of the sound.

PUBLIC RIGHT-OF-WAY or ***PUBLIC PLACE.*** Shall include, but not be limited to, any avenue, street, road, alleyway, easement, parkway, highway, sidewalk, park or other public place that is owned or controlled by any governmental entity.

(B) *Offense*. It shall be unlawful within the unincorporated limits of the county for the owner, operator, passenger or other person to play, use operate or permit to be played, used or operated any

device located on or within any motor vehicle at such a level so to be plainly audible or distract any person at a distance greater than 20 feet from the motor vehicle.

(C) *Penalty*. Any person violating any provision of this section shall be fined not more than $2,500 per day for each violation. Each day a violation occurs shall constitute a separate offense of this section. A first violation of this section within any 12-month period shall include a mandatory fine of not less than $300. Any third or subsequent violation of this section within any 12-month period, shall include a mandatory fine of not less than $1,000.
(Prior Code, § 94.08) (Ord. 1000E-2, passed 11-10-1998)

§ 93.99 PENALTY.

Any person found in violation of any other provision of this chapter other than § 93.08 shall be subject to § 10.99.

APPENDIX A: SCIENTIFIC DEFINITIONS

Section

1. Scientific definitions

§ 1. SCIENTIFIC DEFINITIONS.

The concise, scientific definitions of the terms used in this chapter shall be:

A-WEIGHTED SOUND LEVEL. The sound pressure level of a sound measured through an a- weighted filter network. The level read is designated dB(A) or dBA.

DECIBEL (dB). The unit used for comparing the sound pressure level of a sound to the sound pressure level of a reference sound having a sound pressure of 20 micropascals.

FREQUENCY. The number of periodic oscillations, vibrations, or waves per unit time (usually one second).

HERTZ. The unit for measuring the frequency of a sound. The number of hertz is the number of cycles per second of a periodic sound pressure wave.

OCTAVE BAND. A portion of the entire sound frequency spectrum contained between two frequencies A and B such that A = 2B.

SOUND PRESSURE LEVEL. Twenty times the logarithm (base 10) of the ratio of the measured sound pressure to a reference pressure of 20 micropascals. The sound pressure level is expressed in decibels (dB).

$$SPL = 20LOG10_{10} \frac{\text{Sound Pressure A}}{\text{Sound Pressure B}}$$

Sound Presure A = Measure Sound Pressure

Sound Pressure B = Referenced Sound Pressure
(10 Micropascals)
(Prior Code, Ch. 94, App. A) (Ord. 1116A, passed 4-13-1993)

APPENDIX B: OCTAVE-BAND BREAKDOWNS OF dBA LIMITS

Section

1. Octave-band breakdown of dBA limits.

§ 1. OCTAVE-BAND BREAKDOWN OF dBA LIMITS.

The octave-band breakdowns of the dBA limits used in this chapter shall be:

(A) For a residential zone.

For a Residential Zone (55 dBA)	
Octave-Band Center Frequency (hz)	***Maximum Boundary SPL (dB)***
31.5	72
63	71
125	65
250	578
500	51
1,000	45
2,000	39
4,000	34
8,000	32

(B) For a commercial zone (64dbA).

For a Commercial Zone (64 dBA)	
Octave-Band Center Frequency	***Maximum Boundary SPL (dB)***
31.5	79
63	78
125	73
250	67
500	61
1,000	55

For a Commercial Zone (64 dBA)	
Octave-Band Center Frequency	***Maximum Boundary SPL (dB)***
2,000	50
4,000	46
8,000	43

(C) For an industrial zone (dBA).

For an Industrial Zone (dBA)	
Octave-Band Center Frequency	***Maximum Boundary SPL (dB)***
31.5	80
63	79
125	43
250	69
500	63
1,000	57
2,000	52
4,000	48
8,000	45

(Prior Code, Ch. 94, App. B) (Ord. 1116A, passed 4-13-1993)

CHAPTER 94: SANITARY LANDFILL

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GENERAL PROVISIONS

§ 94.01 PURPOSE.

The regulations, procedures, and penalties, as herein set forth are designed and intended to protect the public health, safety, comfort, morals, and general public welfare in reference to the disposal of refuse in unincorporated county.
(Prior Code, § 95.01) (Ord. 26, passed 8-20-1974)

§ 94.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BULKY WASTE. Large items of refuse such as appliances, furniture, auto, or large auto parts, trees and branches, and the like.

CELL. The volume of compacted solid waste enclosed by natural soils or cover material in a sanitary landfill.

CELL DEPTH. Vertical thickness of compacted solid waste enclosed by natural soil or cover material in a sanitary landfill.

CELL THICKNESS. Perpendicular distance between cover material places over the last working faces of two successive cells in a sanitary landfill.

COLLECTION. The act of picking up refuse at home, business, or industrial site and putting it in a truck.

COMPACTION. Reduction in bulk of fill by rolling or tamping or any other approved method.

COUNTY. Those areas which are under the jurisdiction of the County Health Officer and situated outside the corporate limits of any city or town.

COVER MATERIAL. Granular material, that is generally soil, which is used to cover compacted refuse in a sanitary landfill, generally free of large objects that would hinder compaction and free of organic content that would be conducive to vector harborage, feeding, or breeding.

DISPOSAL. The removal of garbage and rubbish from premises used, owned, or leased by one or more persons, firms, corporations, or associations, and transporting it to other premises, and leaving it either with or without the payment of a fee.

DISPOSAL SITE. Any tract of land used or intended to be used for refuse disposal.

FILL AREA. The area within the disposal site which is used or intended to be used for the placement of refuse.

GARBAGE. Rejected food wastes, including every waste accumulation of animal, fruit, or vegetable matter used or intended for food or that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit, or vegetables.

GROUND WATER. Water in the ground that is in the zone of saturation.

HAZARDOUS MATERIAL. Includes, but is not limited to explosives, pathological wastes, radio-active materials, and chemicals.

HEALTH OFFICER. The County Health Officer, or his or her authorized representative.

IMPERVIOUS. Resistant to penetration by fluid.

LEACHATE. Liquid emanating from a land disposal cell that contains dissolved, suspended, or microbial contaminants from the refuse.

OPERATOR. The person, firm, corporation, association, or governmental unit owning, operating, or managing any sanitary landfill operation as defined herein.

PERSON. Any person, firm, corporation, association, or governmental unit.

PLAN COMMISSION REPRESENTATIVE. The executive secretary of the County Plan Commission or his or her designated enforcement officer.

POLLUTION. The presence in a body of water (or soil or air) of substances of a character and in quantities that the natural quality of the body of water (or soil or air) is degraded so it impairs the water's usefulness or renders it offensive to the senses of sight, taste, or smell. Contamination may accompany pollution. In general, a public health hazard is created, but in some cases only where economy or aesthetics are involved.

REFUSE. Any combination of garbage and rubbish.

RUBBISH. Matter such as ashes, cans, metalware, broken glass, crockery, dirt, sweepings, boxes, wood, grass, weeds, or litter of any kind.

RUNOFF. The portion of precipitation or irrigation water which is returned to a stream or other body of water as surface flow.

SALVAGING. The controlled removal of reusable materials.

SANITARY LANDFILL. A method of disposing of refuse on land without creating nuisances or hazards to public health or safety by utilizing principals of engineering to confine the refuse to the smallest practical volume, and to cover it with a layer of suitable cover at the conclusion of each day's operation, or at more frequent intervals as necessary.

SCAVENGING. The uncontrolled picking of materials.

SURFACE WATER. A body of water whose top surface is exposed to the atmosphere including a flowing body, as well as a pond or lake.

WORKING FACE. The exposed portion of the refuse at a sanitary landfill which will have more waste placed on it or is being compacted prior to placement of cover material.
(Prior Code, § 95.02) (Ord. 26, passed 8-20-1974)

§ 94.03 EXCEPTIONS, MODIFICATIONS.

When any site selection, or operational standards, outlined in §§ 94.35 through 94.42 and §§ 94.55 through 94.74 are considered unnecessary for individual landfills, the Plan Commission may recommend that any of these specific regulations be waived or modified prior to final approval of the landfill by the Board of County Commissioners, provided that the sections to be waived or modified shall be stated in the approving resolutions; and the reasons for allowing the waiver or modification shall be stated in the minutes of the Plan Commission records.
(Prior Code, § 95.03) (Ord. 26A, passed 11-8-1976)

PERMITS

§ 94.15 PERMIT REQUIRED.

It shall be unlawful for any person to engage in the disposal of garbage or rubbish in the county, who does not possess a valid permit from the County Health Officer.
(Prior Code, § 95.15) (Ord. 26, passed 8-20-1974)
Penalty, see § 94.99

§ 94.16 WHEN REQUIRED.

A permit shall be required for any person owning or operating a disposal site in the county. Only persons who comply with the requirements of this chapter shall be entitled to receive and retain a permit.
(Prior Code, § 95.16) (Ord. 26, passed 8-20-1974)

§ 94.17 PREREQUISITES FOR OBTAINING PERMIT.

(A) *Zoning*. No permit shall be issued until the site has received approval in accordance with the requirements of the county zoning code.

(B) *Approvals*. Before a permit is issued by the Health Officer for any new sanitary landfill site, detailed plans, specifications, and necessary reports bearing signatures of approval from the County Highway Engineer, County Surveyor, County Drainage Board, and the various state agencies such as the Department of Natural Resources, State Board of Health, Stream Pollution Control Board, and any county or state agencies so deemed necessary by the Health Officer, all approvals must be submitted to the Health Officer by a registered professional engineer. In addition, a finalized site plan indicating final contours, differences in elevation (if any) from adjacent land, highest and lowest elevations on site, written statement (plan, if necessary) concerning final land usage, shall be submitted to the Health Officer which has been approved first by the executive secretary of the County Plan Commission.
(Prior Code, § 95.17) (Ord. 26, passed 8-20-1974)

§ 94.18 ISSUANCE OF PERMIT.

Any permit issued by the Health Officer shall contain the name of the operator and the real property owners, the address of the premises for which it is issued, and other pertinent information as may be required by the Health Officer. Prior to the issuance of any permit, the Health Officer shall make a general inspection of the proposed disposal site. No permit shall be issued until all requirements of this chapter are met.
(Prior Code, § 95.18) (Ord. 26, passed 8-20-1974)

§ 94.19 TERM; ANNUAL RENEWAL.

The first permit shall be valid for a period of two years and may be renewed annually as long as the operator is in compliance with this chapter.
(Prior Code, § 95.19) (Ord. 26, passed 8-20-1974)

§ 94.20 SEPARATE PERMITS FOR EACH SITE.

A separate permit shall be required for each disposal site operated, or to be operated, by any person.
(Prior Code, § 95.20) (Ord. 26, passed 8-20-1974) Penalty, see § 94.99

§ 94.21 PERMIT NONTRANSFERABLE.

The permit shall not be transferable to any other person.
(Prior Code, § 95.21) (Ord. 26, passed 8-20-1974) Penalty, see § 94.99

§ 94.22 GROUNDS FOR SUSPENSION.

A permit may be temporarily suspended by the Health Officer upon any violation of any of the terms of this chapter by the operator or the real property owner. A copy of the suspension shall be forwarded to the County Attorney.
(Prior Code, § 95.22) (Ord. 26, passed 8-20-1974)

§ 94.23 INSPECTION.

Inspections shall be made when necessary, but shall not be made less than once a month by the Health Officer. In addition, an inspection shall be made by a Plan Commission representative periodically to see if the site is conforming to the finalized site plan.
(Prior Code, § 95.23) (Ord. 26, passed 8-20-1974)

§ 94.24 FEES.

No permit signed by the Health Officer shall be valid until it has been countersigned by the County Treasurer. The County Treasurer shall countersign a properly signed permit upon payment to the Treasurer

of a permit fee in the amount established by the county. The moneys of fees collected under the terms of this chapter shall revert to the County General Fund.
(Prior Code, § 95.24) (Ord. 26, passed 8-20-1974)

§ 94.25 BONDS.

(A) Except in the case of the county, or its representative, operating its own sanitary landfill facility, no permit shall be issued or become effective unless there is on file:

(1) A performance bond running to the Board of County Commissioners is executed by the permittee and approved by the Board of County Commissioners. The performance bond shall be 100% of the estimated cost of the construction according to this chapter to assure that:

(a) The permittee, his or her agents, and servants, will comply with all of the terms, conditions, provision requirements, and specifications contained in this chapter;

(b) The permittee, his or her agents, and servants, will faithfully operate the sanitary landfill for which the permit is issued in accordance with the provisions of this chapter; and

(c) The permittee, his or her agents, and servants will save harmless the county from any expense incurred through the failure to operate and maintain the sanitary landfill as required by this chapter, including any expense the county may be put to for correcting any condition or violation of this chapter by the county's own labor and equipment, whenever the Board of Health or Plan Commission determines it is necessary to correct any condition in violation of this chapter, or from any damages growing out of the negligence of the permittee or his or her agents or servants.

(2) Cash, or other acceptable negotiable securities, is posted with the County Treasurer in lieu of the performance bond.

(B) Except in the case of the county, or its designated agent, there shall be posted a maintenance bond, cash, or other negotiable securities with the County Treasurer to cover the estimated cost of reclamation of any disposal facilities for a period of two years.

(C) The maintenance bond shall be accepted before the release of the final performance bond.

(D) It shall be the duty of the County Health Department and the County Surveyor to determine the terms and estimated costs of the reclamation of the landfill for the purpose of posting performance and maintenance bonds.
(Prior Code, § 95.25) (Ord. 26, passed 8-20-1974)

SITE SELECTION STANDARDS

§ 94.35 MINIMUM REQUIREMENTS IN ADDITION TO ZONING CODE.

Selection of a sanitary landfill site is one of the most critical steps toward an environmentally sound operation. Listed in this subchapter are the minimum requirements that shall be met for site selection. These minimum requirements are in addition to any requirements of the county zoning code.
(Prior Code, § 95.35) (Ord. 26, passed 8-20-1974)

§ 94.36 LOCATION TO BE ABOVE SEASONAL HIGH WATER TABLE.

Sites shall be located above the seasonal high water table. There can be exceptions to this where the soil is tight and relatively impermeable, the movement of water is very slow, and the leachates will not come to the surface and flow as surface water to a stream.
(Prior Code, § 95.36) (Ord. 26, passed 8-20-1974)

§ 94.37 BASE OF LANDFILL.

The base of the sanitary landfill shall be 20 feet or more above the shallowest aquifer. Adequate soil borings shall be made as per any state agency's request or county's request.
(Prior Code, § 95.37) (Ord. 26, passed 8-20-1974)

§ 94.38 ACCESS TO LANDFILL.

An all-weather access road shall be provided to the sanitary landfill site. These roads shall meet the standards of the County Highway Department.
(Prior Code, § 95.38) (Ord. 26, passed 8-20-1974)

§ 94.39 TYPES OF SOIL; SEALED COVERINGS.

The types of soils at the site are important because it must make a sealed covering over and around the compacted refuse. A site shall be located only on fine to medium grained soils having low rates of permeability. Soils of this type are the loams, silt loams, and clay loams.
(Prior Code, § 95.39) (Ord. 26, passed 8-20-1974)

§ 94.40 EASEMENT; RECORDING.

The exact legal description shall be defined for obtaining a permit for a sanitary landfill easement and the easement shall be recorded with the County Recorder of Deeds for a period of at least 20 years after the completion of the sanitary landfill. The recording shall be done prior to issuance of the permit.
(Prior Code, § 95.40) (Ord. 26, passed 8-20-1974)

§ 94.41 COMPLETION, VACATION OF LANDFILL.

No structure shall be constructed on a completed sanitary landfill with an enclosed area below grade level for at least 20 years after completion of the sanitary landfill. After 20 years has elapsed from the completion of the sanitary landfill, the owner of that area must present to the Health Officer unequivocal evidence that no dangerous or hazardous gases or other materials exist in the completed landfill area if he or she is desirous to have the easement vacated.
(Prior Code, § 95.41) (Ord. 26, passed 8-20-1974)

§ 94.42 CERTAIN LOCATIONS PROHIBITED.

Sanitary landfills shall be prohibited:

(A) Within 1,000 feet of an interstate or state highway, except:

(1) Those areas which are screened by natural objects, plantings, or other appropriate means so as not to be visible from the state's right-of-way;

(2) Those areas which are not visible from the main traveled roadways; and/or

(3) Within the floodway of any stream or body of water.

(B) Within 25 feet of any ditch, stream, or other drainage water course as designated by the County Plan Commission or other applicable agency unless approved by the Department of Natural Resources or Lake County Drainage Board, and the Lake County Plan Commission;

(C) Within an area from which leachate can drain into surface water or ground water unless adequate measures are taken to prevent pollution;

(D) Within most sand and gravel pits, quarries, shaft-type coal mines, and atop old gas wells. Ravines may be acceptable if area drainage can be properly controlled;

(E) Within running water, spring sites, and in standing water;

(F) Within 1,000 feet of a residential subdivision;

(G) Within 600 feet of any dwelling;

(H) Within 300 feet of any industrial or commercial building; and

(I) Within 50 feet of a property line.
(Prior Code, § 95.42) (Ord. 26, passed 8-20-1974) Penalty, see § 94.99

OPERATION STANDARDS

§ 94.55 NECESSARY EQUIPMENT OF ADEQUATE SIZE AND CAPACITY REQUIRED FOR OPERATION.

Any person engaged in refuse disposal by means of a sanitary landfill shall have available at all times the necessary equipment of adequate size and capacity to satisfactorily operate the sanitary landfill.
(Prior Code, § 95.55) (Ord. 26, passed 8-20-1974)

§ 94.56 DRAINAGE FACILITIES TO BE ADEQUATE.

The entire disposal site, including the fill area shall be graded and provided with adequate drainage facilities to:

(A) Minimize storm water runoff onto or into the fill, with a minimum slope of 2% and a maximum slope of 25%;

(B) Prevent erosion or washing of the fill area;

(C) Drain off rain water falling on the fill area; and

(D) Prevent the collection of standing water.
(Prior Code, § 95.56) (Ord. 26, passed 8-20-1974)

§ 94.57 ALL-WEATHER ROADS FOR ACCESSIBILITY REQUIRED.

The site should have at least one all-weather road so that it is accessible at all times of the year.
(Prior Code, § 95.57) (Ord. 26, passed 8-20-1974)

§ 94.58 AREA TO BE KEPT CLEAN, ORDERLY.

(A) The entire area shall be kept clean and orderly.

(B) Measures shall be provided to control dust and blowing paper.
(Prior Code, § 95.58) (Ord. 26, passed 8-20-1974)

§ 94.59 FENCING AREA REQUIRED.

The entire area covered by the permit shall be fenced with an eight-foot cyclone-type fence with three strands of barbed wire spaced not more than six inches apart above the eight-foot height limitation. Upon completion of the individual fill area, the fence may be removed.
(Prior Code, § 95.59) (Ord. 26, passed 8-20-1974)

§ 94.60 CONDITIONS CAUSING POLLUTION PROHIBITED.

(A) Sanitary landfill operations shall be designed and operated so that conditions of pollution will not be created.

(B) Pollution of the ground and surface waters, soils, and air are prohibited.
(Prior Code, § 95.60) (Ord. 26, passed 8-20-1974) Penalty, see § 94.99

§ 94.61 DAILY DISPOSAL OF FOOD MATERIALS; UNCOOKED GARBAGE.

(A) Any and all materials considered food for rodents and insects including any receptacle for food shall be disposed of daily in a sanitary manner approved by the Health Officer.

(B) It shall be expressly forbidden to make uncooked garbage available for animal consumption at any sanitary landfill site.
(Prior Code, § 95.61) (Ord. 26, passed 8-20-1974) Penalty, see § 94.99

§ 94.62 LARGE, BULKY WASTES.

Large and bulky waste shall not be excluded from the site but shall be disposed of in a manner approved of by the Health Officer.
(Prior Code, § 95.62) (Ord. 26, passed 8-20-1974)

§ 94.63 CELL COMPACTION.

Refuse shall be spread so that it can be compacted in cells. The cell depth shall not exceed seven feet of compacted material. The cell thickness shall not exceed that distance which would impair the operation of compaction or create an unmanageable working face, the working face shall be no longer than 30 feet in width unless so approved by the Health Officer.
(Prior Code, § 95.63) (Ord. 26, passed 8-20-1974)

§ 94.64 WASTES; COVERING, DISPOSING.

All material shall be covered and disposed of in a satisfactory manner, as required by this chapter.
(Prior Code, § 95.64) (Ord. 26, passed 8-20-1974)

§ 94.65 SUITABLE COVER MATERIAL; PLACEMENT.

(A) A layer of suitable cover material at least six inches thick after compaction shall be placed over the daily working face.

(B) The total final cover material shall be at least two feet of compacted cover and six inches of loose top soil.

(C) Final cover shall be placed over any completed section of the fill within seven days following the placement of refuse within that portion.
(Prior Code, § 95.65) (Ord. 26, passed 8-20-1974)

§ 94.66 FIRE PREVENTION; BURNING PROHIBITED.

(A) Fire prevention shall be the responsibility of the operator.

(B) No burning shall be permitted at a sanitary landfill.
(Prior Code, § 95.66) (Ord. 26, passed 8-20-1974) Penalty, see § 94.99

§ 94.67 SALVAGING; SCAVENGING PROHIBITED.

Salvaging, by the operator, shall be organized so that it will not interfere with prompt sanitary disposal of refuse or create unsightly conditions or health hazards. All salvage materials must be removed from the disposal area at least once every two weeks. Scavenging shall not be permitted.
(Prior Code, § 95.67) (Ord. 26, passed 8-20-1974) Penalty, see § 94.99

§ 94.68 HAZARDOUS MATERIALS.

Hazardous materials, including liquids and sewage, shall not be disposed of in a sanitary landfill unless written approval is obtained from the Health Officer prior to disposition.
(Prior Code, § 95.68) (Ord. 26, passed 8-20-1974) Penalty, see § 94.99

§ 94.69 CONTROL OF GAS MOVEMENT.

Provisions shall be made for on-site control of potential gas movement, and control from the disposal site.
(Prior Code, § 95.69) (Ord. 26, passed 8-20-1974)

§ 94.70 AFTER WORKING HOURS.

(A) Access to the site shall be controlled to keep unauthorized persons out after working hours.

(B) An adequate receptacle shall be placed at the entrance of a sanitary landfill to aid in refuse depositing after working hours. The receptacle shall be emptied as necessary or as determined by the Health Officer.
(Prior Code, § 95.70) (Ord. 26, passed 8-20-1974)

§ 94.71 AREA TO BE LOCKED WHEN NOT OPEN.

When the landfill is not open, provisions shall be made for locking the area.
(Prior Code, § 95.71) (Ord. 26, passed 8-20-1974)

§ 94.72 QUALIFIED SUPERVISOR TO BE ON HAND.

A qualified supervisor must be on hand at all hours when the landfill site is open.
(Prior Code, § 95.72) (Ord. 26, passed 8-20-1974)

§ 94.73 EVALUATION OF OTHER DISPOSAL METHODS.

Any other proposed method of sanitary landfill disposal not covered by these rules shall be reviewed by the Health Department and Plan Commission for the purpose of evaluating the design and operational methods with reference to the nuisance factor, effect on surrounding properties, the safety of employees, and the protection of the public health. Other disposal methods shall be subject to the evaluation and approval of the Health Officer.
(Prior Code, § 95.73) (Ord. 26, passed 8-20-1974)

§ 94.74 MODIFICATIONS OF RULES.

Modifications of these rules on sanitary landfills as applicable to existing disposal areas may be permitted for a reasonable time, not to exceed 90 days after the adoption of this chapter if approved in writing by the Health Officer.
(Prior Code, § 95.74) (Ord. 26, passed 8-20-1974)

ENFORCEMENT

§ 94.85 ENFORCING OFFICER.

The Health Officer shall enforce the provisions of this chapter.
(Prior Code, § 95.85) (Ord. 26, passed 8-20-1974)

§ 94.86 RIGHT OF ENTRY FOR INSPECTIONS; ACCESS TO RECORDS.

The person operating the disposal site shall, upon request of the Health Officer, permit access to all parts of the ground and at a reasonable time by the Health Officer and shall permit him or her to copy any and all records pertaining to the sources of garbage and rubbish transported thereto for disposal.
(Prior Code, § 95.86) (Ord. 26, passed 8-20-1974)

§ 94.87 INITIATING NECESSARY PROCEEDINGS AGAINST VIOLATIONS.

It shall be the duty of the County Attorney to initiate necessary proceedings against the person violating any provision of this chapter.
(Prior Code, § 95.87) (Ord. 26, passed 8-20-1974)

§ 94.99 PENALTY.

Any person violating any provisions of this chapter shall be guilty of a punishable violation and, upon conviction, the violator shall be subject to the following fine rate: The first offense by a fine of not more than $500; for the second and each subsequent offense by a fine of not more than $2,500. Each day after the expiration of the time limit for abating insanitary conditions and completing improvements to abate those conditions as ordered by the County Board of Health, or by the duly appointed Health Officer of the county, shall constitute a distinct and separate offense.
(Prior Code, § 95.99) (Ord. 26, passed 8-20-1974)

CHAPTER 95: EMERGENCY POLICY

Section

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EMERGENCY TELEPHONE SYSTEM

§ 95.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ENHANCED EMERGENCY TELEPHONE SYSTEM. A telephone system that utilizes the three-digit number to send automatic number identification and automatic location identification for reporting police, fire, medical, or other emergency situations.

SERVICE SUPPLIER. A person who provides exchange telephone service to a service user.

SERVICE USER. A person to whom exchange telephone service is provided.
(Prior Code, § 96.01) (Ord. 1058A, passed 2-14-1989)

§ 95.02 ENHANCED EMERGENCY TELEPHONE SYSTEM.

The County Council hereby adopts and approves the Enhanced Emergency Telephone System wherever the system is now in effect and serviceable within Lake County. Further, the Lake County Council now requests that each service supplier within Lake County, which service supplier does not presently have facilities for the E911 system, adopt and provide for the E911 system for all service users serviced by that service supplier.
(Prior Code, § 96.02) (Ord. 1058A, passed 2-14-1989)

§ 95.03 MONTHLY SERVICE FEE.

The monthly service fee per telephone access line is established at a rate of not more than $.39 per telephone access line and will be assessed against all

access lines of telephone subscribers in the service area covered by the Emergency 911 System.
(Prior Code, § 96.03) (Ord. 1058A, passed 2-14-1989; Ord. 1058A-1, passed 2-14-1995; Ord. 1058A-2, passed 2-11-1997; Ord. 1058B, passed 2-11-1997; Ord. 1058A-3, passed 10-8-2002)

§ 95.04 COLLECTION OF MONTHLY SERVICE FEE.

Each service supplier that collects the enhanced emergency telephone system fee on behalf of the county is entitled to a 3% administrative fee as compensation for collecting fees. The remaining amount of the fee collected during the calendar quarter shall be remitted to the County Auditor within ten days after the last day of the quarter. At the same time that the collected fees are remitted, the service supplier shall provide a fee collection report to the County Auditor on a form provided and approved by the County Auditor.
(Prior Code, § 96.04) (Ord. 1058A, passed 2-14-1989)

§ 95.05 DEPOSIT OF E911 FUNDS.

The County Auditor shall deposit the remitted fees in two separate funds known as the Lake County Wireless Emergency Telephone System Fund and the Lake County Wire Line Emergency Telephone System Fund.
(Prior Code, § 96.05) (Ord. 1058A, passed 2-14-1989)

§ 95.06 DELINQUENT FEES.

By January 31 of each year, each service supplier that is required to collect the fee for Lake County shall provide a delinquent fee report to the County Auditor. The report shall list the name, address, and amount due to each service user who is two or more months delinquent in paying the 911 fee.
(Prior Code, § 96.06) (Ord. 1058A, passed 2-14-1989)

ALARM SYSTEMS

§ 95.20 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALARM CONDITIONS. Alarms activated by unlawful violations of a user's property or other violations that the systems were designed to protect against, acts of God, other violent conditions, or by outside agencies or external forces not under the control of the owner, lessee, or his or her employee or agent.

ALARM EQUIPMENT SUPPLIER. Any person, firm or corporation that sells, leases or installs automatic protection devices or signaling devices.

ALARM SYSTEM. An assembly of equipment and devices, arranged to signal the presence of a hazard requiring urgent attention and to which the Police and/or Fire Department are expected to respond.

ALARM USER. Any person on whose premise an alarm system is maintained within the unincorporated limits of the county. Included are those systems which employ an audible signal emitting sounds or a flashing light or beacon designed to alert persons outside the premise.

COUNTY. County of Lake, Indiana.

DIRECT LINE. A telephone line leading directly into the communications center of the County Police Department that is for use only to report signals upon a person-to-person basis.

FALSE ALARM. The activation of an alarm system caused by improper operation, negligence of the owner or lessee or his or her employee or agent. An act, intentional or unintentional, of someone other than an intruder, including alarms caused by malfunction of the alarm, device alarm system or its

related equipment. The term ***FALSE ALARM*** shall not include alarms created by malfunction of the Police Department equipment, activations caused by public utility interruptions, activations caused by a natural disaster, or activation caused by testing or repair of an alarm system or device provided that the Police Department has been notified prior to the commencement of the tests or repairs.

LOCAL ALARMS. A signaling system which, when activated, causes an audible and/or visual signaling device to be activated in or on the premises within which the system is installed.

PERSON. Any individual, partnership, corporation, association, or society, but such term does not include the county or lake.

SHERIFF. The Sheriff of Lake County, or his or her authorized representative.
(Prior Code, § 96.20) (Ord. 1111B, passed 3-10-1992; Ord. 1111B-1, passed 10-12-1993)

§ 95.21 PERMITTED DEVICES.

(A) No person shall use or cause or permit to be used, an alarm system utilizing signaling devices that automatically select a public trunkline and then reproduce any pre-recorded message to report any robbery, burglary, fire, or other emergency.

(B) With the exception of local alarms, only signaling devices shall be permitted to be installed within the unincorporated limits of the county for the purposes of reporting any robbery, burglary, fire, or other emergency to the Lake County Police Department.
(Prior Code, § 96.21) (Ord. 1111B, passed 3-10-1992)
Penalty, see § 95.99

§ 95.22 MONITORING SYSTEM.

The County Board of Commissioners is authorized to contract for and maintain the installation of a uniform system (Board) to receive visual and audible signals over direct lines to the Communications Center of the County Police Department.
(Prior Code, § 96.22) (Ord. 1111B, passed 3-10-1992)

§ 95.23 PERMIT REQUIRED.

(A) No alarm user shall install, operate, or maintain an alarm system within the unincorporated limits of the county, or within an incorporated area where the county police are expected to be the first responder, without first obtaining a permit as required below in § 95.24.

(B) Any alarm user who operated an alarm system without first obtaining authorization as required by this section, or who after having an authorization revoked, fails to disconnect his or her alarm system, shall be in violation of this chapter.
(Prior Code, § 96.21) (Ord. 1111B, passed 3-10-1992; Ord. 1111B-1, passed 10-12-1993)

§ 95.24 APPLICATION FOR PERMIT.

(A) *Applications.*

(1) Applications for permits to install, maintain, and operate an alarm system shall be filed with the County Sheriff with an application fee of $10 renewable annually by January 1.

(2) The alarm user applying for the authorization shall be required to state on the application form his or her name, the address of the residence or business in or upon which the alarm system has been or will be installed, his or her telephone number, both home and business, the type of alarm system (local, burglar, holdup, fire), the alarm equipment supplier selling, installing, monitoring, inspecting, responding to, and/or maintaining the alarm system, and the name and telephone number of at least two other persons (in case of a corporate alarm user applicant, at least three persons) who can be reached at any time day or night, and who can open the premises in which the system is installed.

(3) The alarm user shall update any changed in the name, residence, address or phone number of the person or persons who can be reached at any time who is authorized to deal with police authorities and who can open the premises in which the system is installed. The information contained in the alarm user's application required by this section and other information received by the County Police Department through correspondence or communications with an alarm user shall be securely maintained and restricted to inspection only by the County Police Department Personnel specifically assigned the responsibility for handling and processing alarm user authorizations.

(B) *Confidentiality*. County police personnel assigned the foregoing duties shall not knowingly or willfully reveal the information contained in an alarm user authorization application, or in correspondence or communications with an alarm user, to any other person for any purpose not related to this chapter or official law enforcement matters without the express written consent of the alarm user supplying such information.

(C) *Approval*.

(1) Applications shall be approved by the Sheriff when:

(a) A statement that the equipment does comply with the standard of the Underwriter Laboratories National Fire Protection Association, Factory Mutual, Canadian Standards Association, or equal; and

(b) The alarm equipment supplier installing the device maintains an adequate service organization to repair, maintain, and otherwise service the system sold, leased or installed by him or her.

(2) The Sheriff is authorized to rely on information gathered by the Police Department in determining whether the foregoing requirements are met.
(Prior Code, § 96.24) (Ord. 1111B, passed 3-10-1992; Ord. 1111B-1, passed 10-12-1993)

§ 95.25 INSPECTION.

The Sheriff, or his or her duly authorized personnel, shall have the right to inspect any alarm system on the premises where it is intended to be used, both prior to and subsequent to the issuance of a permit, at reasonable times to determine whether a permit should be granted, and whether it is being used in conformity with the terms of the permit and the provisions of this chapter.
(Prior Code, § 96.25) (Ord. 1111B, passed 3-10-1992; Ord. 1111B-1, passed 10-12-1993)

§ 95.26 LOCAL ALARMS.

Local alarms, with an externally audible alert, shall have an automatic reset after 15 minutes.
(Prior Code, § 96.26) (Ord. 1111B, passed 3-10-1992; Ord. 1111B-1, passed 10-12-1993)

§ 95.27 FINES APPLICABLE FOR FALSE ALARMS.

(A) Any alarm user having false alarms on more than four dates in any 90-day period shall pay a fine in the sum of $50 for each additional false alarm beyond the four.

(B) Fines are payable to the County Sheriff to be deposited in the Sheriff's General Fund, within five days after notice of the violation.

(C) Any alarm user who does not pay the above fine within the time prescribed shall be subject to having the permit revoked pursuant to § 95.29.
(Prior Code, § 96.27) (Ord. 1111B, passed 3-10-1992; Ord. 1111B-1, passed 10-12-1993)

§ 95.28 REVOCATION OF PERMIT.

(A) False alarms on more than ten dates in one calendar year from any alarm system for which alarm user permit has been obtained, or failure to pay the

fine pursuant to § 95.27 constitutes grounds for revocation of the permit subject to provisions of this section.

(B) (1) After the County Police Department has recorded false alarms on four dates in any 90-day consecutive period from any authorized user, it shall notify the authorized alarm user and the alarm equipment supplier. The alarm user shall within 15 days submit a written report describing the effort to discover and eliminate the cause or causes of the false alarms.

(2) In the event the authorized alarm user fails to submit a report within 15 days or such longer period as the County Sheriff may reasonably grant or if, by the report, the alarm user fails to show that he or she has taken or will take reasonable steps to eliminate or reduce false alarms, the Sheriff shall revoke the alarm user's authorization.

(C) In the event an alarm user fails to comply with the requirements of this chapter, the Sheriff is authorized to no longer respond to the alarm.

(D) An alarm system user whose authorization has been revoked is not precluded under this section from applying for a new permit pursuant to § 95.24.

(E) In the event the Sheriff finds it necessary to revoke a permit, the county shall incur no liability by the action to the extent allowed by law.
(Prior Code, § 96.28) (Ord. 1111B, passed 3-10-1992; Ord. 1111B-1, passed 10-12-1993)

§ 95.29 DISCONNECTION.

In the event the County Sheriff finds it necessary to revoke a permit, the county shall incur no liability by the action to the extent allowed by law.
(Prior Code, § 96.29) (Ord. 1111B, passed 3-10-1992)

§ 95.99 PENALTY.

(A) Any person who violates any provision of this chapter for which no penalty is set out shall be subject to § 10.99.

(B) (1) Any person, association or corporation who violates any of the provisions of §§ 95.20 through 95.29 shall, upon conviction, be fined not less than $50 nor more than $500 for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

(2) Any person, association, or corporation violating any section of this chapter in lieu of being charged for the violation in a court of competent jurisdiction may pay within five days after receiving notice of a violation to the County Sheriff the sum of $50; provided, however, if the amount is not paid within five days after being advised of the violation and his or her right to pay in lieu of being charged, the person shall be charged with the violation in accordance with law in a court of competent jurisdiction.

(3) Anyone charged with a violation of this chapter may be granted a two-week continuance to pay the amount to the Sheriff before being charged with a violation in court of competent jurisdiction provided the continuance is granted by the sheriff for good cause. Any person paying the fine as called for herein within the time allowed or any extension allowed shall not be subject to the per day violation provision of this chapter.

(4) It shall be the duty of the County Police Department to furnish a copy of the citation to the County Attorney within 72 hours after issuing the citation. The County Attorney shall be responsible for the enforcement penalties under this chapter.
(Prior Code, § 96.99) (Ord. 1111B, passed 3-10-1992; Ord. 1111B-1, passed 10-12-1993)

CHAPTER 96: FIRE PREVENTION

Section

96.01 Lake Ridge Fire Protection District
96.02 Area; purpose
96.03 Board of Fire Trustees
96.04 Meetings
96.05 Officers
96.06 Quorum
96.07 Compensation
96.08 Offices
96.09 Board; powers and duties
96.10 Budget

§ 96.01 LAKE RIDGE FIRE PROTECTION DISTRICT.

There is hereby created pursuant to I.C. 36-8-11-1 through 36-8-11-21 a Fire Protection District to be known as the Lake Ridge Fire Protection District.
(Prior Code, § 98.01) (Ord. 1022, passed 6-10-1986)

§ 96.02 AREA; PURPOSE.

(A) The district to be provided fire protection and fire prevention shall be described to include areas within the unincorporated area of Calumet Township as follows: Ridge Road south to 53rd Avenue (Main Street); Colfax Street east to Grant Street; 47th Avenue east to Harrison Avenue; Harrison Avenue south to 53rd Avenue.

(B) The purpose of the district is to provide fire protection, including the capability for extinguishing all fires that might be reasonably expected because of the types of improvements, personal property, and real property within the boundaries of the district. And, to provide fire prevention, including the identification and elimination of all potential and actual sources of fire hazard.
(Prior Code, § 98.02) (Ord. 1022, passed 6-10-1986)

§ 96.03 BOARD OF FIRE TRUSTEES.

(A) *Selection.* Within 30 days after the adoption of this chapter establishing the Lake Ridge Fire Protection District, the Lake County Council shall appoint a Board of Fire Trustees to consist of seven members. The Trustees must be qualified by knowledge and experience in matters pertaining to fire protection and related activities in the district. Each trustee must reside within the Lake Ridge Fire Protection District. A Fire Trustee may be removed from office for neglect of duty, incompetency, inability to perform his or her duties, or any other good cause, by the Lake County Council.

(B) *Terms of office.*

(1) The original Trustees shall be appointed as follows:

(a) One for a term of one year;

(b) One for a term of two years;

(c) One for a term of three years; and

(d) All others for a term of four years.

(2) The terms expire on the first Monday of January of the year that their appointments expire. As the terms expire, each new appointment is for a term

of four years. If a vacancy occurs on the Board, the Lake County Council shall appoint a Fire Trustee with the same qualifications for the unexpired term.

(C) *Organization*. Within 30 days of the appointment by the Lake County Council, the Board of Fire Trustees shall meet and elect from their number a Chairperson, Vice-Chairperson and Secretary. The Board may adopt the by-laws, rules, and regulations that it considers necessary to function.
(Prior Code, § 98.03) (Ord. 1022, passed 6-10-1986)

§ 96.04 MEETINGS.

(A) *Regular meetings*. The Board shall fix a time to hold regular meetings, but it shall meet at least once in the months of January, April, July, and October.

(B) *Special meetings*. Special meetings of the Board may be called by the Chairperson or by two Trustees upon written request to the Secretary. At least three days before a special meeting the secretary shall send to all Trustees a written notice fixing the time and place of the meeting. Written notice of a special meeting is not required if:

(1) The time of the special meetings has been fixed in the regular meeting.

(2) All Trustees were present at a meeting in which a special meeting was called.
(Prior Code, § 98.04) (Ord. 1022, passed 6-10-1986)

§ 96.05 OFFICERS.

At the first regular meeting each year, the Trustees of the Board shall elect a Chairperson, Vice-Chairperson and Secretary from their number. The Vice-Chairperson shall act as Chairperson during the absence or disability of the Chairperson.
(Prior Code, § 98.05) (Ord. 1022, passed 6-10-1986)

§ 96.06 QUORUM.

A majority of the Trustees constitutes a quorum. An action of the Board is official, however, only if it is authorized by a majority of the Trustees at a regular or properly called special meeting.
(Prior Code, § 98.06) (Ord. 1022, passed 6-10-1986)

§ 96.07 COMPENSATION.

A Trustee may receive not more than $20 a day for each day devoted to the work of the District. In addition, each Trustee may be reimbursed for actual expenses, including traveling expense at a rate equivalent to that provided by statute for state employees. Claims for expenses or reimbursements must be accompanied by an itemized written statement and approved by a recorded motion of the Board.
(Prior Code, § 98.07) (Ord. 1022, passed 6-10-1986)

§ 96.08 OFFICES.

At the time the Lake County Council initially appoints the Board, it shall order where the Board will maintain its offices. The offices may not be changed without approval of the Lake County Council. The Board shall arrange for office space and keep a record of all transactions and minutes of all meetings in the office. All records and minutes shall be kept available for public inspection.
(Prior Code, § 98.08) (Ord. 1022, passed 6-10-1986)

§ 96.09 BOARD; POWERS AND DUTIES.

The Board of Fire Trustees of the Lake Ridge Fire Protection District shall have the powers and duties specified in I.C. 36-8-11-15(1) through 36-8-11-15(23). Powers granted by the chapter may be used only to accomplish the purpose or purposes as stated in this chapter establishing this District. However, an act of the Board necessary and proper to

accomplish the purposes for which the District is established is not invalid because it incidentally accomplishes a purpose other than one for which the District is established.
(Prior Code, § 98.09) (Ord. 1022, passed 6-10-1986)

§ 96.10 BUDGET.

The Board shall annually budget the necessary money to meet the expenses of operation and maintenance of the District pursuant to I.C. 36-8-11-18. The budget must be approved by the Lake County Council, the County Board of Tax Adjustment, and the State Board of Tax Commissioners. Upon approval by the State Board of Tax Commissioners, the Board shall certify the approved tax levy to the Lake County Auditor. The Auditor shall have the levy entered on the County Treasurer's tax records for collection. After collection of the taxes, the Auditor shall issue his or her warrant on the Treasurer to transfer the revenues collected to the Board as provided by state law.
(Prior Code, § 98.10) (Ord. 1022, passed 6-10-1986)

CHAPTER 97: LITTERING

Section

97.01 Littering
97.02 Definitions
97.03 Use of auto

97.99 Penalty

§ 97.01 LITTERING.

Any person who recklessly, knowingly, or intentionally places or leaves refuse on property of another, or in, about, along, or upon any streets, highways, drainage ways or easements, or any grounds designated as a county park within the limits of the unincorporated areas of the county, commits littering.
(Prior Code, § 99.01) (Ord. 1035C, passed 7-15-1987)
Penalty, see § 97.99

§ 97.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DRAINAGE WAY. Any channel that is open or artificial; and is open or tiled; and is rural or urban; and carries surplus water.

EASEMENT. Any easement of record for any street, highway, or drainage way.

OFFAL. The waste, by-products or trimmings of a hide, the by-products of milling used for stock feeds, and the trimmings of a butchered animal removed in dressing.

REFUSE. Solid and semi-solid wastes, dead animals, offal, appliances, building materials, tires, scrap metal, furniture, trees, concrete, earthen spoil, auto parts, house furnishings, trash, debris, or other similar material.
(Prior Code, § 99.02) (Ord. 1035C, passed 7-15-1987)

§ 97.03 USE OF AUTO.

Evidence that littering was committed from a moving vehicle constitutes prima facie evidence that it was committed by the operator of that vehicle.
(Prior Code, § 99.03) (Ord. 1035C, passed 7-15-1987)
Penalty, see § 97.99

§ 97.99 PENALTY.

Any person that violates this chapter shall be subject to § 10.99.

CHAPTER 98: HAZARDOUS MATERIALS

Section

General Provisions

98.01 Definitions/reporting requirements

Storage of Hazardous Materials

98.15 Community alert network system
98.16 Fees
98.17 Deposit of fees

Notification

98.30 Spill report
98.31 Notification to Lake County Department of Emergency Management and Disaster
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Waste Transportation Restrictions

98.45 Purpose
98.46 Definition
98.47 Restriction of transportation of hazardous material where there is neither a point of origin or destination within Lake County
98.48 Exception to the restriction of transportation of hazardous materials
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98.50 Exceptions granted by the Director of the Civil Defense of Lake County
98.51 Subchapter supplementary

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GENERAL PROVISIONS

§ 98.01 DEFINITIONS/REPORTING REQUIREMENTS.

(A) The definitions contained in 327 I.A.C. 2-6.1-4 are adopted herein as the definitions to be used in this chapter except to the extent that other terms and conditions of this chapter may dictate otherwise.

(B) The reporting requirements contained in 327 I.A.C. 2-6.1-1 *et seq.* are adopted and incorporated into this chapter except to the extent that other terms and conditions of this chapter may dictate otherwise. (Prior Code, § 100.01) (Ord. 1159B, passed 8-13-1996)

STORAGE OF HAZARDOUS MATERIALS

§ 98.15 COMMUNITY ALERT NETWORK SYSTEM.

(A) Any person that uses, stores, handles or disposes of substances defined as dangerous, hazardous, or toxic by law shall be required to post a N.F.P.A. 704 Hazard Communication System in the locations specified herein.

(B) The numeric rating shall be assigned for all locations which shall indicate the most severe hazard generated in each category.

(C) The rating system defined in Chapter 2 of the 704 National Fire Code shall be used to determine the overall hazards generated.

(D) A 704 Symbol no smaller than four inches of a side shall be located in the middle lower half of all entry doors into the facility and it shall be displayed on the exterior of the lockbox installed on the building or fence.
(Prior Code, § 100.20) (Ord. 1159B, passed 8-13-1996)

§ 98.16 FEES.

Any person that uses, stores, handles, or disposes of substances defined as dangerous, hazardous or toxic by law shall be required to notify the Lake County Department of Emergency Management and Disaster and the Lake County Sheriff's Police, and pay the following fees:

Hazardous materials registration	$100
Hazardous materials registration renewal	$75
Remote site hazardous materials registration	$50
Etiologic and biomedical registration	$35
Underground storage tank registration	$20 per tank
Underground storage tank/ installation, testing, retrofitting, removal or closure	$100

(Prior Code, § 100.21) (Ord. 1159B, passed 8-13-1996)

§ 98.17 DEPOSIT OF FEES.

Fees for storage shall be paid to Lake County and deposited in the Community Alert Network System Fund.
(Prior Code, § 100.22) (Ord. 1159B, passed 8-13-1996)

NOTIFICATION

§ 98.30 SPILL REPORT.

Any person required to submit a spill report to the Office of Environmental Response of the Indiana Department of Environmental Management pursuant to 327 I.A.C. 2-6.1-7 shall immediately thereafter communicate an identical spill report to the Lake County Sheriff's Police.
(Prior Code, § 100.35) (Ord. 1159B, passed 8-13-1996)

§ 98.31 NOTIFICATION TO LAKE COUNTY DEPARTMENT OF EMERGENCY MANAGEMENT AND DISASTER.

Upon notification of a spill report, the Lake County Sheriff's Police shall notify the Lake County Department of Emergency Management and Disaster. The Lake County Department of Emergency Management shall investigate the spill report and shall determine the appropriate response.
(Prior Code, § 100.36) (Ord. 1159B, passed 8-13-1996)

§ 98.32 INVESTIGATION AND CLEAN-UP.

The staff of the Lake County Department of Emergency Management shall be granted and allowed immediate access to any premises upon which a spill has occurred. The Lake County Department of Emergency Management shall determine whether timely and appropriate actions have been initiated to contain and clean up the spill. If such actions and activities have not been initiated, the Lake County Department of Emergency Management shall assume responsibility for the containment and cleanup activities. The Lake County Department of Emergency Management shall be immediately allowed access to any premises upon which the Lake County Department of Emergency Management has determined there to be a need for cleanup activity.
(Prior Code, § 100.37) (Ord. 1159B, passed 8-13-1996)

§ 98.33 REIMBURSEMENT TO LAKE COUNTY.

The costs and expenses associated with the involvement of the Lake County Department of Emergency Management in the containment and cleanup of any spill shall be reimbursed in the County of Lake pursuant to ordinance. Any person who owns, operated, controls, or maintains any facility, premises, or vehicle involved in a spill shall submit to the Lake County Department of Emergency Management and Disaster, any and all reports, information, laboratory tests, or other data deemed necessary and appropriate by the Lake County Department of Emergency Management and Disaster in order to evaluate the containment and cleanup activities and to carry out the purposes and intent of this chapter.
(Prior Code, § 100.38) (Ord. 1159B, passed 8-13-1996)

WASTE TRANSPORTATION RESTRICTIONS

§ 98.45 PURPOSE.

The purpose of this subchapter is to protect the public health, safety, and welfare of the citizens of Lake County from the potential hazard of fire, explosion, or exposure to toxic substances that accompanies hazardous materials by regulating the transportation of hazardous materials in and through Lake County.
(Ord. 1207K, passed 9-12-2000; Ord. 1208C, passed 10-10-2000; Ord. 1212C, passed 2-13-2001)

§ 98.46 DEFINITION.

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

HAZARDOUS MATERIALS.

(1) Materials required to be placarded by 49 C.F.R., subpt. F, placarding.

(2) ***HAZARDOUS MATERIALS*** and ***HAZARDOUS WASTE***.
(Ord. 1207K, passed 9-12-2000; Ord. 1208C, passed 10-10-2000; Ord. 1212C, passed 2-13-2001)

§ 98.47 RESTRICTION OF TRANSPORTATION OF HAZARDOUS MATERIAL WHERE THERE IS NEITHER A POINT OF ORIGIN OR DESTINATION WITHIN LAKE COUNTY.

Where there is neither a point of origin nor destination within Lake County:

(A) Roadways, not federal interstates, lying inside Lake County are conclusively presumed to be routes which go through or near heavily populated areas, and except for division (B) of this section or § 98.49, use of roadways that are not federal interstates for the transportation of hazardous materials is prohibited; and

(B) Roadways other than federal interstates may be used only where traffic is detoured from the federal interstates to other routes by governmental authorities. Only those roadways designated by governmental authorities as alternative detour routes may be used for the transportation of hazardous materials.
(Ord. 1207K, passed 9-12-2000; Ord. 1208C, passed 10-10-2000; Ord. 1212C, passed 2-13-2001)

§ 98.48 EXCEPTION TO THE RESTRICTION OF TRANSPORTATION OF HAZARDOUS MATERIALS.

Exceptions to the above restrictions will be made only upon prior approval from the Director of Civil Defense of Lake County in accordance with § 98.50.
(Ord. 1207K, passed 9-12-2000; Ord. 1208C, passed 10-10-2000; Ord. 1212C, passed 2-13-2001)

§ 98.49 OPERATION OF MOTOR VEHICLES TRANSPORTING HAZARDOUS MATERIALS.

The following operating requirements shall apply to motor vehicle transportation of hazardous materials within Lake County.

(A) Operators of motor vehicles transporting materials shall obey all state and local traffic and parking regulations.

(B) Motor vehicles transporting hazardous materials shall operate at all times with their headlights illuminated.

(C) Transporters of hazardous materials shall not permit the discharge of hazardous materials into or upon any interstate, street, highways, sanitary sewer, drainage canal or ditch or flood control channel, or upon the ground, including private property, except when such discharge is expressly permitted by the property owner and is otherwise legal.

(D) Transporters of hazardous material shall not crate a hazard to the public by the location or condition of their vehicles containing hazardous materials.
(Ord. 1207K, passed 9-12-2000; Ord. 1208C, passed 10-10-2000; Ord. 1212C, passed 2-13-2001)

§ 98.50 EXCEPTIONS GRANTED BY THE DIRECTOR OF THE CIVIL DEFENSE OF LAKE COUNTY.

(A) Transporters, shippers, and receivers of hazardous materials may apply to the Director of the Civil Defense of Lake County for an exception to the requirements of this subchapter. An exception will be granted only where the following criteria are met.

(1) *Compelling need.* The applicant must show a compelling need that delivery or pickup of the hazardous material can be made only by entering incorporated areas.

(2) *Public interest*. Transportation of the hazardous material in violation of the restrictions of this subchapter is in the public interest.

(B) An application for an exception under this section shall be filed with the permit section of the Civil Defense Department of Lake County.
(Ord. 1207K, passed 9-12-2000; Ord. 1208C, passed 10-10-2000; Ord. 1212C, passed 2-13-2001)

§ 98.51 SUBCHAPTER SUPPLEMENTARY.

This subchapter is in addition to any other existing federal or state law regulating the transport of hazardous materials.
(Ord. 1207K, passed 9-12-2000; Ord. 1208C, passed 10-10-2000; Ord. 1212C, passed 2-13-2001)

§ 98.99 PENALTY.

(A) Violation of any of the provisions, terms or conditions of this chapter shall be punishable by a fine in an amount not to exceed $2,500.

(B) Any person, transporter, carrier, or operator of a motor vehicle violating §§ 98.45 *et seq*. shall be issued a citation to appear in a court of competent jurisdiction in this county, and may be fined in an amount not to $2,500.
(Prior Code, § 100.99) (Ord. 1159B, passed 8-13-1996; Ord. 1207K, passed 9-12-2000; Ord. 1208C, passed 10-10-2000; Ord. 1212C, passed 2-13-2001)

CHAPTER 99: ILLEGAL DUMPING

Section

99.01 Purpose
99.02 Definitions
99.03 Areas subjected to or susceptible to illegal dumping
99.04 Enforcement
99.05 Violations

99.99 Penalty

§ 99.01 PURPOSE.

The Lake County Council is creating this chapter to protect the health and well-being of Lake County citizens by eliminating the nuisance of illegal dumping within Lake County.
(Ord. 1207L, passed 9-12-2000)

§ 99.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DUMPING. To dump, cast throw, scatter, discard, leave, drop, place, sweep, sift, or deposit in any manner.

LANDFILL. A sanitary landfill.

PERSON. Includes an individual, business, firm, association, or corporation.

REFUSE. All putrescible and nonputrescible solid and semi-solid wastes and shall include refuse, rubbish, trash, industrial waste, tree trimmings, wastes such as but not limited to any paper, pasteboard, straw, excelsior, shavings, chips, sawdust, wood, rope, twine, wool, cotton flax hemp, jute, rubber, leather, ashes, cinders, soot, charcoal, coal, slag, dust, earth, dirt, sand, clay, mud, gravel, lime, shells, mortar plaster, tar, hay, grass, leaves, weeds, grain, salt, hair, feathers, moss, shucks, bark, brick, stone, wire, nails, iron, tin, brass, copper, glass or pottery, or any kind of garbage, refuse, or offal, whether animal or vegetable; or any slops, suds, swill, brine, rinsings, dishwater, urine, dirty, foul, bloody or ill smelling liquid; or any excrement, manure, carrion, dead fish, fowl, or animal, or any fruit or vegetables, or any kind of dirt, debris, garbage, litter, rubbish, refuse, ash, article, thing, or substance whatsoever, whether liquid or solid and whether of the same nature as the articles, things, or substances specifically mentioned or not.
(Ord. 1207L, passed 9-12-2000)

§ 99.03 AREAS SUBJECTED TO OR SUSCEPTIBLE TO ILLEGAL DUMPING.

(A) The Lake County Council and the Lake County Solid Waste Management Board may designate certain properties within the county as areas subjected to or susceptible to illegal dumping.

(B) Once an area is designated as an area subjected to or susceptible to illegal dumping, a conspicuous sign shall be posted at the area declaring "Illegal dumping will be subject to a minimum fine of $10,000 plus costs of the removal."
(Ord. 1207L, passed 9-12-2000)

§ 99.04 ENFORCEMENT.

(A) The Lake County Sheriff's Department and members of the Lake County Solid Waste Management Board shall exercise enforcement powers under this chapter and all complaints alleging the existence of a violation of this chapter shall be filed with the Lake County Sheriff's Department or the Solid Waste Management Board.

(B) The Sheriff's Department or a Member of the Solid Waste Management Board shall promptly inspect the premises or cause them to be inspected and shall make a written report of the findings of the inspection. Whenever practicable, photographs of the premises shall be attached to the written report. The Lake County Sheriff's Department or the Solid Waste Management Board shall keep all such written reports on file.

(C) The owner of the refuse shall be presumed responsible for its dumping. Proof of ownership of any refuse found on any property of another shall be prima facie evidence of a violation of this chapter. Evidence the owner of the refuse reasonably relied upon his or her agent or another to properly dump the refuse shall be an affirmative defense to the § 99.99. However, the owner shall remain responsible for the removal of the refuse and shall be subject to all other sections of this chapter pertaining to the removal of the refuse.

(D) Upon determining a violation of this chapter exists, the Sheriff's Department or the Solid Waste Management Board shall notify the person violating the chapter in writing, mailed to the person.

(E) The notice under division (3) below required to be sent to the person violating this chapter shall:

(1) State a $10,000 penalty has been assessed as provided in § 99.99;

(2) Specifically describe the violation;

(3) Direct the abatement of the violation and the removal the refuse within three days of service of the notice;

(4) State the failure of the person to abate the violation and remove the refuse shall be deemed an implied consent for the county to remove the refuse;

(5) Inform the person should he or she not abate the violation and remove the refuse within either the 24 hours or the three days allowed under division (F) below, the county may abate the violation and remove the refuse under this implied contractual consent; and

(6) State that should the county abate the violation and remove the refuse, the person shall be charged for all costs and expenses incurred by the county.

(F) If the violation constitutes an immediate threat to the public health and safety, the Sheriff's Department or the Solid Waste Board may demand the abatement of the violation and removal of the refuse within 24 hours of the time of notification of the violation. Otherwise, the person violating this chapter shall abate the violation and remove the refuse within three days from the date service of the notice.

(G) A person's failure to remove the refuse within the time allowed under division (F) above shall be deemed an implied consent for the county to abate the violation and remove the refuse. The implied consent shall be deemed to form a contract between the person and the county. The county shall pursue legal action to collect fines or other penalties allowed by law to abate the violation and recover the removal costs.

(H) Costs and expenses incurred by the county under this section for the abatement of the violation and removal of the refuse shall include, but not be limited to, the actual costs and expenses in time of county employees or county authorized contractors, materials, transportation to and from the property, title searches or certifications, and reasonable attorney's expenses and court costs.

(I) Should the costs of abating the violation and removing the refuse or the penalties assessed by the county remain unpaid by the person, the county may

file a lien upon the real property of the person violating this chapter, commence court proceedings seeking a personal judgment from the person, or for the impoundment of the vehicle used in the dumping.

(J) (1) Should the county exercise its right to file a lien upon the real property of the person as provided under division (I) above, the county shall file a notice of lien in the office of the Lake County Recorder. The notice shall consist of a sworn statement setting out:

(a) A description of the real estate, sufficient for identification;

(b) The amount of money representing the cost and expense incurred or payable for the abatement of the violation and removal of the refuse; and

(c) The date or dates when the cost or expense were incurred by the county.

(2) This lien shall be superior to all other liens except taxes, provided, however, it shall not be valid as to any purchaser whose right in and to the real estate have risen subsequent to the date on which the costs were incurred and prior to the filing of the notice and a lien of the county shall not be valid as to any mortgages, judgment, creditor, or other lienor whose rights in and to the real estate arise prior to the filing of the notice. Upon payment of the costs and expenses by the person who violated this chapter or any other person interested in the property, after the notice of lien has been filed, the lien shall be released by the county and the release may be filed of record as in the case of filing the notice of lien. The lien may be enforced by proceeding to foreclosure, as provided by law. Interest on the lien shall accrue at the rate of 6% per year.

(K) Should the county exercise its right to obtain a personal judgment against the person or impound the vehicle used in the dumping as provided under division (I) above, the county shall file an action in court. An action for personal judgment against the person shall be based upon the implied consent by the person to form a contract with the county for the abatement of the violation and the removal of the refuse as found in division (G) above.

(L) The action authorized by division (I) above shall be in addition to, and without waiver, of any other remedy provided by law.
(Ord. 1207L, passed 9-12-2000) Penalty, see § 99.99

§ 99.05 VIOLATIONS.

Illegal dumping of refuse creates a nuisance hazardous to the health and well-being of the citizens of Lake County. Accordingly, it shall be unlawful for any person, in person or by his or her agents or employees, to dump, refuse or cause or permit to be dumped for any purpose whatsoever, refuse on any public property including a street, sidewalk, alley, spring, river, stream, pond, lake, park, or on any private property in Lake County, unless:

(A) The property has been designated by a federal, state, the county, or a local agency as a landfill area for the disposal of refuse, and the refuse is disposed of on that property in accordance with the applicable governmental rules and regulations;

(B) The refuse is placed into a receptacle or other container indicated by the owner or tenant in lawful possession of the property for the deposit of refuse;

(C) The person is the owner or tenant in lawful possession of the property or has first obtained the consent of the owner or tenant in lawful possession and the dumping does not create a public health or safety hazard, a public nuisance, or a fire hazard;

(D) The refuse is produced by an industrial process and stored in a safe, sanitary, and inoffensive manner by the person on property owned or operated by the person for further processing or use;

(E) The refuse is top soil or mulch and the dumping is temporary resulting from excavations or landscaping as part of a construction process on property owned or operated by the person;

(F) The person is acting under the direction of proper public officials; or

(G) The person is lawfully acting in or reacting to an emergency situation where health and safety is threatened, and the person removes and properly disposes of the refuse when the emergency situation no longer exists.
(Ord. 1207L, passed 9-12-2000) Penalty, see § 99.99

§ 99.99 PENALTY.

Persons found guilty of dumping shall be subject to a minimum fine of $10,000.
(Ord. 1207L, passed 9-12-2000)

CHAPTER 100: ENVIRONMENTAL PROTECTION

Section

100.01 Purpose and intent
100.02 Definitions
100.03 Environmental public nuisances prohibited
100.04 Investigation
100.05 Trade secrets; public information
100.06 Notice of violation
100.07 Consent agreements
100.08 Clean-up abatement
100.09 Court action for failure to address a notice violation
100.10 Reimbursement of abatement costs, other remedies
100.11 Violations

100.99 Penalty

§ 100.01 PURPOSE AND INTENT.

(A) This chapter shall be known and may be cited as the Lake County Environmental Protection Ordinance.

(B) It is hereby declared to be the purpose of this chapter to protect public safety, health, and welfare and enhance the environment for the people of the county by providing for the investigation and remediation of hazardous substances.

(C) The provisions of this chapter are not intended and shall not be construed as superseding or conflicting with any statutory provisions relating to, or rules and regulations promulgated by the United States Environmental Protection Agency or the Indiana Department of Environmental Management, but shall be construed as supplementing, implementing and assisting in the enforcement of federal and state laws concerning hazardous substances. Should any of the provisions of this chapter be determined to be inconsistent with federal or state law the remainder of this chapter shall remain in effect and be interpreted ignoring such provision.

(D) This chapter shall not be construed to limit the authority of any municipality to adopt more stringent standards. The purpose of this chapter is solely to establish minimum standards protective of human health and the environment.
(Ord. 1264A, passed 6-13-2005)

§ 100.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABATE. To reduce the presence of uncontrolled hazardous materials in the environment to a level that adequately reduces the risk of human health and the environment consistent with the future proposed use of the property.

ABATEMENT COSTS. All necessary and reasonable costs required to abate any discharge of hazardous substances.

COVERED PERSON.

(1) Those persons described in the Comprehensive Environmental Response, Compensation and Liability Act, § 107(a), being 42 U.S.C. § 9607(a); and

(2) All tenants or other persons in control of any real property within the county where hazardous substances exist.

DISCHARGE. Any intentional or accidental action or omission which in the releasing, spilling, pumping, pouring, emitting, emptying, or dumping of any hazardous substance upon public or private property located within the limits of the county.

ENVIRONMENTAL PUBLIC NUISANCE.

(1) Any property where hazardous substances are present, unless the presence of hazardous substances is specifically authorized under state or federal laws or regulations governing hazardous substances; or

(2) Property which has otherwise been allowed to become a health or safety hazard.

HAZARDOUS SUBSTANCE. HAZARDOUS SUBSTANCE as defined in the Comprehensive Environmental Response, Compensation and Liability Act, § 101(14), being 42 U.S.C. § 9601(14) and ***HAZARDOUS WASTE*** as defined in the Solid Waste Disposal Act, § 3001 (42 U.S.C. § 6921) and ***HAZARDOUS MATERIAL*** as defined in I.C. 13-11-2-96 and ***HAZARDOUS WASTE*** as defined in I.C. 13-11-2-99.

LOCAL GOVERNMENT. The county or any municipality within the county seeking to enforce this chapter.

LOCAL GOVERNMENT DESIGNEE.

(1) The department, official or component designated by any local government within the county to enforce this chapter;

(2) The designee for the county shall be the Lake County Sheriff's Police; and

(3) The designee for any municipality within the county shall be the Lake County Sheriff's Police, unless notice of an alternate designation is given to the Lake County Sheriff's Police by the executive of the municipality.

NOTICE OF VIOLATION. A notice of violation pursuant to § 100.06 below.

PERSONS. One or more individuals, partnerships, corporations, trusts, joint ventures, associations, or any other entities or any combination thereof.
(Ord. 1264A, passed 6-13-2005)

§ 100.03 ENVIRONMENTAL PUBLIC NUISANCES PROHIBITED.

(A) All covered persons shall be required to keep the real property in the county free from environmental nuisances.

(B) It shall be unlawful for any covered person to allow an environmental public nuisance to exist.
(Ord. 1264A, passed 6-13-2005) Penalty, see § 100.99

§ 100.04 INVESTIGATION.

(A) Whenever a local government designee has reason to believe that a discharge of a hazardous substance has occurred or is about to occur, the local government designee may undertake the investigation, monitoring, surveying, testing, and other information gathering as the local government designee may deem necessary or appropriate to identify the existence and extent of a discharge or the threat of a discharge, the source and nature of any hazardous substances involved and the extent of danger to the public health or welfare or to the environment.

(B) The local government designee may require any person who has or may have information relevant to any of the following to furnish, upon reasonable notice, information or documents relating to the matter:

(1) The identification, nature and quantity of materials which have been or are manufactured, generated, treated, stored, or disposed of at the property;

(2) The nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or on the property; and

(3) Information relating to the ability of a person to pay for or to perform a cleanup.

(C) In addition, upon reasonable notice, such person shall either:

(1) Grant the local government designee access at all reasonable times to any vessel, facility, establishment, place, property, or location to inspect and copy all documents or records relating to such matters; or

(2) Copy and furnish to the local government designee all such documents or records, at the option and expense of the person. However, nothing in this section shall be interpreted to waive the local government designee's ability to inspect original documents.

(D) The local government designee is authorized to enter at reasonable times any of the following:

(1) Any vessel, facility, establishment, or other place or property where any hazardous substance may be or has been discharged;

(2) Any vessel, facility, establishment, or other place or property from which or to which a hazardous substance has been or may have been discharged;

(3) Any vessel, facility, establishment, or other place or property where the discharge is or may be threatened; or

(4) Any vessel, facility, establishment, or other place or property where entry is needed to determine the need for response or the appropriate response or to effectuate abatement under this chapter.

(E) The local government designee is authorized to inspect and obtain samples from any vessel, facility, establishment, or other place or property referred to in division (D) above or from any location of any suspected hazardous substance. Each such inspection shall be completed with reasonable promptness.

(F) The local government designee is authorized to inspect and obtain samples of any containers or labeling for suspected hazardous substances. If the local government designee obtains any samples, before leaving the premises, the local government designee shall give to the covered person of the place from which the samples were obtained a receipt describing the sample obtained and, if requested, a portion of each such sample. A copy of the results of any analysis made of the samples shall be furnished promptly to the covered person in control, if the person can be located.

(G) Where there is a reasonable basis to believe there may be a release or threat of a release of a hazardous substance, the local government designee may seek compliance in court as follows.

(1) In the case of interference with entry or inspection, the court shall enjoin such interference or direct compliance with orders to prohibit interference with entry or inspection, unless under the circumstances of the case, the demand for entry or inspection is arbitrary and capricious, an abuse of discretion, or otherwise not in accordance with law.

(2) In the case of information or document requests or orders, the court shall enjoin interference with such information or document requests or orders or direct compliance with requests or orders to

provide such information or documents unless, under the circumstances of the case, the demand for information or documents is arbitrary and capricious, an abuse of discretion, or otherwise not in accordance with law.
(Ord. 1264A, passed 6-13-2005)

§ 100.05 TRADE SECRETS; PUBLIC INFORMATION.

(A) Any trade secret reported to or otherwise obtained by the local government or a local government designee in connection with an investigation conducted pursuant to this chapter shall be considered confidential.

(B) Sampling results and other environmental data regarding the conditions of soil or groundwater at a property are not trade secrets under this section and shall be available to the public at the discretion of the local government designee.
(Ord. 1264A, passed 6-13-2005)

§ 100.06 NOTICE OF VIOLATION.

(A) Any department of a local government which receives a complaint regarding an environmental public nuisance on any property within the county shall forward that complaint to the local government designee, who shall make a record of, and assign a case number to, the complaint. The local government designee shall inspect the property in question.

(B) If the local government designee determines action is appropriate and necessary to abate an environmental public nuisance, a notice of violation shall be issued to one or more of the covered persons, unless there is an imminent threat to public health or the environment. If there is an imminent threat to public health or the environment, then no notice is required.

(C) Notice of violation shall be issued either by personal service or by first class United States mail, postage prepaid. The notice of violation shall state the nature of the alleged environmental public nuisance and the action deemed necessary to correct the condition, and shall fix a date no sooner than ten days from the date of the notice of violation when the property will be re-inspected. The notice of violation shall inform the recipient that, if the condition is not corrected upon re-inspection, the local government has the right to:

(1) Enter on the property to abate the environmental public nuisance and bill the recipient for abatement costs and, if necessary, assert a lien against the subject property;

(2) File a court action against the recipient for ordinance violation; or

(3) File a court action against the recipient to enjoin the environmental public nuisance.

(D) A notice to the occupant at the real estate or to any covered person at the address to which property tax statements are sent, as these addresses are shown by the most current records in the township assessor's office of the township in which the real estate is located, shall be sufficient notice under this section.
(Ord. 1264A, passed 6-13-2005)

§ 100.07 CONSENT AGREEMENTS.

(A) The local government or the local government designee, may, in their discretion:

(1) Terminate an investigation or an action commenced under the provisions of this chapter upon execution of a written consent agreement between the local government designee, and the persons who are the subjects of the investigation or action; or

(2) Hold in abeyance pending performance of voluntary compliance activities an investigation or an action commenced under the provisions of this chapter upon execution of a written consent agreement between the local government designee, and the persons who are the subjects of the investigation or action.

(B) The consent agreement shall provide written assurance of voluntary compliance with all the applicable provisions of this chapter by the persons.

(C) The consent agreement may provide, in the discretion of the local government designee, the following: environmental mitigation; compensatory damages; punitive damages; civil penalties; abatement costs of the local government and attorneys' fees and costs.

(D) The consent agreement may provide, in the discretion of the local government designee, a release or covenant not to sue to any covered person.

(E) An executed written consent agreement shall neither be evidence of a prior violation of this chapter, nor shall such agreement be deemed to impose any limitation upon any investigation or action by the local government or the local government designee, in the enforcement of this chapter.

(F) No consent agreement shall constitute a waiver of or limitation upon the enforcement of any federal or state laws.

(G) No consent agreement shall constitute waiver of or limitation upon the enforcement of any local laws and ordinances, unless expressly provided.

(H) Each violation of any of the terms and conditions of an executed written consent agreement shall constitute a separate offense under this chapter by any persons in active concert or participation with the person who executed the consent agreement, including but not limited to officers, directors, agents, servants, and employees who receive actual notice of the consent agreement.

(I) Each day during any portion of which each such violation occurs constitutes a separate offense under this chapter.
(Ord. 1264A, passed 6-13-2005)

§ 100.08 CLEAN-UP ABATEMENT.

(A) The local government is authorized to take such steps as are necessary to clean up, remove, or abate the effects of any hazardous substances located on the property (including streets and appurtenances) or facilities located within the limits of the county.

(B) In complying with the provisions of this chapter, the local government designee may retain the use of private contractors to assist it.

(C) The provisions of this chapter do not apply to hazardous substances on properties where any local government entity is a covered person.

(D) Any covered person shall be jointly and severally liable for the abatement costs for any discharge of hazardous substance.

(E) When responding to any discharge of any hazardous substance, the designee for the local government shall keep a detailed record of the abatement costs attributable to any covered person.
(Ord. 1264A, passed 6-13-2005)

§ 100.09 COURT ACTION FOR FAILURE TO ADDRESS A NOTICE VIOLATION.

(A) If the local government designee determines that the abatement has not occurred within ten days of the issuance of any notice of violation or within any period specifically provided in the notice of violation, the local government designee may initiate a civil action or administrative action for ordinance violation against the recipient.

(B) Any court action may involve a complaint of ordinance violation, a request to enjoin any environmental public nuisance or both.
(Ord. 1264A, passed 6-13-2005)

§ 100.10 REIMBURSEMENT OF ABATEMENT COSTS, OTHER REMEDIES.

(A) *Covered persons to reimburse*. Each covered person shall reimburse the local government designee for the full amount of all abatement costs within a period of ten days after receipt of an itemized bill for such abatement costs from the local government, plus any accrued interest. No further documentation is required.

(B) *Failure to reimburse*. If any covered person fails to reimburse the local government designee as required by division (A) above within 30 days, the local government designee may certify to the County Auditor the amount of the bill, plus any additional administrative costs, incurred in the certification. The County Auditor shall place the total amount certified on the tax duplicate for the property affected, and the total amount, including any accrued interest, shall be collected as delinquent taxes are collected, except that payments from these efforts shall be made to the local government designee.

(C) *Attorneys fees and costs*. The local government shall be entitled to the reasonable attorneys fees an costs expended in obtaining amounts due the local government under this chapter.

(D) *Funds recovered to be charged back*. Funds recovered under this chapter will be charged back to the local government department that provided services or materials. It is the intent of this chapter that amounts expended by any local government department in performing activities authorized under this chapter shall be replenished in a prompt manner.

(E) The remedies provided for in this section shall be supplemental to and in addition to all other available remedies at law and equity.
(Ord. 1264A, passed 6-13-2005) Penalty, see § 100.99

§ 100.11 VIOLATIONS.

(A) The regulations of the United States Environmental Protection Agency as set forth in 40 C.F.R. pt. 403 on the effective date of Ordinance 1264A are hereby adopted and are incorporated herein by reference hereto.

(B) All rules and regulations promulgated by the Indiana Department of Environmental Management are hereby adopted and are made a part of this chapter by reference.

(C) Any person who commits a violation of any rules and regulations adopted pursuant to this section shall be deemed guilty of committing a violation of this chapter.

(D) Violations of such rules and regulations shall constitute violations of this chapter triable in the court of appropriate jurisdiction.

(E) Nothing in this section shall be construed to prohibit the local government or any from enacting ordinances stricter than the rules and regulations incorporated herein or to invalidate or supersede ordinances heretofore enacted by the Local Government which are stricter than the rules and regulations incorporated in this section.
(Ord. 1264A, passed 6-13-2005)

§ 100.99 PENALTY.

(A) Any person who fails to comply with this chapter, shall be subject to:

(1) Civil penalties up to the amount of $10,000 per violation per day; and

(2) A lien for abatement costs, civil penalties and other damages under this chapter upon the real property owned which is the subject of any notice of violation or any abatement efforts on the part of the local government or the local government

designee. The lien shall attach regardless of whether any covered person or otherwise liable for investigation or remediation of any hazardous substances release because a claim and lien is imposed pursuant to this section. This lien shall be superior to every other lien to the maximum extent allowed by federal and state law.

(B) In assessing any civil penalty, the following factors should be considered:

(1) The seriousness of the violation or violations;

(2) The economic benefit (if any) resulting from the violation or violations;

(3) Any history of such violations, and any good-faith efforts to comply with the applicable requirements;

(4) The economic impact of the penalty on the violator; and

(5) Such other matters as justice may require.
(Ord. 1264A, passed 6-13-2005)

CHAPTER 101: STREETS AND SIDEWALKS

Section

Addresses

101.01 Property owners to display common addresses on buildings

Vehicle Towing

101.15 Towing company/rates
101.16 Liability of vehicle owner
101.17 Selection of towing companies

Mailbox Installations Along County Roads

101.25 Mailbox installation
101.26 Replacement of damaged mailboxes

101.99 Penalty

ADDRESSES

§ 101.01 PROPERTY OWNERS TO DISPLAY COMMON ADDRESSES ON BUILDINGS.

Property owners are required to display a common address for each parcel of real estate they own in the event there is a building on the property. The common address must be clearly visible from the street in front of the property so that police and fire departments can locate the building in case of an emergency.
(Ord. 1249B, passed 3-9-2004)

VEHICLE TOWING

§ 101.15 TOWING COMPANY/RATES.

(A) *Towing vehicles*. All commercial towing vehicles operating at the direction of the Lake County Sheriff's Department shall be marked on each side fully identifying the owner thereof and the address of its principal place of business in printed letters not less than four inches in height. The markings shall be permanently affixed to the sides.

(B) *Liability insurance*. All authorized towing companies shall carry liability insurance in the amount of not less than $1,000,000.

(C) *Hours of operations*. Each towing company shall be open for business 24 hours per day, seven days a week.

(D) *County towing fee*.

(1) In addition to towing fees, the county shall receive a $75 per tow fee which shall be paid at the time the vehicle owner receives the vehicle from storage, or the vehicle is otherwise disposed.

(2) The fees shall be deposited in the Sheriff's Towing Fee and Towing Company Franchise Fee Fund, a non-reverting fund, to be appropriated by the Lake County Council, unless otherwise provided by law.

(3) The fee shall apply only to vehicles towed pursuant violation of a county ordinance, or state or federal statute.

(E) *County towing franchise fee.*

(1) A franchise fee is hereby established to be paid by the towing companies who provide towing services on behalf of Lake County.

(2) The fee shall be known as the Lake County Towing Company Franchise Fee, and is established in the sum of $50 per tow.

(3) The franchise fee should be paid by the towing company in addition to the county towing fee established in division (D)(1) of this section.

(4) The franchise fee shall be paid by the franchise towing company and deposited into the Sheriff's Towing Fee and Towing Company Franchise Fee Fund, a non-reverting fund, to be appropriated by the Lake County Council, unless otherwise provided by law. All contracts for towing services under this subchapter shall be subject to the approval of the Lake county Board of Commissioners.
(Ord. 1206E, passed 8-8-2000; Ord. 1206E-1, passed 3-30-2011; Ord. 1206E-2, passed 5-18-2011; Ord. 1206E-3, passed 12-21-2011)

§ 101.16 LIABILITY OF VEHICLE OWNER.

The owner of the vehicle that is towed at the request of the Lake County Sheriff's Department shall be liable for all of the costs incidental to the removal, storage, and disposal of the vehicle.
(Ord. 1206E, passed 8-8-2000)

§ 101.17 SELECTION OF TOWING COMPANIES.

The Lake County Sheriff shall determine the companies for the purpose of towing vehicles in accordance with the needs for public safety. Only towing companies selected by the Lake County Sheriff shall be called by Lake County Sheriff personnel to tow vehicles.
(Ord. 1206E, passed 8-8-2000; Ord. 1206E-2, passed 5-18-2011)

INSTALLATION OF MAILBOXES ALONG COUNTY ROADS

§ 101.25 MAILBOX INSTALLATION.

(A) The location and construction of mailboxes shall conform to the rules and regulations of the U.S. Postal Service, as well as the standards established by Lake County. Mailboxes shall be of light sheet metal or plastic construction conforming to the requirements of the U.S. Postal Service. No portion of the mailbox shall extend over the traveled portion of the road or outside of the edge of the shoulder. Mailboxes installed along streets must be 41 inches to 45 inches above the street surface, in accordance with the requirements of the U.S. Postal Service. The face of the mailbox must be 8 inches back from the curb face in subdivisions. On rural roads, said mailbox face must be located in accordance with the local Postmaster's specifications for rural mailboxes. If a roadside mailbox is mounted on a post, all mailbox posts shall be designed to break away, or break off from the ground upon impact with a vehicle. The Federal Highway Administration recommends a wooden mailbox support no bigger than four inches x four inches or a two inch diameter steel or aluminum pipe. Said post shall not be buried more than 24inches deep, so that it will give way in an accident. The use of potentially dangerous supports, such as heavy metal pipes, concrete post, or farm equipment such as milk cans or tractor tires filled with concrete is forbidden. All mailboxes shall be constructed sturdily enough to withstand the weight of snow as it comes off the end of a snowplow.

(B) The term "edge of the road" shall refer to the edge of the road surface material that constitutes the traveled portion of the road (e.g., the edge of the pavement in the case of a paved road). The distance of any mailbox from the edge of the road shall be measured perpendicularly from a vertical line projecting upwards from the edge of the road.

(C) Where a mailbox is installed in the vicinity of an existing guardrail, whenever practical, it shall be placed behind the guardrail. No mailbox will be

allowed to exist within the county's right-of-ways if it interferes with the traveling public or the function, maintenance, or operation of the county roadway system. A mailbox installation that does not conform to the provisions of this regulation is prohibited.

(D) All mailboxes installed after this date shall, in addition to the requirements of the U.S. Postal Service, be built and located in a manner that complies with these standards.
(Ord. 1384D, passed 5-12-2015) Penalty, see § 101.99

§ 101.26 REPLACEMENT OF DAMAGED MAILBOXES.

(A) Lake County, Indiana and the Lake County Highway Department shall not be responsible and assume no responsibility for repairing or replacing any damaged mailboxes when:

(1) The mailbox face is located less than eight inches from the edge of the pavement to the face of the mailbox regardless of the circumstances causing the damage;

(2) The mailbox is damaged as a result of objects, snow sleet, ice, water, or other precipitation thrown by a plow;

(3) The mailbox is found to have been in an unsound condition prior to the damage, regardless of the circumstances causing the damage; or

(4) The mailbox is damaged by any person who is not acting under the direction or at the request of Lake County, Indiana.

(B) Except as provided in division (A) of this section, Lake County, Indiana through the Lake County Highway Department shall be responsible for replacing or repairing damaged mailboxes when:

(1) The mailbox is physically struck by a Lake County owned and operated maintenance truck;

(2) The mailbox is physically struck by a Lake County owned and operated snowplow; or

(3) The mailbox is physically struck by a snowplow owned and operated by a subcontractor performing precipitation removal operations at the request of the Lake County Highway Department.

(C) Damaged mailboxes that are replaced by Lake County, Indiana shall be new, but not necessarily identical to the damaged mailbox. Lake County, Indiana and the Lake County Highway Department shall not provide any approaches to a mailbox.
(Ord. 1384D, passed 5-12-2015)

§ 101.99 PENALTY.

Any person violating any provision of this chapter for which no penalty is prescribed shall be subject to § 10.99.
(Ord. 1206E, passed 8-8-2000; Ord. 1249B, passed 3-9-2004)

CHAPTER 102: FIREWORKS

Section

102.01 Definition
102.02 Prohibition

102.99 Penalty

§ 102.01 DEFINITION.

For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

CONSUMER FIREWORKS. CONSUMER FIREWORKS shall be defined by I.C. 22-11-14-1.
(Ord. 1288A, passed 6-12-2007)

§ 102.02 PROHIBITION.

Consumer fireworks may not be used, ignited or discharged except during the following times:

(A) Between the hours of 5:00 p.m. and two hours after sunset on June 29, June 30 , July 1, July 2, July 3, July 5, July 6, July 7, July 8, and July 9;

(B) Between the hours of 10:00 a.m. and 12:00 a.m. on July 4; and

(C) Between the hours of 10:00 a.m. on December 31 and 1:00 a.m. on January 1.
(Ord. 1288A, passed 6-12-2007) Penalty, § 102.99

§ 102.99 PENALTY.

The use, ignition or discharge of consumer fireworks other than during the time periods in § 102.02 shall constitute an infraction and shall be subject to a fine of $250.
(Ord. 1288A, passed 6-12-2007)

CHAPTER 103: WATERCRAFT

Section

103.01 Definition
103.02 Scope
103.03 Operation of watercraft

103.99 Penalty

§ 103.01 DEFINITION.

For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

WATERCRAFT. Includes all motorized and non-motorized water vessels and all personal watercraft.
(Ord. 1333E, passed 3-30-2011)

§ 103.02 SCOPE.

This chapter encompasses all bodies of water within the boundaries of the County of Lake including but not limited to Lake Michigan, the East Chicago Marina, the Hammond Marina, Wolf Lake, and the Calumet River.
(Ord. 1333E, passed 3-30-2011)

§ 103.03 OPERATION OF WATERCRAFT.

(A) No person shall operate, authorize or knowingly permit the operation of a watercraft upon the waters of Lake Michigan or upon any waterway within the County of Lake:

(1) In such a manner as to disturb or destroy the peace and quiet of others;

(2) Within any area which has been marked by buoys or other distinguishing devices as a restricted area, except in case of emergency or for the purpose of entering or leaving any harbor or launching ramp;

(3) By a person under the age of 16 years unless properly supervised by an adult or as permitted by state law;

(4) Without yielding the right-of-way to any swimmer;

(5) Without complying with all applicable state and federal safety equipment requirements, including the requirements regarding personal flotation devices;

(6) In violation of posted restrictions on wake or speed; or

(7) Unless each occupant of a watercraft used for recreational purposes is wearing an approved personal flotation device as defined in the Boat Registration and Safety Act, codified at 625 ILCS 45/1-1 *et seq.* as amended. Provided, however, that this requirement shall not apply to persons who are (1) below deck, or (2) in a totally enclosed cabin space. Provided, further, that this requirement shall not apply to the occupants of (i) any commercial passenger watercraft, (ii) any watercraft used for recreational purposes that is being operated on private property, (iii) any watercraft used for recreational purposes that is docked, or (iv) any watercraft used for recreational

purposes that is 21 feet or more in length. For purposes of this division (A)(7), the term ***WATERCRAFT USED FOR RECREATIONAL PURPOSES*** mens any vessel, sailboat, recreational boat, personal watercraft or specialty prop-craft as deemed in the Boat Registration and Safety Act, as amended.

(B) No person shall operate a watercraft upon the public waterways of the County of Lake with careless disregard for or indifferent lack of attention to surrounding conditions and circumstances, and/or resulting in to damages to property or in bodily injury to any person.
(Ord. 1333E, passed 3-30-2011) Penalty, see § 103.99

§ 103.99 PENALTY.

Any person, firm or corporation violating any provision of this chapter shall be fined not less than $25 and not more this $500 for each offense.
(Ord. 1333E, passed 3-30-2011)

TITLE XI: BUSINESS REGULATIONS

Chapter

110. INSPECTION OF WEIGHING AND MEASURING DEVICES

111. ITINERANT MERCHANTS AND SOLICITORS

112. FOOD ESTABLISHMENTS

CHAPTER 110: INSPECTION OF WEIGHING AND MEASURING DEVICES

Section

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§ 110.01 PURPOSE.

The purpose of this chapter is to protect and promote commerce within the State of Indiana, County of Lake, and to protect all consumers by insuring the accuracy of commercial transactions involving weights, measures, and packaged commodities, and to assure compliance with state laws and the National Conference on Weights and Measures Handbooks 44 and 130.
(Ord. 1198C, passed 12-14-1999; Ord. 1208B, passed 10-10-2000; Ord. 1209B, passed 11-14-2000; Ord. 1258C, passed 12-14-2004; Ord. 1260A, passed 2-8-2005; Ord. 1264C, passed 6-13-2005; Ord. 1264D, passed 6-13-2005)

§ 110.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

COUNTY INSPECTOR. The person or persons duly authorized to inspect goods and commodities and weighing or measuring instruments in Lake County.

GOODS AND COMMODITIES. All items of merchandise, supplies, raw materials, or finished goods and those things, which are useful or serviceable, particularly articles of merchandise movable in trade. This definition includes but is not limited to all packaged items.

INSTRUMENT. Any scale, beam, measure or weighing or weighing or measuring device of every kind, instruments or mechanical devices for measurement and the tools, appliances or accessories connected with any or all such instruments or measurements subject to regulation by the County Department of Weights and Measures.

MAJOR REPAIR. Work done where the integrity of the instrument is compromised and shall include, but not be limited to, a broken lead and wire seal, a scale adjustment due to inaccurate readings, and a gasoline dispenser shut down because of leaks.

PACKAGE or ***PACKAGED ITEM.*** Any commodity:

(1) Enclosed in a container or wrapped in any manner in advance of wholesale or retail sale; or

(2) Whose weight or measure has been determined in advance of wholesale or retail sale. An individual item or lot of any commodity on which there is a selling price based on an established price per unit of weight or a measure or of measure.

PERSON. Include but not be limited to, any corporation, partnership, sole proprietorship, agent, lessee, individual, or employee placing in service, using or employing a weighing or measuring instrument or who is engaged in selling, buying, bartering or exchanging of goods or commodities within the county.

REPAIR PERSON. An individual engaged in the business of repairing or installing weighing or measuring instruments used within the county.
(Ord. 1198C, passed 12-14-1999; Ord. 1208B, passed 10-10-2000; Ord. 1209B, passed 11-14-2000; Ord. 1258C, passed 12-14-2004; Ord. 1260A, passed 2-8-2005; Ord. 1264C, passed 6-13-2005; Ord. 1264D, passed 6-13-2005)

§ 110.03 WEIGHING AND MEASURING INSTRUMENTS.

(A) No person shall use or employ within the county an instrument to determine the size, quantity, extent or measurement of quantities, things, produce, articles for distribution or consumption offered or submitted by the person for sale, for hire or award in his or her business operations if the instrument does not meet the standards established by the State of Indiana or the National Conference on Weights and Measures Handbook 44, *Specifications, Tolerances and Other Technical Requirements for Weighing and Measuring Devices*.

(B) A person placing an instrument:

(1) Previously rejected or condemned by the County or State Inspector until the County Inspector has been notified of the location of the instrument, the instrument has been inspected, and any tags, stickers, security seals and the like, if any, are replaced on the instrument by the County or State Inspector; or permission is given by the County Inspector if immediate resealing is impractical;

(2) In service after a repair person has broken and replaced the seal on the instrument and/or performed a major repair on the instrument shall fax or mail the repair person's report to the County's Weights and Measures Department within two working days after the seal was replaced and/or the major repair was performed. The report shall include the company name, address, phone number, date the major repairs were made, the device type, serial number and readings; and

(3) That replaces an existing instrument shall fax or mail the installers report to the County Weights and Measures Department within two working days after installation. The report shall include the company name, address, phone number, date of installation, device type, serial number, and readings.

(C) A person who opens a new business or assumes operations of an existing business shall not operate a weighing or measuring instrument until the County Inspector is informed of the location of the instruments and inspected the instruments prior to usage. In enforcing this division, the person shall provide the County Inspector with business records showing the date of opening.

(D) If any person fails to present a non-mobile instrument or instruments operated at only one location for the County Inspector's annual or random inspection, or fails to allow a County Inspector to conduct an inspection on the premises, the County

Inspector may condemn the instrument or otherwise render the instrument inoperable by utilizing the same procedures he or she would use if the instrument were found to be false or fraudulent.
(Ord. 1198C, passed 12-14-1999; Ord. 1208B, passed 10-10-2000; Ord. 1209B, passed 11-14-2000; Ord. 1258C, passed 12-14-2004; Ord. 1260A, passed 2-8-2005; Ord. 1264C, passed 6-13-2005; Ord. 1264D, passed 6-13-2005) Penalty, see § 110.99

§ 110.04 FEDERAL AND STATE STANDARDS, COMPLIANCE REQUIRED (INSTRUMENTS AND COMMODITIES).

(A) No person engaged in the business of selling, buying, exchanging goods or commodities by weight, measurement or volume shall use an instrument in his or her business operations for such purpose if the instrument does not meet the standards established by the Federal Government, State of Indiana, Weights and Measures Division of the State Department of Health, and the National Conference on Weights and Measures including Handbook 44.

(B) No person shall offer commodities for sale unless they comply with state law, the Weights and Measures Division of the State Department of Health, and the *Method of Sale of Commodities and Packaging and Labeling Regulations* as contained in the National Conference on Weights and Measures Handbook 130.
(Ord. 1198C, passed 12-14-1999; Ord. 1208B, passed 10-10-2000; Ord. 1209B, passed 11-14-2000; Ord. 1258C, passed 12-14-2004; Ord. 1260A, passed 2-8-2005; Ord. 1264C, passed 6-13-2005; Ord. 1264D, passed 6-13-2005) Penalty, see § 110.99

§ 110.05 SECURITY SEALS.

(A) Any person who owns or operates more than one instrument of a particular type at a business location shall serially number each instrument in such a manner that each instrument may be readily distinguished from all other such instruments of that type present at that location.

(B) A weighing or measuring instrument designed to be security sealed shall not be used in the business of selling, buying, bartering or commodities unless the instrument is the instrument is sealed.

(C) No security seal shall be valid in the county except a seal approved or affixed by the State or County Inspector.

(D) Once sealed, the security seal on a weight or measuring instrument shall not be cut, severed or removed unless permission has been granted by a State or County Inspector. If permission is granted to remove the seal for repairs, the repair person is required to reseal the instrument upon completion. The person is required to submit a copy of the repair report to the County Inspector by fax or U.S. mail within two business days after repairs are made. The report shall include the company name, address, phone number, date seal was cut, device type, serial number, and readings.
(Ord. 1198C, passed 12-14-1999; Ord. 1208B, passed 10-10-2000; Ord. 1209B, passed 11-14-2000; Ord. 1258C, passed 12-14-2004; Ord. 1260A, passed 2-8-2005; Ord. 1264C, passed 6-13-2005; Ord. 1264D, passed 6-13-2005) Penalty, see § 110.99

§ 110.06 INSTRUMENT REPAIR AND INSTALLATION.

(A) Any person engaged in the business of repairing or installing devices shall have all equipment inspected and certified by a state metrology lab before engaging in the business. All such equipment shall conform to the requirements of the National Institute of Standards and Technology. All volumetric test measures shall be inspected and re-certified at least one time each year. All weights are required to be re-certified once every two years. A copy of any such certification shall be filed with the County Inspector if requested.

(B) Any person engaged in the business of repairing or installing devices shall have a current knowledge of the state rules and regulations concerning tolerances and standards for devices and shall comply with the state rules and regulations.

(C) (1) Prior to delivery of an instrument to a repair person for major repairs, a person shall, during normal business hours of the county, notify the County Inspector of the instrument to be repaired and the serial number of the instrument.

(2) The County Inspector shall issue the person a repair confirmation number.

(3) The person may then deliver the instrument to the repair person.

(4) The person shall send a copy of the repair person's report to the County Inspector by fax or U.S. mail within two business days after the repairs are made. The report shall include the company name, address, phone number, date seal was cut, device type, serial number, and readings.
(Ord. 1198C, passed 12-14-1999; Ord. 1208B, passed 10-10-2000; Ord. 1209B, passed 11-14-2000; Ord. 1258C, passed 12-14-2004; Ord. 1260A, passed 2-8-2005; Ord. 1264C, passed 6-13-2005; Ord. 1264D, passed 6-13-2005) Penalty, see § 110.99

§ 110.07 COMMODITY REGULATIONS.

(A) Any person engaged in the selling, buying, bartering, or exchanging of goods or commodities must sell, buy, barter, or exchange the goods or commodities using the legal method of selling, buying, bartering, or exchanging such goods or commodities as required by the State of Indiana, the Weights and Measures Division of the State Health Department, and the National Conference on Weights and Measures *Method of Sale of Commodities Regulations* contained in Handbook 130. As required by state law, the County Inspector is responsible for checking commodities, including but not limited to, packaged items whether or not the person has instruments requiring inspection by the County Inspector.

(B) All goods and commodities when offered for sale in a package shall meet all packaging and labeling requirements as required by the National Conference on Weights and Measures *Uniform Packaging and Labeling Regulations*. All commodities offered for sale shall meet the requirements of the State of Indiana and the *Uniform Regulation for the Method of Sale of Commodities* as contained in Handbook 130.

(C) All commodities required to be sold by weight must be sold by net weight and all commodities that may be sold by measure or count shall be accurate as required.
(Ord. 1198C, passed 12-14-1999; Ord. 1208B, passed 10-10-2000; Ord. 1209B, passed 11-14-2000; Ord. 1258C, passed 12-14-2004; Ord. 1260A, passed 2-8-2005; Ord. 1264C, passed 6-13-2005; Ord. 1264D, passed 6-13-2005) Penalty, see § 110.99

§ 110.08 LICENSES.

(A) A license shall be required at any location using an instrument or engaged in the buying, selling, bartering, or exchanging of goods or commodities. Locations engaged in selling, bartering or exchanging packaged food items that are enclosed in a container or wrapper in any manner in advance of retail sale are also required to obtain a license. The County Inspector shall issue a license to applicants qualifying under this chapter. A license issued under this chapter is only valid for the calendar year unless revoked or suspended by the County Inspector and is not transferable.

(B) A person doing business at two or more locations shall obtain a separate license for each location. Where multiple persons operate at the same street address, each person using an instrument shall obtain a license. Only one license shall be required for persons located at the same address if multiple persons use and share the same instrument and benefits from the items sold.
(Ord. 1198C, passed 12-14-1999; Ord. 1208B, passed 10-10-2000; Ord. 1209B, passed 11-14-2000; Ord. 1258C, passed 12-14-2004; Ord. 1260A, passed 2-8-2005; Ord. 1264C, passed 6-13-2005; Ord. 1264D, passed 6-13-2005) Penalty, see § 110.99

§ 110.09 REGISTRATION.

(A) An applicant for a license to use an instrument under this section must submit proof to the County Inspector of the appointment of an agent for service of process in Indiana if the applicant is:

(1) A person whose principal place of residence is outside Indiana; or

(2) A person, other than an individual, that has its principal place of business outside Indiana.

(B) To obtain or renew a license under this section, a person must:

(1) Submit a new application for each location; and

(2) (a) Pay a license fee of $140 in check or money order payable to the Lake County Auditor for each application. License applications shall be submitted to the Lake County Weights and Measures Department.

(b) New business license fees shall be prorated as follows:

January 1 to March 31	Full amount
April 1 to June 30	3/4
July 1 to September 30	1/2
October 1 to December 31	1/4
The license fee for farm stands or seasonal businesses that are open three months or less each year shall be assessed at 1/4 of the annual license fee	

(C) Each license must be numbered, show the name and address of the business name, the name and address of the applicant, and the County Inspector may require any other information as necessary. The license shall be posted in a conspicuous place at the place of business for which it is issued.

(D) The Auditor's Office shall place payments received by the Weights and Measures Department into the Weights and Measures User Fee Fund as required by the Lake County Council.

(E) (1) The County Inspector shall not issue a person a license or the renewal of an existing license if the person has amounts owing and outstanding with the County Inspector unless the person has challenged these same amounts owing and outstanding and the matter is pending before a court where both parties are awaiting final disposition.

(2) The County Inspector shall suspend the license should the person fail to make full payment to the County Clerk within the deadline set by the court. If within the court's deadline the person files an appeal of the decision with a higher court, the license shall be reinstated pending the higher court's ruling. (Ord. 1198C, passed 12-14-1999; Ord. 1208B, passed 10-10-2000; Ord. 1209B, passed 11-14-2000; Ord. 1258C, passed 12-14-2004; Ord. 1260A, passed 2-8-2005; Ord. 1264C, passed 6-13-2005; Ord. 1264D, passed 6-13-2005; Ord. 1264D-1, passed 9-14-2010) Penalty, see § 110.99

§ 110.10 ENFORCEMENT; EFFECTIVE DATE.

The County Inspector shall have the sole, discretionary power to impose on any person violating this chapter any one or more of the following actions:

(A) The County Inspector may issue to the violator a citation that shall be written on a citation ticket and one copy kept on file in the County Weights and Measure's office and a second copy kept on file in the County Clerk's office. The County Inspector shall determine a preset fine as set forth in this chapter.

(B) If the violator pays the fine assessed by the County Inspector and corrects the conditions of the violation within ten days, the County Inspector shall issue no further citations for the same infraction.

(C) If the violator corrects the conditions of the violation but fails to pay the fine assessed by the County Inspector within ten days of the citation being

issued, the County Inspector shall request the County Clerk to issue a summons to be sent to the violator and assign a court date for trial.

(D) If the violator fails to correct the conditions of the violation within ten days:

(1) The County Inspector shall continue to assess the violator additional fines under this chapter until the conditions of the violation are corrected. Fines shall be assessed for each day of the ten days the violator had been allowed to correct the violations but failed to do so. Each day the violation continues constitutes a separate violation and the fine doubles; and

(2) The County Inspector shall request the County Clerk to issue a summons to be sent to the violator and assign a court date for trial. The County Attorney shall request the court to take whatever action is deemed necessary to prevent the instrument from being used or the commodity from being sold, including but not limited to, issuing a warrant for the individual owning or managing the business and/or barring the business from conducting any and all business.

(E) All fines received at the County Clerk's office shall be placed into Lake County Weights and Measures User Fee Fund as required by the Lake County Council. The Clerk's Office shall provide the Weights and Measures Department with a weekly printout of all fines received.

(F) The County Inspector may decline to provide the violator with the opportunity to prepay and may proceed with civil action or any other procedure or remedy available by law or granted in this chapter against the violator.

(G) Any fines assessed by the County Inspector under this chapter shall be doubled if, within the past 12-month period from the time the citation is issued, a person receives a second citation for violations.

(H) The County Inspector may temporarily suspend a license and request the County Sheriff to close a person's business or businesses for violations of this chapter to protect the consumers of Lake County from fraudulent activity of the person, or where the person has amounts exceeding $500 owing and outstanding with the County Inspector.

(I) This chapter shall take effect on the date of its passage by the Lake County Council.
(Ord. 1198C, passed 12-14-1999; Ord. 1208B, passed 10-10-2000; Ord. 1209B, passed 11-14-2000; Ord. 1258C, passed 12-14-2004; Ord. 1260A, passed 2-8-2005; Ord. 1264C, passed 6-13-2005; Ord. 1264D, passed 6-13-2005) Penalty, see § 110.99

§ 110.11 BUSINESS RECORDS.

In enforcing this chapter, a person shall make available to the County Inspector during normal business hours all records, including but not limited to, business and financial records, ownership date, repair records, checks, vendor invoices, purchase order and/or work orders. A person shall fax or send by U.S. mail records requested by the County Inspector within two business days from the date they were requested or from the date stipulated in this chapter.
(Ord. 1198C, passed 12-14-1999; Ord. 1208B, passed 10-10-2000; Ord. 1209B, passed 11-14-2000; Ord. 1258C, passed 12-14-2004; Ord. 1260A, passed 2-8-2005; Ord. 1264C, passed 6-13-2005; Ord. 1264D, passed 6-13-2005) Penalty, see § 110.99

§ 110.99 PENALTY.

(A) It shall be a defense to a violation that the violation constitutes a misdemeanor or infraction under the laws of the State of Indiana.

(B) The defendant in any civil action brought by the county through its Department of Weights and Measures pursuant to the provisions of this chapter shall pay all court cost incurred by the county in the prosecution of the action in the event the defendant is found to have violated any one or more of the provisions of this chapter.

(C) (1) A person who violates § 110.03(A) shall be fined $50 per instrument.

(2) A person who violates § 110.03(B) shall be fined $50 per day for each instrument until the County Inspector is informed as required by § 110.03(B). In enforcing this division, the person shall allow the County Inspector to view the records on site and fax or mail to the County Inspector a copy of the repair or installation records by U.S. mail within two business days after the repairs or installation are made. The report shall include the company name, address, phone number, date of installation, device type, serial number, and readings. Failure to submit records shall result in an additional $500 fine plus $100 per day until the records are received.

(3) (a) A person who violates § 110.03(C) shall be fined $50 per instrument per day from the first day of operations until the County Inspector is informed as required by § 110.03(C).

(b) A person who fails to submit business records on site shall fax or send the requested records by U.S. mail within two business days after the request was made. Failure to submit business records shall result in an additional $500 fine plus $100 per day until the records are received. The maximum fine under § 110.03(C) shall not exceed $10,000.

(4) (a) A person who violates § 110.03(D) shall immediately be fined $200. The County Inspector shall note on the citation a date and time ordering the person owning or operating the instrument to present the instrument for inspection by the County Inspector. If the person owning or operating the instrument refuses to allow the ordered inspection, the person shall be fined $400 for the second violation plus $100 per day from the date the instrument was not presented for the first inspection to the date the inspection takes place. A citation shall be issued for each day the violation occurs and each citation shall be considered a separate violation. The maximum fine under § 110.03(D) shall not exceed $10,000.

(b) If the person does not pay the fine to the Lake County Clerk within ten business days after the citation is issued, the matter shall be set for court. If the court rules in favor of the County Inspector, the person shall make payment by the court's stipulated date. If payment is not made by the court's due date, the County Inspector shall suspend the license and may request the County Sheriff to close the person's business.

(5) (a) For mobile instrument or instruments otherwise operated at more than one location, the instrument shall be presented for inspection on the date, location and hours specified for the inspection. If a person fails to present an instrument for inspection on the specified date, time and location:

1. The person shall be immediately fined $200 per instrument for the first day;

2. The County Inspector shall establish a second date, place and time for the inspection.

3. The person failing to present the instrument for the second pre-scheduled inspection shall be fined $400 plus $100 per day per instrument from the date the of the first scheduled inspection until the inspection takes place. Each citation shall be considered a separate violation.

(b) If the person does not pay the fine to the Lake County Clerk within ten business days after the citation is issued, the matter shall be set for court. If the court rules in favor of the County Inspector, the person shall make payment by the court's stipulated date. If payment is not made by the court's due date, the County Inspector shall suspend the person's license and may request the Lake County Sheriff to close all of the person's business locations to prevent any use of the mobile instrument.

(D) (1) A person who violates § 110.04(A) shall be fined $50 per instrument.

(2) A person who violates § 110.04(B) shall be fined $50 per instrument or commodity plus an additional $10 for each package or edible item.

(E) A person who violates § 110.05 shall be fined $500 plus $100 for each day the repair records have not been received as required by this section.

(F) A person who violates § 110.06 shall be fined $500 plus $100 per day per day per instrument from the time of delivery to the time the County Inspector is informed or receives the repair person's report as required by this section.

(G) A person who violates § 110.07 shall be fined $50 per commodity plus an additional $10 for each package or edible item.

(H) A person violating § 110.09 by failing to possess or conspicuously post a license shall:

(1) Pay a fine of $200 plus $100 for each year for failure to possess a license or conspicuously post a license.

(2) Remain liable for any other fines assessed by the County Inspector under this chapter even though a license application and payment have been submitted to the County Inspector.

(I) A person who violates § 110.11 shall be fined $500 when access to records is first denied or when records are not mailed as required, and then $100 per day for each additional day access is denied or records have not been received by fax or U.S. mail.

(Ord. 1198C, passed 12-14-1999; Ord. 1208B, passed 10-10-2000; Ord. 1209B, passed 11-14-2000; Ord. 1258C, passed 12-14-2004; Ord. 1260A, passed 2-8-2005; Ord. 1264C, passed 6-13-2005; Ord. 1264D, passed 6-13-2005)

CHAPTER 111: ITINERANT MERCHANTS AND SOLICITORS

Section

111.01 Purpose
111.02 Registration required
111.03 Registration certificate, issuance
111.04 Conditions of certificate
111.05 Revocation of certificate
111.06 Bond
111.07 Exceptions

111.99 Penalty

§ 111.01 PURPOSE.

The purpose of this chapter is to register and regulate the activities of itinerant merchants and solicitors within the unincorporated areas of Lake County.
(Ord. 1306A, passed 12-9-2008)

§ 111.02 REGISTRATION REQUIRED.

(A) No person or entity shall sell or take orders for any goods, wares, merchandise, or services without first applying for and being issued a registration certificate.

(B) An applicant for a registration certificate shall execute an application form at the office of the Lake County Sheriff prior to engaging in any soliciting in the county. The form shall require:

(1) Applicant's name, home address and local address, if any.

(2) A photograph and physical description of applicant.

(3) The name and address of principal office of the person, firm, organization, or corporation for whom the applicant is authorized to conduct such activity solely on his or her own behalf.

(4) A brief description of the type of goods or services to be sold and a statement whether delivery of the goods or services is to be immediate or in the future.

(5) The applicant appears at the Sheriff's Department and allows himself or herself to be finger printed.

(C) At the time of executing the application form, the applicant shall also appear in person for the inspection of the Sheriff proof of his or her identity and provide a specimen of the applicant's signature.

(D) The application is a continuing application and if, after the issuance of the registration certificate, the information in the application shall become inaccurate for any reason, and the holder of the registration certificate intends to continue his or her activity, notice of such change and the correct information shall be furnished to the office of the Sheriff within 24 hours.

(E) The certificate issued shall be for a period of three months from the date of issuance and shall expire on the date specified in the certificate. Upon expiration of the license, the vendor shall either reapply for a registration certificate with the Sheriff or cease his or her activity immediately.
(Ord. 1306A, passed 12-9-2008)

§ 111.03 REGISTRATION CERTIFICATE, ISSUANCE.

On compliance of the applicant with the above provisions, the Sheriff shall issue a registration certificate by issuance of a photograph identification badge which shall be dated and signed by the Sheriff to the applicant who shall personally appear at the Sheriff's Office, provided that the Sheriff has not found applicant's previous registration certificate revoked. Each registration certificate shall be valid for a period not to exceed three months. Each applicant shall pay the Sheriff the sum of $100 to defray the costs of administration of this chapter. Each applicant shall pay the Sheriff the sum of $10 for the replacement of a lost or stolen photograph identification badge, during the effective date of any registration certificate.
(Ord. 1306A, passed 12-9-2008)

§ 111.04 CONDITIONS OF CERTIFICATE.

All certificates and photograph identification badges are nontransferable and entitle the holder to sell, distribute, solicit, or canvass within the county, subject to the following conditions:

(A) The holder shall openly display/wear upon his or her person while engaging in door-to-door sales activity the identification badge issued by the Sheriff and shall exhibit it at any time on request by any police officer of the county or by an individual.

(B) The holder shall not enter into or on any house, building, or other structure or upon any land or other property, without the prior consent of the owner thereof.

(C) The holder of a certificate shall be restricted to conducting door-to-door activities between the daytime hours of 9:00 a.m. and 7:00 p.m. during any weekday and Saturday 12:00 p.m. to 5:00 p.m.

(D) The holder is prohibited from door-to-door activities at a residence or neighborhood if a sign has been posted by the property owner or landowners association at either the front door of the residence or other conspicuous place that reads, "No Soliciting".

(E) The holder of a certificate shall make no false statement or misrepresentation of fact in the course of carrying on the activity for which the certificate is granted, and shall conduct himself or herself at all times in an orderly and lawful manner.

(F) The holder of a certificate who takes orders for the future delivery of any type of goods or service shall give written receipt to the purchaser, which shall be signed by the holder and set forth a brief description of goods or services ordered, the name, address, telephone number, facsimile number, and email address of the entity with whom the purchaser may communicate regarding the statute of any such order the total purchase price, and the amount of payment, if any received by the holder from the purchaser.
(Ord. 1306A, passed 12-9-2008)

§ 111.05 REVOCATION OF CERTIFICATE.

Any certificate issued may be revoked by the Sheriff after notice of hearing for any fraud, misrepresentations, or false statement contained in the application, or for failure to observe the conditions of the certificate as set forth in "Conditions of Certificate". Notice of the hearing for revocation of a certificate shall be in writing, stating the reason for the hearing, and the time and place thereof. Notice shall be given to the holder at least three days, if by personal service, and at least five days if by mail, addressed to the holder's last known local address, or if none, his or her home address, prior to the date for the hearing.
(Ord. 1306A, passed 12-9-2008)

§ 111.06 BOND.

(A) Before any registration certificate is issued as provided for by this chapter shall be issued, a surety and/or cash bond shall be filed by the applicant with the Sheriff, payable to the Lake County Board of Commissioners in the sum of $500, ensuring that should the applicant and/or his or her agents and/or employees not comply with all the provisions of this code, other ordinances of the county, and the statutes of the State of Indiana regulating and concerning the sale of goods, wares, and merchandise and the business of a transient merchant, peddler, or solicitor, whichever shall be applicable and will pay all judgments rendered against the applicant and/or his or her agents and/or employees for any violation of the above ordinances, statutes, or regulations, together with any and all judgments, court costs and attorney fees that may be recovered by any person for damages growing out of any misrepresentations, deception, or violation of the aforementioned statutes, regulations or ordinances associated with the sale or the vendor's product, or through advertisement of any character whatsoever printed or circulated in reference to the goods, wares and merchandise sold or any part there or sendee to be rendered by said vendor.

(B) Separate bonds need not be executed by each employee or agent, but one bond may cover all the employees of one employer or all of the agents of one principal.

(C) The bond shall be executed by the applicant and/or his or her employer in addition to the principal of the issuing surety entity and all other required signature or two responsible freeholders residing within the county (or in lieu thereof a cash bond of equal amount) conditioned as referenced above. In the event the applicant elects to post a cash bond, it shall be retained by the County for 90 days after the expiration of all registration certificates issued in any calendar year.

(D) Action on the bond may be brought in the name of the County to the use or benefit of an aggrieved person. Any person aggrieved by the vendor's actions or inactions may petition the Lake County Council for recovery on the bond as appropriate.
(Ord. 1306A, passed 12-9-2008)

§ 111.07 EXCEPTIONS.

The following are exempt from the provisions of this chapter:

(A) Persons engaged in the sale of newspapers.

(B) Persons who sell farm or dairy products or other foodstuffs of their own raising or produced by him or her or by members of his or her immediate family.

(C) Persons who have established permanent places of business within the county limits and bona fide salesmen selling at wholesale to such resident merchants.

(D) Sales for nonprofit service or civic organizations that have an office, chapter, or lodge located in Lake County.

(E) Members of Public Safety Departments while engaged in fund raising activity.
(Ord. 1306A, passed 12-9-2008)

§ 111.99 PENALTY.

(A) Any person who violates any part of the provisions of this chapter shall, on conviction, be fined not less than $100 no more than $500 for each offense. Each day a violation continues shall constitute a separate offense.

(B) Any person discovered by a member of the Sheriffs Department to be selling, taking orders for any goods, wares, merchandise or services, without a

proper registration shall be issued a citation of violation, which shall further contain a prohibition against any further solicitation, sale, order taking or any other action contemplated by this chapter until such time as they are in compliance with all provisions of this chapter.

(C) If a person having received a registration certificate pursuant to the provisions of this chapter is found to be violating the terms and conditions of this chapter by a member of the Sheriff's Department, they shall be immediately issued a citation establishing the date and time that they are to appear before the Sheriff to answer as to the alleged violation and their registration certificate shall be immediately confiscated and held until such time as a ruling is made by the Sheriff.

(D) All fines issued pursuant to this chapter shall be collected by the Sheriff and deposited in the General Fund.
(Ord. 1306A, passed 12-9-2008)

CHAPTER 112: FOOD ESTABLISHMENTS

Section

112.01 Definitions
112.02 Permits and fees
112.03 Food preparation establishments or groceries; minimum requirements
112.04 Unwholesome, adulterated or misbranded food; sale, examination, and condemnation
112.05 Disease control
112.06 Food preparation establishments; inspection
112.07 Temporary food-service establishments, inspection of
112.08 Approval of plans

112.99 Penalty

§ 112.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ADULTERATED and ***MISBRANDED.*** These terms shall have the meanings as provided in I.C. 16-42-2, known as the Indiana Uniform Food, Drug and Cosmetic Act.

CLOSED. Fitted together snugly leaving no openings large enough to permit the entrance of vermin.

CORROSION-RESISTANT MATERIAL. A material which contains its original surface characteristics under prolonged influence of food, cleaning compounds and sanitizing solutions which may contact it.

EASY CLEANABLE. Readily accessible and of such material and finish, and so fabricated that residue may be completely removed by normal cleaning methods.

EMPLOYEE. Any person working in a food preparation establishment who transports food or food containers, who engages in food preparation or service, or who comes in contact with any food, food utensils, and equipment.

EQUIPMENT. All stoves, ranges, hoods, tables, counters, food or utensil carts, refrigerators, sinks, dishwashing machines, steam tables, and similar items, other than utensils, used in the operation of a food preparation establishment.

FOOD. Any raw, cooked, or processed edible substance, beverage or ingredient used or intended for use of, for sale in whole or part for human consumption.

FOOD CONTACT SURFACES. Those surfaces of equipment and utensils with which food normally comes in contact, and those surfaces with which food may come in contact and drain back into food or onto surfaces normally in contact with food.

FOOD PREPARATION ESTABLISHMENT. Any food preparation establishment: restaurant; coffee shop; cafeteria; short-order café; luncheonette; grill; tea room; sandwich shop; soda fountain; tavern; bar; cocktail lounge; night club; industrial feeding establishment; private, public, or non-profit organization or institution routinely serving food; a catering kitchen; a commissary or similar place in which food or drink is prepared for sale or for service

on the premises or elsewhere; and any other eating or drinking establishment or operation where food is served or provided for human consumption with without charge.

FOOD PROCESSING ESTABLISHMENTS. A commercial establishment in which food is processed or otherwise prepared, packaged, or manufactured for human consumption with or without charge.

HEALTH OFFICER. The County Health Officer, or his or her authorized representative.

KITCHENWARE. All multi-use utensils other than tableware used in the storage, preparation, conveying, or serving food.

LAKE COUNTY. Those rural and urban areas which are under the jurisdiction of the Lake County Officer. And shall not apply to incorporate cities or towns except as provided for under authority of Chapter 80, Act of 1953.

MOBILE FOOD PREPARATION ESTABLISHMENT. Any food preparation establishment capable of being readily moved from location to location and without a fixed location.

PERISHABLE FOOD. Any food of such type or in such condition as may spoil.

PERSON. Shall mean, but is not limited to any individual, partnership, co-partnership, firm, company, corporation, association, joint-stock company, trust, estate, or his or her or its legal representative or agent.

POTENTIALLY HAZARDOUS FOOD. Any food which consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, or other food capable of supporting growth of infectious or toxigenic micro-organisms.

SAFE TEMPERATURES. As applied to potentially hazardous food, food temperatures of 41 degrees Fahrenheit or below for storing and 140 degrees Fahrenheit or above for cooking.

SANITIZE. Effective bactericidal treatment of clean surfaces of equipment and utensils by a process which has been approved by the Health Officer as being effective in destroying micro-organisms.

SEALED. Free from cracks or other openings which permit the entry or passage of moisture.

SINGLE-SERVICE ARTICLES. Cups, containers, lids, or closures, plates, knives, forks, spoons, stirrers, paddles, straws, placements, napkins, doilies, wrapping materials and all similar articles which are constructed wholly or in part from paper, paperboard, molded pulp, foil, wood, plastic, synthetic, or other readily destructible materials, and which are intended by the manufacturers and generally recognized by the public as for usage only, and then to be discarded.

TABLEWARE. All multi-use eating and drinking utensils, including flatware (knives, forks and spoons.)

TEMPORARY FOOD PREPARATION ESTABLISHMENT. Any food preparation establishment which operates for a temporary period of time, not to exceed two weeks, in connection with a fair, carnival, circus, public exhibition or similar, transitory gathering.

UTENSIL. Any tableware and kitchenware used in the storage, conveying, or serving of food.

WHOLESOME. In sound condition, clean, free from adulteration and otherwise suitable for use as human food.
(Ord. 23, passed 7-24-1972; Ord. 23A, passed 1-9-2001)

§ 112.02 PERMITS AND FEES.

(A) *Who is entitled.* Any person who complies with the requirements of this chapter shall be entitled to receive a permit upon paying the required fee.

(B) *Application, content*. All applications for a permit under this chapter shall describe the premises for which the permit is issued. And other such information related to the purpose of this chapter as the County Health Officer may from time to time require.

(C) *Affidavit*. An affidavit stating the legal owner of the premises shall be attached to the application.

(D) *Permit; obtaining and posting*. Any person, before operating a food preparation establishment with a permanent location in Lake County, a temporary food preparation establishment, a mobile food preparation establishment of a grocery shall secure a permit to operate such a respective establishment from the County Health Officer. The permit shall be posted in a conspicuous place in the establishment.

(E) *Permanent location fee schedule*.

(1) With any application for a permit of a food preparation establishment with a permanent location in Lake County which is filed between the first day of January and the thirtieth day of June of any year, the applicant shall pay to the Lake County Health Department a fee as amended by Ordinance 993B passed by the Lake County Council on 3-13-1984 as follows:

(a)

Food Preparation Permit	
No. of Employees Per Establishment	***Annual Fee***
1 – 4	$150
5 – 9	$210
10 –14	$240
15 – 19	$270
20 – 24	$300
25 – 29	$320
30 – 34	$350
35 – 39	$380
40 – 44	$400
45 – 49	$430
50 +	$460

(b)

Grocery Store Permits (Without Delicatessens)	$.40 per 100 square feet with a minimum fee of $30

(2) If an application for a new establishment is made between the first day of July and the thirty-first day of December of any year, the applicant shall pay to the Lake County Health Department, a fee equal to 50% of the respective fee on the foregoing scale.

(3) The existing food service establishments which operate four or less consecutive months during any one calendar year shall pay a fee equal to one-third of the regular annual license fee. The food service establishments which operate more than four but less than six consecutive months during any one calendar year shall pay a license fee equal to one-half of the regular annual license fee.

(F) *Renewal fees*. Every person operating an annual food service or annual food market with a permanent location shall pay annually to the Lake County Health Department a renewal fee in accordance with the foregoing scale, between the first day of January and the first day of March of each year. If the renewal fee is not paid on or before the

first day of March of each year, the permit is void. The establishment may resume operation only after securing a permit from the Lake County Health Department and paying a fee of the amount double that of the regular fee for the renewal of the license.

(G) *Temporary location*. With every application for a permit for temporary food preparation establishment or grocer, the applicant shall pay a fee to the Lake County Health Department of $5 for each day of operation but not to exceed $15 for any one continuous operation at any location.

(H) *Mobile food preparation establishment*. With any application for permit for a mobile food preparation establishment, the applicant shall pay to the Lake County Health Department an annual fee of $25 provided however, that if the mobile food preparation establishment operates a permanent or temporary preparation establishment with a valid permit, the mobile unit shall not be required to have a permit provided further that the permit number of the respective permanent or temporary food preparation establishment be conspicuously displayed on the side of each mobile unit in a manner prescribed by the County Health Officer.

(I) *Disposition of fees*. All fees shall be paid into and credited by the Health Officer to the General Fund of the Lake County Health Department, and shall be exclusively used in carrying out and enforcing the provisions of this chapter.

(J) *Savings clause*. All permits for the operation of a food preparation establishment or grocer now held by any person, shall continue in force for the period for which they were issued, provided however that the person shall secure a permit from the Health Officer as herein provided when the period has expired.

(K) *Exemption*. The provisions of this chapter shall be applicable to all food preparation establishments operated by religious, fraternal, educational, charitable and civic organizations; provided, that no payment of a fee shall be required of the organizations.

(L) *Licenses non-transferrable*. Any permit issued pursuant to this chapter shall be non-assignable and non-transferrable. A new permit must be obtained by any new owner or any food preparation or grocery establishment or if the location thereof be changed, the old permit must be surrendered, and a new permit shall be obtained and the fees thereof shall be paid. No refund shall be granted for any unexpired period of the former license.

(M) *Operating before obtaining permit*. Any owner of a food-service establishment who begins operation of the food-service establishment before obtaining the necessary permit(s), shall be required to pay double the regular fee after the owner complies with all other requirements specified within this chapter and 410 I.A.C. 7-24.
(Ord. 23, passed 7-24-1972; Ord. 23A, passed 1-9-2001; Ord. 23A-1, passed 10-16-2001; Ord. 1336A, passed 6-15-2011; Ord. 1336A-1, passed 5-15-2012)

§ 112.03 FOOD PREPARATION ESTABLISHMENTS OR GROCERIES; MINIMUM REQUIREMENTS.

(A) *Indiana State Department of Health*. All food-service establishments, mobile food-service establishments and temporary food-service establishments shall comply with the minimum requirements specified by the Indiana State Department of Heath as now provided in 410 I.A.C. 7-20.

(B) *Incorporation*. Any regulation and any changes and amendments thereto which may be hereafter adopted or promulgated are by reference incorporated herein and made a part hereof, two copies of which are on file in the Office of the County Clerk of Lake County, Indiana for public inspection.
(Ord. 23, passed 7-24-1972; Ord. 23A, passed 1-9-2001)

§ 112.04 UNWHOLESOME, ADULTERATED OR MISBRANDED FOOD; SALE, EXAMINATION, AND CONDEMNATION.

(A) *Unlawful sale*. No person shall sell through a food preparation establishment, mobile food preparation establishment, temporary food establishment or grocery, any food which is unwholesome, contaminated, adulterated, misbranded, or otherwise unfit for human consumption.

(B) *Food samples*. Samples of food may be taken or examined by the Health Officer as often as may be necessary to determine freedom from contamination, adulteration, or misbranding. The Health Officer may, on written notice to the owner or operator, impound and forbid the sale of any food which is contaminated, unwholesome, adulterated, misbranded, or otherwise unfit for human consumption, or which he or she has probable cause to believe is unwholesome, adulterated, misbranded or otherwise unfit for human consumption, provided that in the case of misbranding which can be corrected by proper labeling, the food may be released to the owner or operator for correct labeling under the supervision of the Health Officer. The Health Officer may also cause to be removed or destroyed any dairy product, meat, meat product, seafood, poultry, poultry product, confectionary, bakery product, vegetable, fruit or other perishable articles which he or she has probable cause to believe is contaminated or otherwise unfit for human consumption.
(Ord. 23, passed 7-24-1972)

§ 112.05 DISEASE CONTROL.

(A) *Afflicted persons banned, notice*. No person while afflicted with any disease of a communicable nature or while a carrier of such disease, or while afflicted with boils, infected wounds or sores, shall work in any area of a food preparation establishment in any capacity in which there is a likelihood of such person contaminating food or foo-contact surfaces, or transmitting such disease to other individuals. If the manager or person in charge of the establishment has reason to believe that any employee has contracted any disease of communicable nature or has become a carrier of the disease, he or she shall notify the Health Officer immediately.

(B) *Authorized duties of Health Officer*. When suspicion arises as to the possibility of transmission of infection from any such employee, the Health Officer is authorized to require any or all of the following:

(1) The immediate exclusion of the employee from all food preparation establishments.

(2) The immediate closing of the food preparation establishment concerned until in the opinion of the Health Officer no further danger of the disease outbreak exists.

(3) Adequate medical examination of the employee and his or her associates with laboratory examinations as may be required by the County Health Department.
(Ord. 23, passed 7-24-1972; Ord. passed 2-28-1984)

§ 112.06 FOOD PREPARATION ESTABLISHMENTS; INSPECTION.

(A) *Inspections*. As often as he or she deems necessary, but in any event, at least once every six months, the Health Officer shall inspect every permanent and mobile food preparation establishment. If the Health Officer discovers the violation of any item of sanitation, he or she shall issue a written statement ordering its correction. The Health Officer shall make a second inspection after such lapse of time as he or she deems necessary for the defect to be remedied, and the second inspection shall be used in determining compliance with the requirements of this chapter.

(B) *Inspection report*. One copy of the inspection report shall be posted in a conspicuous place where it can been seen by all the personnel of the food preparation establishment. The inspection report shall not be defaced or removed by any person except the Health Officer. Another copy of the inspection report shall be filed with the Health Department.

(C) *Access by Health Officer*. The person operating the permanent or mobile food preparation establishment shall, upon request of the Health Officer, permit access to all parts of the establishment and shall permit copying any or all records of food purchased.

(D) *Final inspection; prosecution or hearing for violators*. If upon a second or final inspection, the Health Officer finds a violation of the provisions of this chapter which were in violation of the previous inspection and concerning a violation on which a written order was issued, the Health Officer shall promptly issue a written order to the permittee of the food preparation establishment to appear at a certain time, no later than ten days from the date of final inspection, and at a place in the county fixed in the order to show cause why the permit issued under the provision of § 112.02 should not be revoked.

(E) *Revocation of permit*. The Health Officer upon the hearing, if the permittee should fail to show cause, shall revoke the permit and promptly give written notice of the action to the permittee. The Health Officer shall maintain a permanent record of his or her proceedings filed in the Office of the Health Department.

(F) *Suspension of permit*. any permit issued under this chapter may be temporarily suspended by the Health Officer without notice or hearing for a period not to exceed 30 days, for interference with the Health Officer or any of his or her authorized representatives in the performance of their duties; provided; however, that upon written application from the permittee, served upon the Health Officer within 15 days after such supervision, the Health Officer shall conduct a hearing upon the matter after giving at least 15-days' notice of the time, place and purpose thereof of the suspended permittee; provided, further, that any such suspension order shall be issued by the Health Officer in writing and served upon the permittee by leafing a copy at his or her usual place of business or delivery of registered or certified mail to the address.

(G) *Reinstatement of permit*. Any person whose permit has been suspended may at any time make application to the Health Officer for the reinstatement of his or her permit.
(Ord. 23, passed 7-24-1972)

§ 112.07 TEMPORARY FOOD-SERVICE ESTABLISHMENTS, INSPECTION OF.

(A) *Frequency of inspection*. At least once in each 24-hour period the Health Officer shall inspect each temporary food-service establishment for which a permit is required under the provision of this chapter.

(B) *Procedure to follow when any violation noted*. If during the inspection the Health Officer discovers the violation of any of the requirements in § 112.02 above of any temporary food-service establishment, he or she shall order the immediate correction of the violation.

(C) *Revocation of permit and penalties for continued operation*. Upon failure of any person operating a temporary food-service establishment, to comply with any order of the Health Officer summarily to revoke the permit for the establishment and to forbid the further sale of food therein.
(Ord. 23, passed 7-24-1972)

§ 112.08 APPROVAL OF PLANS.

All food-service establishments and mobile food-service establishments which are hereafter construed or altered shall conform with the applicable requirements set forth in § 112.03 above. Properly prepared plans and specifications shall be submitted to and approved by the Health Officer before any construction work is begun. Plans required to be submitted under this section shall be drawn to scale.
(Ord. 23, passed 7-24-1972)

§ 112.99 PENALTY.

(A) Any person who violates any of the provisions of this chapter or who refuses to comply with any lawful order, rules and regulations of the Health Officer, shall upon conviction be punished for the fist offense by a fine of not less than $10 nor more than $50. For the second or any subsequent offense, by a fine of not less than $50 nor more than $300. Each and every violation of the provisions of this chapter shall constitute a separate offense.

(B) In addition to the penalties in division (A), any person who operates a food-service establishment without obtaining a service permit under this chapter shall be fined $100 per day for each day that the violation exists. The fines shall take effect after a 30-day written notice has been sent by the Lake County Health Department to the food-service establishment in violation of this division.
(Ord. 23, passed 7-24-1972; Ord. 23A-2, passed 1-14-2002)

TITLE XIII: GENERAL OFFENSES

Chapter

130. OFFENSES AGAINST MUNICIPAL REGULATIONS

131. WEAPONS

132. INTOXICATING SUBSTANCES

CHAPTER 130: OFFENSES AGAINST MUNICIPAL REGULATIONS

Section

Sale and Possession of Knives

130.01 Definitions
130.02 Regulations

Discharge of Firearms Regulated

130.15 Discharge of firearms

130.99 Penalty

SALE AND POSSESSION OF KNIVES

§ 130.01 DEFINITIONS.

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

KNIFE.

(1) A cutting or stabbing instrument, including a dagger, sword, pocket knife, hunting knife, filet knife, or other instrument apparently capable of producing bodily harm by means of cutting or stabbing, exceeding in length two inches, which may constitute a threat to the safety of other persons.

(2) Except a ***KNIFE*** shall not include those items typically used as kitchen utensils such as but not limited to shears, utility knife, paring knife, or steak knife.
(Prior Code, § 130.01) (Ord. 1101A, passed 4-14-1992)

§ 130.02 REGULATIONS.

(A) *Knife restrictions*. No wholesale or retail merchant, pawn broker, or other knife dealers shall display, carry or conceal a knife, as described in § 130.01, in any place of general public admittance.

(B) *Display*.

(1) No person under the age of 18 shall display, carry or conceal a knife, as described in § 130.01, in place of general public admittance.

(2) Places such as, but not limited to, restaurants, retail stores, indoor amusement establishments, outdoor amusement establishment, theaters, parks, and schools. Except, this provision shall not apply to established reputable instructional and educational courses where a knife is required and a qualified instructor is present.
(Prior Code, § 130.02) (Ord. 1101A, passed 4-14-1992) Penalty, see § 130.99

DISCHARGE OF FIREARMS REGULATED

§ 130.15 DISCHARGE OF FIREARMS.

(A) The discharge of firearms in the unincorporated area of Lake County is prohibited within 300 feet of the corporate boundaries of a municipal corporation.

(B) This section does not cover firing ranges or skeet shooting ranges now in existence.
(Prior Code, § 130.10) (Ord. 1151A, passed 1-9-1996) Penalty, see § 130.99

§ 130.99 PENALTY.

(A) For a violation of any provision of this chapter for which a penalty is not already applied, that violation shall be subject to § 10.99.

(B) Any person, parent, legal guardian, firm, or corporation violating any provision of § 130.02 shall be fined not less than $100 nor more than $500 for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.
(Prior Code, § 130.99)

(C) The penalty for a violation of § 130.15 is a fine of not less than $25 and no more than $500.
(Prior Code, § 130.10)
(Ord. 1101A, passed 4-14-1992; Ord. 1151A, passed 1-9-1996)

CHAPTER 131: WEAPONS

Section

Lake County Courthouse and Public Buildings

131.01 Definitions
131.02 Restrictions
131.03 Exceptions

Discharge of Firearms

131.15 Discharge of firearms; target practice or practicing shooting

131.99 Penalty

LAKE COUNTY COURTHOUSE AND PUBLIC BUILDINGS

§ 131.01 DEFINITIONS.

As used in this subchapter, the term ***WEAPON*** includes, but is not limited to any of the following:

(A) Deadly weapon;

(B) Firearm, as defined by I.C. 35-47-1-5;

(C) Electric stun weapon, as defined by I.C. 35-47-8-1;

(D) Stun gun, as defined by I.C. 35-47-8-2;

(E) Taser, as defined by I.C. 35-47-8-3;

(F) Knife;

(G) Explosive refers to any agent or substance tending or serving to explode. ***EXPLOSIVE*** shall include but not be limited to gun powder and dynamite;

(H) Club; and

(I) Any other object that in the manner in which it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury as determined by the Lake County Sheriff's Officers.

(Ord. 1241C, passed 7-8-2003; Ord. 1276A, passed 7-13-2006)

§ 131.02 RESTRICTIONS.

Except as provided in § 131.03, a person shall not possess on or about his or her person a weapon within Lake County Courthouses and public buildings. (Ord. 1241C, passed 7-8-2003; Ord. 1276A, passed 7-13-2006) Penalty, see § 131.99

§ 131.03 EXCEPTIONS.

(A) Notwithstanding § 131.02, the following persons are exempt from this subchapter: law enforcement officers, Indiana Department of Correction officers, Community Correction officers, judicial officers, and probation officers who are in the courthouse or public building for official business and duly authorized to carry deadly weapons. Employees of the courthouse or public building who carry chemical spray devices for personal protection are also exempt.

(B) The persons described as exempt from this subchapter shall not be exempt if they or any member of their family is a party to any proceeding taking place in court.
(Ord. 1241C, passed 7-8-2003; Ord. 1276A, passed 7-13-2006)

DISCHARGE OF FIREARMS

§ 131.15 DISCHARGE OF FIREARMS; TARGET PRACTICE OR PRACTICING SHOOTING.

(A) The term firearm shall be given the definition as stated under Indiana Code, and Indiana case law.

(B) For the purpose of this section on firearms include weapons which shoot shotgun shells and bullets.

(C) The Lake County Council now prohibits the discharge of a firearm for the sole purpose of target shooting or practicing shooting within 200 feet of the property lines of a platted, approved, and developed multi-lot subdivision of one-acre lots or less, as defined in the Lake County Code.

(D) Notwithstanding, this section does not apply to organized clubs, veteran associations, or commercial ranges which have a firing range, approved by Lake County.

(E) This section does not impose any additional restrictions on hunting which are already covered by state law and local ordinance.
(Ord. 1312A, passed 6-9-2009; Ord. 1314B, passed 8-11-2009) Penalty, see § 131.99

§ 131.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Any person violating § 131.02 shall be subject to punishment for indirect contempt of court pursuant to I.C. 34-47-3 and a fine of $100. Any person violating § 131.02 shall also be subject to having the firearm or weapon confiscated by the proper law enforcement officials.

(C) The penalty for a violation of § 131.15 is a fine of not less than $25 and no more than $500.
(Ord. 1241C, passed 7-8-2003; Ord. 1276A, passed 7-13-2006; Ord. 1314B, passed 8-11-2009)

CHAPTER 132: INTOXICATING SUBSTANCES

Section

Synthetic Cannabinoid

132.01 Substances containing synthetic cannabinoid

SYNTHETIC CANNABINOID

§ 132.01 SUBSTANCES CONTAINING SYNTHETIC CANNABINOID.

(A) It is hereby declared to be unlawful for any individual or business to use, possess, purchase, attempt to purchase, sell, publicly display for sale or attempt to sell, give, or barter any one or more of the substances containing synthetic cannabinoids ("products"), sometimes known as "spice" or "K2", within the boundaries of Lake County, Indiana.

(B) Products containing synthetic cannabinoids ("products") may not be burned, incinerated or ignited in any public place or on any property owned, leased or controlled by Lake County, Indiana.

(C) If any of the products are found in the possession of any individual or business, they may be confiscated and destroyed by law enforcement officials.

(D) It is not an offense if the individual or business was acting at the direction of an authorized law enforcement agent to enforce or ensure compliance with this section prohibiting the aforementioned substance.

(E) This section does not apply to any individual or business who commits any act described in this section pursuant to the direction or prescription of a licensed physician or dentist authorized to direct or prescribe such act. This section likewise does not apply to the inhalation of anesthesia for a medical purpose or dental purpose.

(F) Any individual or business found to be selling, publicly displaying for sale or attempting to sell, give, or barter any Products shall be considered to have violated this section and will be subject to a civil fine of $2,500. Any individual or business found purchasing or possessing any substance listed in division (A) shall be considered to have violated this section and will be subject to a civil fine of $1,000. A second conviction under this section shall result in the business license being revoked, in addition to civil fines. Any person or entity found in violation of this section shall be responsible for payment of reasonable costs and attorneys fees associated with the enforcement of this section.

(G) The County Attorney, shall have the authority to seek an injunction to prevent the selling or offering to sell in violation of this section by any business which refuses or fails to comply with this section.

(H) This section shall remain in effect until such time as a section of the Indiana Code addressing these or similar substances becomes effective at which time this section shall automatically be revoked. All violations occurring prior to the date of revocation shall be subject to the penalties herein regardless whether legal proceedings related thereto have been filed or concluded prior to the date of revocation.

(I) Any term defined in this section by reference to a state statute shall have the same meaning whenever used in this section unless clearly inapplicable by the context in which it is used. Any reference to a state statute shall mean the statute as amended from time to time, or any similar statutory provision that may supersede it relating to the same or similar subject matter.

(J) Should any section, paragraph, sentence, clause or any other portion of this section be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if, the remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this section. To this end, the provisions of this section are severable.

(K) This section shall be in full force and effect upon adoption and compliance with I.C. 36-4-6-14, including publication as required by law.
(Ord. 1328A, passed 10-12-2010)

PARALLEL REFERENCES

References to Indiana Code
References to Prior Code
References to Resolutions
References to Ordinances

REFERENCES TO INDIANA CODE

Indiana Code	*Code Section*
1-1-1-5	10.04
1-1-1-7	10.12
1-1-1-8	10.06
1-1-4-5	10.05
1-1-5-1	10.11
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96.27	95.27
96.28	95.28
96.29	95.29
96.99	95.99
98.01	96.01
98.02	96.02
98.03	96.03
98.04	96.04
98.05	96.05
98.06	96.06
98.07	96.07
98.08	96.08
98.09	96.09
98.10	96.10
99.01	97.01
99.02	97.02
99.03	97.03

Prior Code	*2011 Code*
100.01	98.01
100.20	98.15
100.21	98.16
100.22	98.17
100.35	98.30
100.36	98.31
100.37	98.32
100.38	98.33
100.99	98.99
130.01	130.01
130.02	130.02
130.10	130.15; 130.99
130.99	130.99
150.01	150.01
150.15	150.15
150.25	150.25
150.26	150.26
150.27	150.27
150.28	150.28
150.29	150.29
150.30	150.30
150.40	150.40
150.41	150.41
150.42	150.42
151.001	151.001
151.002	151.002
151.003	151.003
151.004	151.004
151.005	151.005
151.006	151.006
151.007	151.007
151.008	151.008
151.015	151.020
151.016	151.021
151.017	151.022
151.018	151.023; 151.024
151.019	151.025
151.020	151.026
151.021	151.027
151.022	151.022
151.035	151.040
151.036	151.041
151.037	151.042
151.038	151.043
151.050	151.055

Prior Code	*2011 Code*
151.051	151.056
151.052	151.057
151.053	151.058
151.054	151.059
151.075	151.075
151.076	151.076
151.077	151.077
151.078	151.078
151.079	151.079
151.080	151.080
151.081	151.081
151.082	151.082
151.083	151.083
151.084	151.084
151.085	151.085
151.086	151.086
151.087	151.087
151.110	151.110
151.111	151.111
151.112	151.112
151.113	151.113
151.999	151.999
152.001	152.001
152.002	152.002
152.003	152.003
152.004	152.004
152.005	152.005
152.006	152.006
152.007	152.007
152.020	152.020
152.021	152.021
152.022	152.022
152.023	152.023
152.030	152.035
152.031	152.036
152.040	152.050
152.050	152.060
152.051	152.061
152.060	152.075
152.061	152.076
152.062	152.077
152.063	152.078
152.070	152.090
152.071	152.091

Prior Code	*2011 Code*
152.072	152.092
152.999	152.999
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Ch. 152, Figure 2	Ch. 152, App. B
Ch. 152, Figure 3	Ch. 152, App. C
153.001	153.001
153.002	153.002
153.003	153.003
153.004	153.004
153.005	153.005
153.006	153.006
153.007	153.007
153.008	153.008
153.009	153.009
153.010	153.010
153.011	153.011
153.012	153.012
153.020	153.025
153.035	153.035
153.036	153.036
153.037	153.037
153.038	153.038
153.039	153.039
153.050	153.050
153.051	153.051
153.052	153.052
153.055	153.053
153.056	153.054
153.057	153.055
153.058	153.056
153.059	153.057
153.060	153.058
153.061	153.059
153.062	153.060
153.070	153.075
153.071	153.076
153.072	153.077
153.073	153.078
153.074	153.079
153.080	153.091
153.081	153.092
153.082	153.093
153.083	153.094
153.095	153.105

Prior Code	*2011 Code*
153.096	153.106
153.999	153.999
Ch. 153, App. A	Ch. 153, App. A
Ch. 153, App. B	Ch. 153, App. B
Ch. 153, App. C	Ch. 153, App. C
Ch. 153, App. D	Ch. 153, App. D
Ch. 153, App. E	Ch. 153, App. E
Ch. 153, App. F	Ch. 153, App. F
154.001	154.001
154.002	154.002
154.003	154.003
154.004	154.004
154.015	154.015
154.016	154.016
154.017	154.017
154.018	154.018
154.019	154.019
154.030	154.030
154.031	154.031
154.032	154.032
154.033	154.033
154.034	154.034
154.035	154.035
154.036	154.036
154.037	154.037
154.038	154.038
154.039	154.039
154.040	154.040
154.050	154.050
154.051	154.051
154.052	154.052
154.053	154.053
154.065	154.065
154.066	154.066
154.067	154.067
154.068	154.068
154.069	154.069
154.070	154.070
154.071	154.071
154.072	154.072
154.073	154.073
154.074	154.074
154.075	154.075
154.076	154.076

Prior Code	*2011 Code*
154.090	154.090
154.091	154.091
154.092	154.092
154.093	154.093
154.094	154.094
154.095	154.095
154.096	154.096
154.097	154.097
154.098	154.098
154.099	154.099
154.100	154.100
154.101	154.101
154.102	154.102
154.115	154.115
154.116	154.116
154.117	154.117
154.118	154.118
154.119	154.119
154.120	154.120
154.135	154.135
154.136	154.136
154.137	154.137
154.138	154.138
154.139	154.139
154.150	154.150
154.151	154.151
154.165	154.165
154.166	154.166
154.167	154.167
154.168	154.168
154.169	154.169
154.170	154.170
154.171	154.171
154.185	154.185
154.186	154.186
154.187	154.187
154.205	154.205
154.206	154.206
154.215	154.215
154.216	154.216
154.217	154.217
154.218	154.218
154.219	154.219
154.220	154.220
154.221	154.221

Prior Code	*2011 Code*
154.222	154.222
154.223	154.223
154.224	154.224
154.225	154.225
154.226	154.226
154.227	154.227
154.240	154.240
154.241	154.241
154.242	154.242
154.243	154.243
154.244	154.244
154.245	154.245
154.260	154.260
154.261	154.261
154.262	154.262
154.263	154.263
154.280	154.280
154.281	154.281
154.282	154.282
154.283	154.283
154.284	154.284
154.285	154.285
154.998	154.300
155.01	155.01
155.02	155.02
155.03	155.03
155.04	155.04
155.05	155.05
155.20	155.20
155.21	155.21
155.22	155.22
155.23	155.23
155.24	155.24
155.25	155.25
155.26	155.26
155.27	155.27
155.28	155.28
155.29	155.29
155.30	155.30
155.31	155.31
155.32	155.32
155.33	155.33
155.34	155.34
155.50	155.50

Prior Code	*2011 Code*
155.51	155.51
155.52	155.52
155.53	155.53
155.54	155.54
155.55	155.55
155.56	155.56
156.01	156.01
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T.S.O. I	T.S.O. I
T.S.O. II	T.S.O. II
T.S.O. III	T.S.O. III
T.S.O. IV	T.S.O. IV
T.S.O. V	T.S.O. V
T.S.O. VI	T.S.O. VI
T.S.O. VII	T.S.O. VII
T.S.O. VIII	T.S.O. VIII
T.S.O. IX	T.S.O. IX
T.S.O. X	T.S.O. X
T.S.O. XI	T.S.O. XI

REFERENCES TO RESOLUTIONS

Res. No.	*Date Passed*	*Code Section*
607-A	- -	T.S.O. VIII
124	9-12-1960	T.S.O. VIII
125	9-12-1960	T.S.O. VIII
270	8-5-1963	T.S.O. VIII
282	9-30-1963	T.S.O. VIII
28l	10-7-1963	T.S.O. VIII
389	1-3-1966	T.S.O. VIII
393	1-3-1966	T.S.O. VIII
394	1-3-1966	T.S.O. VIII
415	8-15-1966	T.S.O. VIII
610	5-8-1970	T.S.O. VIII
612	5-8-1970	T.S.O. VIII
636	10-13-1970	T.S.O. VIII
682	11-15-1971	T.S.O. VIII
703-A	3-7-1972	T.S.O. VIII
716	6-5-1972	T.S.O. VIII
774	5-7-1973	T.S.O. VIII
840	5-13-1974	T.S.O. VIII
879	11-4-1974	T.S.O. VIII
922	- -1977	T.S.O. VIII
992	5-9-1977	T.S.O. VIII
–	10-13-2004	T.S.O. XII

REFERENCES TO ORDINANCES

Ord. No.	*Date Passed*	*Code Section*
–	- -	T.S.O. III; T.S.O. V
990D	- -	31.125
1156A	- -	37.030
1264A	- -	37.092
–	7-18-1914	T.S.O. II
57	6-1-1915	T.S.O. II
830	2-24-1920	T.S.O. II
–	7-3-1928	T.S.O. II
–	12-2-1946	T.S.O. V
–	2-6-1950	30.01–30.03
–	3-5-1951	T.S.O. VI
3	9-26-1955	50.01–50.05; 50.15–50.20; 50.30; 50.31; 50.99
–	4-15-1957	154.001–154.004; 154.015–154.019; 154.030–154.039; 154.050–154.053; 154.065–154.076; 154.090–154.102; 154.115–154.120; 154.135–154.139; 154.150; 154.151; 154.165–154.171; 154.185–154.187; 154.205; 154.206; 154.215–154.227; 154.240–154.245; 154.260–154.263; 154.280–154.285; 154.300
669	1-21-1963	T.S.O. II
670	1-21-1963	T.S.O. II
671	1-21-1963	T.S.O. II
–	6-24-1963	T.S.O. I
20	10-24-1966	92.15–92.17
22	11-1-1967	T.S.O. IV
–	10-21-1968	Ch. 71, Sch. I; Ch. 71, Sch. II
–	10-28-1968	Ch. 71, Sch. IV
–	11-8-1968	Ch. 71, Sch. I; Ch. 71, Sch. II
–	11-30-1968	Ch. 71, Sch. I
–	1-20-1969	Ch. 71, Sch. I; Ch. 71, Sch. II
21	3-17-1969	T.S.O. VIII
–	2-10-1969	Ch. 71, Sch. II
–	3-24-1969	Ch. 71, Sch. I; Ch. 71, Sch. II
–	5-5-1969	Ch. 71, Sch. II

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–	5-12-1969	Ch. 71, Sch. I
–	5-19-1969	Ch. 71, Sch. I; Ch. 71, Sch. II
–	6-2-1969	Ch. 71, Sch. I; Ch. 71, Sch. II
–	7-28-1969	Ch. 71, Sch. I
–	7-28-1969	T.S.O. V
–	8-4-1969	Ch. 71, Sch. I; Ch. 71, Sch. II
–	8-18-1969	Ch. 71, Sch. I
–	8-19-1969	Ch. 71, Sch. IV
–	9-2-1969	Ch. 71, Sch. IV
–	9-8-1969	Ch. 71, Sch. II
–	3-2-1970	Ch. 71, Sch. II
–	3-9-1970	Ch. 71, Sch. I
–	3-16-1970	T.S.O. I
–	4-13-1970	Ch. 71, Sch. I; Ch. 71, Sch. II
–	4-27-1970	Ch. 71, Sch. I
–	5-25-1970	Ch. 71, Sch. I; Ch. 71, Sch. II
–	5-25-1970	T.S.O. V
–	6-1-1970	Ch. 71, Sch. II
–	6-29-1970	Ch. 71, Sch. II
–	7-27-1970	Ch. 71, Sch. I; Ch. 71, Sch. II
–	7-27-1970	T.S.O. III; T.S.O. V
–	8-24-1970	Ch. 71, Sch. I; Ch. 71, Sch. II
–	9-14-1970	Ch. 71, Sch. I; Ch. 71, Sch. II
	9-14-1970	T.S.O. III; T.S.O. V
–	9-28-1970	Ch. 71, Sch. I; Ch. 71, Sch. IV
–	10-5-1970	Ch. 71, Sch. II
–	10-23-1970	Ch. 71, Sch. I; Ch. 71, Sch. II
–	10-26-1970	Ch. 72, Sch. I
–	11-2-1970	151.001–151.008; 151.020–151.027; 151.040–151.043; 151.055–151.059
–	12-14-1970	Ch. 71, Sch. II
–	1-11-1971	Ch. 71, Sch. I; Ch. 71, Sch. II
–	4-5-1971	Ch. 71, Sch. I; Ch. 71, Sch. II
–	5-3-1971	Ch. 71, Sch. II
–	6-7-1971	Ch. 71, Sch. IV
–	6-21-1971	Ch. 71, Sch. II; Ch. 71, Sch. IV
–	11-1-1971	Ch. 71, Sch. II
24	11-1-1971	T.S.O. VIII
1	12-30-1971	T.S.O. IV
–	- -1972	T.S.O. VII
–	2-2-1972	Ch. 71, Sch. II
–	5-15-1972	Ch. 71, Sch. II
–	6-12-1972	Ch. 71, Sch. II
23	7-24-1972	112.01–112.08; 112.99
25	3-5-1973	T.S.O. VIII

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–	7-16-1973	Ch. 71, Sch. I
–	7-30-1973	Ch. 71, Sch. IV
–	7-30-1973	T.S.O. IV
–	9-17-1973	Ch. 71, Sch. I
–	4-29-1974	Ch. 71, Sch. II
–	5-13-1974	Ch. 71, Sch. I; Ch. 71, Sch. II
–	5-13-1974	T.S.O. III; T.S.O. VII
–	5-28-1974	Ch. 71, Sch. II
–	6-12-1974	Ch. 71, Sch. II
874A	8-12-1974	37.001
–	8-20-1974	154.262
26	8-20-1974	94.01; 94.02; 94.15–94.25; 94.35–94.42; 94.55–94.74; 94.85–94.87; 94.99; 154.262
–	9-9-1974	Ch. 71, Sch. I
–	9-16-1974	Ch. 71, Sch. II
–	10-15-1974	Ch. 71, Sch. I; Ch. 71, Sch. II
–	11-1-1974	Ch. 71, Sch. I
–	11-18-1974	Ch. 71, Sch. II
–	12-9-1974	Ch. 71, Sch. I
878A	12-23-1974	T.S.O. V
–	1-20-1975	Ch. 71, Sch. III
74-15	2-27-1975	T.S.O. II
–	4-14-1975	Ch. 71, Sch. I; Ch. 71, Sch. II; Ch. 71, Sch. IV
–	4-21-1975	Ch. 71, Sch. II
30	6-30-1975	31.015
–	7-7-1975	Ch. 72, Sch. I
–	7-7-1975	92.01
27	7-7-1975	92.01; 92.02
29	7-7-1975	50.18; 50.30; 50.31
–	9-2-1975	Ch. 71, Sch. II
–	10-27-1975	Ch. 71, Sch. II
–	12-1-1975	Ch. 71, Sch. I
–	2-17-1976	Ch. 71, Sch. I; Ch. 71, Sch. II
–	5-10-1976	Ch. 71, Sch. II
–	7-9-1976	Ch. 71, Sch. II
–	7-19-1976	Ch. 71, Sch. II
–	8-23-1976	Ch. 71, Sch. I
26A	11-8-1976	94.03
–	12-17-1976	Ch. 71, Sch. I
–	5-2-1977	Ch. 71, Sch. II
13	5-9-1977	31.016
–	7-11-1977	Ch. 71, Sch. I; Ch. 71, Sch. II
–	9-26-1977	Ch. 71, Sch. I; Ch. 71, Sch. II
–	- -1978	T.S.O. VII

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–	5-30-1978	Ch. 71, Sch. II
–	6-26-1978	Ch. 71, Sch. II
–	8-7-1978	Ch. 71, Sch. II
–	9-1-1978	Ch. 71, Sch. IV
–	10-2-1978	Ch. 71, Sch. II
–	12-28-1978	Ch. 71, Sch. I; Ch. 71, Sch. II
1084	5-14-1979	T.S.O. VIII
–	5-30-1979	Ch. 71, Sch. II
108	6-22-1979	T.S.O. VIII
1082	6-22-1979	T.S.O. VIII
1085	6-22-1979	T.S.O. VIII
1086	6-22-1979	T.S.O. VIII
1088	6-22-1979	T.S.O. VIII
1093	8-27-1979	T.S.O. VIII
1094	8-27-1979	T.S.O. VIII
1101	8-27-1979	T.S.O. VIII
–	9-10-1979	Ch. 71, Sch. I; Ch. 71, Sch. II
–	10-1-1979	Ch. 71, Sch. II
1096	12-3-1979	T.S.O. VIII
1100	12-3-1979	T.S.O. VIII
1102	12-3-1979	T.S.O. VIII
1106	1-21-1980	T.S.O. VIII
1107	1-21-1980	T.S.O. VIII
1109	1-21-1980	T.S.O. VIII
–	2-4-1980	T.S.O. III
1114	2-4-1980	T.S.O. VIII
1111	3-10-1980	T.S.O. VIII
1113	3-10-1980	T.S.O. VIII
1115	3-10-1980	T.S.O. VIII
1117	6-2-1980	T.S.O. VIII
1123	6-2-1980	T.S.O. VIII
1124	6-2-1980	T.S.O. VIII
1126	6-2-1980	T.S.O. VIII
–	8-31-1980	Ch. 71, Sch. I
1133	10-27-1980	T.S.O. VIII
1134	12-15-1980	T.S.O. VIII
1136	12-15-1980	T.S.O. VIII
1145	3-30-1981	T.S.O. VIII
1146	3-30-1981	T.S.O. VIII
1148	3-30-1981	T.S.O. VIII
1145A	6-1-1981	T.S.O. VIII
1146A	6-1-1981	T.S.O. VIII
1153	6-1-1981	T.S.O. VIII
1151	8-3-1981	T.S.O. VIII
1154	8-3-1981	T.S.O. VIII

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1156	8-3-1981	T.S.O. VIII
–	8-31-1981	Ch. 71, Sch. I; Ch. 71, Sch. II
1160	8-31-1981	T.S.O. VIII
1161	8-31-1981	T.S.O. VIII
1162	8-31-1981	T.S.O. VIII
1163	8-31-1981	T.S.O. VIII
1169	9-14-1981	T.S.O. VIII
966D	1-4-1982	151.999
1170	1-4-1982	T.S.O. VIII
1171	1-4-1982	T.S.O. VIII
1172	1-4-1982	T.S.O. VIII
966E	2-22-1982	91.01–91.33
1173-A	2-22-1982	T.S.O. VIII
5-82	4-12-1982	31.097
1177	5-17-1982	T.S.O. VIII
972B	7-14-1982	154.003; 154.135–154.139; 154.186
1179	8-16-1982	T.S.O. VIII
1180	8-16-1982	T.S.O. VIII
–	9-7-1982	30.04
974B	9-27-1982	150.01; 150.15; 150.25–150.30
1184	1-10-1983	T.S.O. VIII
–	4-12-1983	Ch. 71, Sch. I
1186	4-12-1983	T.S.O. VIII
1187	4-12-1983	T.S.O. VIII
–	5-10-1983	Ch. 71, Sch. I
1185	5-10-1983	T.S.O. VIII
1190	6-14-1983	T.S.O. VIII
1191	6-14-1983	T.S.O. VIII
1192	6-14-1983	T.S.O. VIII
1193	7-12-1983	T.S.O. VIII
1194	7-12-1983	154.241
–	8-24-1983	Ch. 71, Sch. I; Ch. 71, Sch. II
1195	8-24-1983	T.S.O. VIII
–	10-11-1983	Ch. 71, Sch. I
1196	10-11-1983	T.S.O. VIII
1197	10-11-1983	T.S.O. VIII
1198	10-11-1983	T.S.O. VIII
1199	10-11-1983	T.S.O. VIII
1200	10-11-1983	T.S.O. VIII
1201	11-9-1983	T.S.O. VIII
1202	11-9-1983	T.S.O. VIII
1203	11-9-1983	T.S.O. VIII
1204	12-13-1983	T.S.O. VIII
1205	12-13-1983	T.S.O. VIII
–	- -1984	Ch. 71, Sch. II

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1206	1-3-1984	T.S.O. VIII
1229	1-11-1984	T.S.O. VIII
1230	1-11-1984	T.S.O. VIII
–	2-14-1984	Ch. 71, Sch. I
992F	2-14-1984	31.145
–	2-21-1984	Ch. 71, Sch. II
–	2-28-1984	112.05
1207	3-13-1984	T.S.O. VII
1208	3-13-1984	T.S.O. VIII
1209	4-24-1984	T.S.O. VIII
1210	4-24-1984	T.S.O. VIII
1211	4-24-1984	T.S.O. VIII
994B	5-15-1984	37.001
995A	5-15-1984	34.15–34.17
1212	5-15-1984	T.S.O. VIII
1213	5-15-1984	T.S.O. VII
1214	7-24-1984	154.034
1215	7-24-1984	154.280; 154.281; 154.285
1218	7-24-1984	T.S.O. VIII
1219	7-24-1984	T.S.O. VIII
1221	7-24-1984	T.S.O. VIII
–	8-30-1984	Ch. 71, Sch. II
1222	9-4-1984	T.S.O. VII
1223	9-4-1984	T.S.O. VIII
1224	9-4-1984	T.S.O. VIII
–	10-9-1984	Ch. 71, Sch. II
1002A	11-13-1984	156.01
1225	11-13-1984	T.S.O. VIII
1227	11-13-1984	T.S.O. VIII
1228	11-13-1984	T.S.O. VIII
992F	12-11-1984	31.145
930B	12-11-1984	36.15; 36.16
1232	4-8-1985	T.S.O. VIII
1233	4-8-1985	T.S.O. VIII
1234	5-14-1985	154.003; 154.040
1235	5-14-1985	T.S.O. VIII
–	6-11-1985	Ch. 71, Sch. II
1236	6-11-1985	T.S.O. VIII
1237	7-9-1985	T.S.O. VIII
1238	7-9-1985	T.S.O. VIII
1012A	8-13-1985	155.01–155.05; 155.20–155.34; 155.50–155.56
1239	8-13-1985	154.094
1013A	9-3-1985	31.030–31.032
1240	9-3-1985	T.S.O. VIII

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1241	9-3-1985	T.S.O. VII
1242	9-3-1985	T.S.O. VIII
–	10-8-1985	Ch. 71, Sch. I; Ch. 71, Sch. II
1243	10-8-1985	154.241; 154.242
1244	10-8-1985	154.003; 154.240; 154.243
1245	10-8-1985	T.S.O. VIII
1246	10-8-1985	T.S.O. VIII
1247	10-8-1985	T.S.O. VIII
1015C	11-12-1985	34.30–34.35
1015D	11-12-1985	T.S.O. VII
1015E	11-12-1985	31.046
1248	11-12-1985	T.S.O. VIII
1249	11-12-1985	T.S.O. VIII
1017A	1-14-1986	51.20; 51.21
1250	1-14-1986	T.S.O. VIII
–	2-11-1986	Ch. 71, Sch. I
1019A	3-11-1986	T.S.O. VII
1019A-1	3-11-1986	T.S.O. VII
993B	3-25-1986	92.01
1021A	5-13-1986	31.070–31.082; 31.084
1022	6-10-1986	96.01–96.10
1253	6-10-1986	T.S.O. VIII
1023A	7-8-1986	31.155
1252	7-8-1986	T.S.O. VIII
1254	7-8-1986	T.S.O. VIII
1025E	9-2-1986	92.01; 92.02
1255	9-2-1986	T.S.O. VIII
1256	9-2-1986	T.S.O. VIII
1259	11-12-1986	T.S.O. VIII
1028C	12-9-1986	31.095–31.098
1264	1-13-1987	T.S.O. VIII
265	2-10-1987	T.S.O. VIII
1032C	4-14-1987	Ch. 72, Sch. II
993B	5-12-1987	92.01
1268	5-12-1987	T.S.O. VIII
1269	6-9-1987	T.S.O. VIII
1271	6-9-1987	T.S.O. VIII
1272	6-9-1987	T.S.O. VIII
1035A	7-15-1987	70.01–70.12; 70.25–70.28; 70.40; 70.42; 70.43; 70.55; 70.56
1035C	7-15-1987	97.01–97.03
1273	7-15-1987	T.S.O. VIII
1274	7-15-1987	T.S.O. VIII
–	8-11-1987	Ch. 71, Sch. I; Ch. 71, Sch. II
1276	8-11-1987	T.S.O. VIII

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–	9-8-1987	154.036
1277	9-8-1987	T.S.O. VIII
1278	9-8-1987	T.S.O. VIII
1279	9-8-1987	T.S.O. VIII
1021A	10-13-1987	31.084
1040	10-13-1987	51.99
1040A	10-13-1987	51.01–51.06
1281	10-13-1987	T.S.O. VIII
1282	10-13-1987	T.S.O. VIII
1283	10-13-1987	T.S.O. VIII
1284	10-13-1987	T.S.O. VIII
1041C	11-10-1987	37.003
1012A-1	12-8-1987	155.32; 155.33
1288	1-12-1988	T.S.O. VIII
1289	2-9-1988	T.S.O. VIII
1290	2-9-1988	T.S.O. VIII
1046A	3-9-1988	T.S.O. VII
1286	3-9-1988	T.S.O. VIII
993B-1	4-12-1988	92.01
1287	4-12-1988	T.S.O. VIII
1292	4-12-1988	T.S.O. VIII
1294	6-14-1988	T.S.O. VIII
1295	6-14-1988	T.S.O. VIII
1296	6-14-1988	154.003; 154.285
1298	6-14-1988	T.S.O. VIII
1299	6-14-1988	T.S.O. VIII
1300	6-14-1988	T.S.O. VIII
1051B	7-12-1988	35.01–35.07; 35.99
–	8-16-1988	Ch. 71, Sch. I; Ch. 71, Sch. II
1293	8-16-1988	T.S.O. VIII
1301	8-16-1988	T.S.O. VIII
1302	9-6-1988	T.S.O. VIII
1303	9-6-1988	T.S.O. VIII
1304	9-6-1988	T.S.O. VIII
–	10-11-1988	Ch. 71, Sch. I; Ch. 71, Sch. II
1305	10-11-1988	T.S.O. VIII
1306	11-1-1988	T.S.O. VIII
1307	11-1-1988	T.S.O. VIII
1308	12-13-1988	T.S.O. VIII
–	1-10-1989	Ch. 71, Sch. II
1309	1-10-1989	T.S.O. VIII
1311	1-10-1989	T.S.O. VIII
1015C-1	2-14-1989	34.35
1021A-1	2-14-1989	31.079
1058A	2-14-1989	95.01– 95.06

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1058B	2-14-1989	36.01
1312	2-14-1989	T.S.O. VIII
–	4-11-1989	Ch. 71, Sch. I; Ch. 71, Sch. II; Ch. 71, Sch. IV
1313	4-11-1989	T.S.O. VIII
1314	4-11-1989	T.S.O. VIII
1315	4-11-1989	T.S.O. VIII
–	5-1-1989	Ch. 71, Sch. I
1061A	5-9-1989	91.01–91.33
1316	5-9-1989	T.S.O. VIII
1317	5-9-1989	T.S.O. VIII
1318	5-9-1989	T.S.O. VIII
1063C	6-13-1989	T.S.O. VII
1320	6-13-1989	T.S.O. VIII
1321	6-13-1989	T.S.O. VIII
1322	6-13-1989	T.S.O. VIII
1323	7-10-1989	T.S.O. VIII
1324	7-10-1989	T.S.O. VIII
1325	7-10-1989	T.S.O. VIII
–	7-11-1989	Ch. 71, Sch. I; Ch. 71, Sch. II
1328	8-8-1989	T.S.O. VIII
1329	9-5-1989	T.S.O. VIII
–	10-1-1989	Ch. 71, Sch. II
–	10-2-1989	Ch. 71, Sch. II
–	10-10-1989	Ch. 71, Sch. I; Ch. 71, Sch. II
1331	10-10-1989	T.S.O. VIII
1332	10-10-1989	T.S.O. VIII
–	11-7-1989	Ch. 71, Sch. II; Ch. 71, Sch. IV
1337	11-7-1989	T.S.O. VIII
1338	11-7-1989	T.S.O. VIII
1339	11-7-1989	T.S.O. VIII
1340	11-7-1989	T.S.O. VIII
–	11-16-1989	Ch. 71, Sch. II
1345	12-12-1989	T.S.O. VIII
–	1-22-1990	Ch. 71, Sch. II
1350	2-13-1990	T.S.O. VIII
966-D	3-13-1990	151.999
1351	3-13-1990	T.S.O. VIII
1352	3-13-1990	T.S.O. VIII
–	5-1-1990	Ch. 71, Sch. II
–	5-9-1990	Ch. 71, Sch. II
–	5-21-1990	Ch. 71, Sch. II
1076A	6-12-1990	37.004
1366	6-12-1990	T.S.O. VIII
1367	6-12-1990	T.S.O. VIII

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1368	6-12-1990	T.S.O. VIII
1369	6-12-1990	T.S.O. VIII
–	7-1-1990	Ch. 71, Sch. I
1077B	7-10-1990	37.005
1374	7-10-1990	T.S.O. VIII
1381	8-14-1990	T.S.O. VIII
1382	8-14-1990	T.S.O. VIII
–	9-24-1990	Ch. 71, Sch. II
1081A	10-9-1990	T.S.O. VII
1390	10-9-1990	T.S.O. VIII
1391	10-9-1990	T.S.O. VIII
1392	10-9-1990	T.S.O. VIII
1393	10-9-1990	T.S.O. VIII
–	11-13-1990	Ch. 71, Sch. I
1397	11-13-1990	T.S.O. VIII
1401	11-13-1990	T.S.O. VIII
1404	11-13-1990	T.S.O. VIII
–	12-31-1990	Ch. 71, Sch. I; Ch. 71, Sch. II
1015E-1	4-9-1991	31.045; 31.046
1088B	4-9-1991	37.006
1417	4-9-1991	T.S.O. VIII
1418	4-9-1991	T.S.O. VIII
1419	4-9-1991	T.S.O. VIII
1420	4-9-1991	T.S.O. VIII
1421	4-9-1991	T.S.O. VIII
–	5-13-1991	Ch. 71, Sch. I
1076A-1	5-14-1991	37.004
1089A	5-14-1991	T.S.O. VII
1089B	5-14-1991	T.S.O. VII
–	6-3-1991	Ch. 71, Sch. I; Ch. 71, Sch. II
1031-A	8-1-1991	37.002
1031A-1	8-13-1991	37.002
1433	8-13-1991	T.S.O. VIII
1434	8-13-1991	T.S.O. VIII
1437	9-3-1991	T.S.O. VIII
1438	9-3-1991	T.S.O. VIII
1442	9-3-1991	T.S.O. VIII
–	9-5-1991	Ch. 71, Sch. II
–	9-23-1991	Ch. 71, Sch. I; Ch. 71, Sch. II
–	9-30-1991	Ch. 71, Sch. II
1094A	10-8-1991	T.S.O. VII
1095A	11-12-1991	T.S.O. VII
1447	11-12-1991	T.S.O. VIII
1097B	12-10-1991	37.007
1448	12-10-1991	T.S.O. VIII

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1449	12-10-1991	154.003
1451	12-10-1991	T.S.O. VIII
1113	1-12-1992	Ch. 72, Sch. II
1497	1-12-1992	T.S.O. VIII
1098A	1-14-1992	31.110–31.112
1452	1-14-1992	T.S.O. VIII
1111B	3-10-1992	95.20–95.29; 95.99
1459	3-10-1992	T.S.O. VIII
1101A	4-14-1992	130.01; 130.02; 130.99
1464	4-14-1992	T.S.O. VIII
1467	5-12-1992	T.S.O. VIII
–	6-9-1992	Ch. 71, Sch. I; Ch. 71, Sch. II
104D	6-9-1992	31.110–31.112
1104A	6-9-1992	T.S.O. V
1451-A	6-9-1992	T.S.O. VIII
1466	6-9-1992	T.S.O. VIII
1467	6-9-1992	T.S.O. VIII
1468	6-9-1992	T.S.O. VIII
1031A-2	7-14-1992	37.002
1105D	7-14-1992	T.S.O. V
1469	7-14-1992	T.S.O. VIII
1470	7-14-1992	T.S.O. VIII
1471	7-14-1992	T.S.O. VIII
1472	7-14-1992	T.S.O. VIII
1474	8-11-1992	T.S.O. VIII
1475	8-11-1992	T.S.O. VIII
1476	8-11-1992	T.S.O. VIII
1477	8-11-1992	T.S.O. VIII
1482	8-11-1992	T.S.O. VIII
–	9-1-1992	Ch. 71, Sch. I
1483	9-8-1992	T.S.O. VIII
1484	9-8-1992	T.S.O. VIII
1486	9-8-1992	T.S.O. VIII
110A	10-13-1992	34.01
1110B	10-13-1992	70.13
1110C	10-13-1992	70.13
1489	10-13-1992	T.S.O. VIII
1490	10-13-1992	T.S.O. VIII
1491	10-13-1992	T.S.O. VIII
1493	11-10-1992	T.S.O. VIII
1112A	12-8-1992	37.008
1496	12-8-1992	T.S.O. VIII
1498	12-8-1992	T.S.O. VIII
1500	12-8-1992	154.115; 154.119; 154.240; 154.285
–	1-12-1993	Ch. 71, Sch. I; Ch. 71, Sch. II

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1113B	1-12-1993	37.014
1501	1-12-1993	T.S.O. VIII
1502	1-12-1993	T.S.O. VIII
1504	1-12-1993	T.S.O. VIII
1507	2-9-1993	T.S.O. VIII
1508	2-9-1993	T.S.O. VIII
1115A	3-9-1993	37.013
–	4-13-1993	92.01
1116A	4-13-1993	93.01–93.06; Ch. 93, App. A and B
1116A-2	4-13-1993	93.07
1515	4-13-1993	T.S.O. VIII
1517	5-11-1993	T.S.O. VIII
1518	5-11-1993	T.S.O. VIII
1520	5-11-1993	T.S.O. VIII
–	6-1-1993	Ch. 71, Sch. I; Ch. 71, Sch. II
1521	6-8-1993	T.S.O. VIII
1522	6-8-1993	T.S.O. VIII
1523	6-8-1993	T.S.O. VIII
1524	6-8-1993	T.S.O. VIII
1525	6-8-1993	T.S.O. VIII
1526	6-8-1993	T.S.O. VIII
1530	6-8-1993	T.S.O. VIII
1531	6-8-1993	T.S.O. VIII
1120A	8-10-1993	37.009
1120B	8-10-1993	37.010
1538	8-10-1993	T.S.O. VIII
1539	8-10-1993	T.S.O. VIII
1540	8-10-1993	T.S.O. VIII
–	8-31-1993	Ch. 71, Sch. I
1121D	9-7-1993	35.07
1121G	9-7-1993	37.011; 37.012
1121G-1	9-7-1993	37.011
1542	9-7-1993	T.S.O. VIII
1543	9-7-1993	T.S.O. VIII
1544	9-7-1993	T.S.O. VIII
1545	9-7-1993	T.S.O. VIII
–	10-12-1993	Ch. 71, Sch. I; Ch. 71, Sch. II
1111B-1	10-12-1993	95.20; 95.23–95.28; 95.99
1546	10-12-1993	T.S.O. VIII
1549	10-12-1993	T.S.O. VIII
1551	11-9-1993	T.S.O. VIII
1553	12-14-1993	T.S.O. VIII
1554	12-14-1993	T.S.O. VIII
1556	1-11-1994	T.S.O. X
1557	1-11-1994	T.S.O. X

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1558	1-11-1994	T.S.O. X
1559	1-11-1994	T.S.O. X
1560	1-11-1994	T.S.O. VIII
1561	1-11-1994	T.S.O. VIII
1562	1-11-1994	T.S.O. VIII
1563	1-11-1994	154.260–154.262
1564	1-11-1994	154.280; 154.281; 154.283; 154.285
1127A	2-8-1994	37.013
1565	2-8-1994	T.S.O. VIII
1566	2-8-1994	T.S.O. VIII
1568	2-8-1994	T.S.O. VIII
1569	2-8-1994	T.S.O. VIII
1570	2-8-1994	T.S.O. VIII
1129A	4-12-1994	150.40–150.42
1572	4-12-1994	T.S.O. VIII
1573	4-12-1994	T.S.O. VIII
1574	4-12-1994	T.S.O. X
1575	4-12-1994	T.S.O. X
1576	5-10-1994	T.S.O. VIII
1577	5-10-1994	T.S.O. VIII
1131A	6-14-1994	T.S.O. IX
1580	6-14-1994	T.S.O. XI
1581	6-14-1994	T.S.O. X
993B-2	7-12-1994	92.01
1132A	7-12-1994	37.015
1132B	7-12-1994	37.007
1578	7-12-1994	T.S.O. XI
1579	7-12-1994	T.S.O. XI
1582	7-12-1994	T.S.O. VIII
1583	7-12-1994	T.S.O. VIII
1584	7-12-1994	T.S.O. X
1585	8-9-1994	T.S.O. X
1134A	9-6-1994	31.165–31.167
1134F	9-6-1994	35.07
1134I	9-6-1994	37.011
1586	9-6-1994	T.S.O. VIII
1587	9-6-1994	T.S.O. VIII
–	9-20-1994	Ch. 71, Sch. II
–	10-4-1994	Ch. 71, Sch. II
1135E	10-11-1994	35.20; 35.21
1135F	10-11-1994	151.110–151.113
1588	10-11-1994	T.S.O. VIII
1589	10-11-1994	T.S.O. VIII
–	10-18-1994	Ch. 71, Sch. II
1586A	11-15-1994	T.S.O. VIII

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1590	11-15-1994	T.S.O. VIII
1591	11-15-1994	T.S.O. VIII
1592	11-15-1994	T.S.O. XI
1593	11-15-1994	T.S.O. XI
1594	12-13-1994	T.S.O. VIII
1596	1-10-1995	T.S.O. VIII
1058A-1	2-14-1995	95.03
1139A	2-14-1995	37.017
1597	2-14-1995	T.S.O. VIII
1598	2-14-1995	T.S.O. VIII
1599	2-14-1995	T.S.O. VIII
1600	2-14-1995	T.S.O. VIII
1601	2-14-1995	T.S.O. VIII
1140A	3-14-1995	37.013
1602	3-14-1995	T.S.O. XI
1603	3-14-1995	T.S.O. VIII
1604	3-14-1995	T.S.O. VIII
1605	3-14-1995	T.S.O. VIII
1606	3-14-1995	T.S.O. VIII
1607	4-11-1995	T.S.O. XI
1608	4-11-1995	T.S.O. X
1609	4-11-1995	T.S.O. VIII
1610	4-11-1995	T.S.O. VIII
1611	4-11-1995	T.S.O. VIII
1612	4-11-1995	T.S.O. VIII
1613	4-11-1995	T.S.O. VIII
1614	4-11-1995	T.S.O. VIII
1615	5-9-1995	T.S.O. VIII
1616	5-9-1995	T.S.O. VIII
1617	5-9-1995	T.S.O. VIII
1618	5-9-1995	T.S.O. VIII
1619	5-9-1995	T.S.O. VIII
1620	5-9-1995	T.S.O. X
1621	5-9-1995	T.S.O. XI
1622	5-9-1995	T.S.O. X
1623	5-9-1995	T.S.O. X
1624	5-9-1995	T.S.O. X
1143A	6-13-1995	37.016
1625	6-13-1995	T.S.O. VIII
1626	6-13-1995	152.001–152.007; 152.020–152.023; 152.035; 152.036; 152.050; 152.060; 152.061; 152.075–152.078; 152.090–152.092; 152.999
1628	6-13-1995	151.075–151.087; 152.999

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1627	7-11-1995	T.S.O. X
1629	7-11-1995	T.S.O. VIII
1630	7-11-1995	T.S.O. X
1145-1	8-8-1995	37.010
1631	8-8-1995	T.S.O. VIII
1632	8-8-1995	T.S.O. VIII
1633	8-8-1995	T.S.O. VIII
1635	8-8-1995	T.S.O. X
1636	8-8-1995	T.S.O. VIII
–	9-5-1995	Ch. 71, Sch. II
1146E	9-5-1995	35.07
1146F	9-5-1995	34.02
1146H	9-5-1995	37.011
1637	10-10-1995	T.S.O. XI
1638	10-10-1995	T.S.O. XI
1639	10-10-1995	T.S.O. VIII
1640	10-10-1995	T.S.O. VIII
1149A	11-14-1995	T.S.O. VII
1149B	11-14-1995	T.S.O. VII
1149C	11-14-1995	T.S.O. VII
1149D	11-14-1995	T.S.O. VII
1641	12-12-1995	T.S.O. VIII
1642	12-12-1995	T.S.O. VIII
1643	12-12-1995	T.S.O. VIII
1644	12-12-1995	T.S.O. VIII
1645	12-12-1995	T.S.O. VIII
1646	12-12-1995	T.S.O. VIII
1647	12-12-1995	T.S.O. VIII
–	1-9-1996	Ch. 71, Sch. I
1031A-3	1-9-1996	37.002
1151A	1-9-1996	130.15; 130.99
1151B	1-9-1996	33.001
–	2-13-1996	Ch. 71, Sch. II
1152A	2-13-1996	37.013
1648	2-13-1996	T.S.O. XI
1649	2-13-1996	T.S.O. VIII
1650	2-13-1996	T.S.O. VIII
1653	2-13-1996	T.S.O. X
1654	2-13-1996	T.S.O. VIII
–	3-12-1996	Ch. 71, Sch. I; Ch. 71, Sch. II
1655	3-12-1996	T.S.O. XI
1656	4-9-1996	T.S.O. X
1657	4-9-1996	T.S.O. X
1658	4-9-1996	T.S.O. VIII
1659	4-9-1996	T.S.O. VIII

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1660	4-9-1996	T.S.O. VIII
1661	4-9-1996	T.S.O. VIII
–	5-14-1996	Ch. 71, Sch. II
1031A-4	5-14-1996	37.002
1155A	5-14-1996	37.018
1155B	5-14-1996	37.018
1662	5-14-1996	T.S.O. X
1663	5-14-1996	T.S.O. VIII
1664	5-14-1996	T.S.O. VIII
1665	5-14-1996	T.S.O. VIII
1666	5-14-1996	T.S.O. VIII
1667	5-14-1996	T.S.O. VIII
1669	5-14-1996	T.S.O. VIII
–	5-26-1996	Ch. 71, Sch. I
1156A	6-11-1996	37.019
1668	6-11-1996	T.S.O. VIII
1670	6-11-1996	153.001–153.012; 153.025; 153.035–153.039; 153.050–153.060; 153.075–153.079; 153.091–153.094; 153.105; 153.106; 153.999; Ch. 153, App. A–F
1671	6-11-1996	T.S.O. VIII
1672	6-11-1996	T.S.O. VIII
1673	6-11-1996	T.S.O. VIII
1675	7-9-1996	T.S.O. VIII
1676	7-9-1996	T.S.O. VIII
1677	7-9-1996	T.S.O. VIII
1678	7-9-1996	T.S.O. VIII
1679	7-9-1996	T.S.O. VIII
1680	7-9-1996	T.S.O. VIII
–	8-13-1996	Ch. 71, Sch. I
1159A	8-13-1996	37.020
1159B	8-13-1996	98.01; 98.15–98.17; 98.30–98.33; 98.99
1683	8-13-1996	T.S.O. XI
1684	8-13-1996	T.S.O. VIII
1685	8-13-1996	T.S.O. VIII
1686	8-13-1996	T.S.O. VIII
1687	8-13-1996	T.S.O. VIII
1689	8-13-1996	T.S.O. VIII
1690	8-13-1996	T.S.O. VIII
1160J	9-3-1996	37.011
1693	9-3-1996	T.S.O. X
1694	9-3-1996	T.S.O. VIII
1161A	10-15-1996	T.S.O. VII
1161B	10-15-1996	T.S.O. VII

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1695	10-15-1996	T.S.O. X
1696	10-15-1996	T.S.O. VIII
1698	10-15-1996	T.S.O. VIII
1699	10-15-1996	T.S.O. X
1700	10-15-1996	T.S.O. XI
1701	10-15-1996	T.S.O. X
1702	10-15-1996	T.S.O. VIII
1703	10-15-1996	T.S.O. VIII
1704	10-15-1996	T.S.O. VIII
1705	11-19-1996	T.S.O. VIII
–	12-10-1996	Ch. 71, Sch. I; Ch. 71, Sch. II; Ch. 71, Sch. IV
1015C-1	12-10-1996	34.31
1706	12-10-1996	T.S.O. VIII
1707	12-10-1996	T.S.O. VIII
1708	12-10-1996	T.S.O. VIII
–	1-14-1997	Ch. 71, Sch. I
1163A	1-14-1997	T.S.O. VII
1710	1-14-1997	T.S.O. X
1711	1-14-1997	T.S.O. VIII
1058A-2	2-11-1997	95.03
1058B	2-11-1997	95.03
1164A	2-11-1997	31.125–31.132
1165B	3-11-1997	T.S.O. VII
1712	3-11-1997	T.S.O. VIII
1713	3-11-1997	T.S.O. VIII
1714	3-11-1997	T.S.O. VIII
1715	3-11-1997	T.S.O. VIII
1156A-1	3-25-1997	37.019
1166A	4-24-1997	37.013
–	5-13-1997	T.S.O. VIII
1164A-1	5-13-1997	31.129
1717	5-13-1997	T.S.O. VIII
–	6-10-1997	Ch. 71, Sch. I; Ch. 72, Sch. I
1721	6-10-1997	T.S.O. VIII
1169A	7-8-1997	37.025
1718	7-8-1997	T.S.O. VIII
1719	7-8-1997	T.S.O. VIII
1720	7-8-1997	T.S.O. VIII
1722	7-8-1997	T.S.O. VIII
1723	7-8-1997	T.S.O. VIII
1724	7-8-1997	T.S.O. VIII
1725	7-8-1997	T.S.O. VIII
1726	7-8-1997	T.S.O. VIII
1727	7-8-1997	T.S.O. VIII

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–	8-12-1997	Ch. 71, Sch. II
–	9-2-1997	Ch. 71, Sch. I
1170H	9-2-1997	35.07
1170I	9-2-1997	34.02
1116A-1	10-14-1997	93.03
1164A-2	10-14-1997	31.131
1729	10-14-1997	T.S.O. X
1730	10-14-1997	T.S.O. VIII
1731	10-14-1997	T.S.O. VIII
1732	10-14-1997	T.S.O. X
1173C	11-21-1997	37.022
1733	11-21-1997	T.S.O. X
1734	11-21-1997	T.S.O. X
1735	11-21-1997	T.S.O. X
1736	11-21-1997	T.S.O. VIII
1737-A	11-21-1997	T.S.O. VIII
1738	11-21-1997	T.S.O. VIII
1739	11-21-1997	T.S.O. VIII
1176A	2-10-1998	31.180–31.182
1176B	2-10-1998	37.024
1176C	2-10-1998	37.013
1177A	2-10-1998	35.07
1745	2-10-1998	T.S.O. XI
1747	2-10-1998	T.S.O. VIII
–	3-4-1998	Ch. 71, Sch. I
1177C	3-17-1998	T.S.O. V
1749	3-17-1998	T.S.O. X
–	3-23-1998	Ch. 71, Sch. II
1178A	4-14-1998	T.S.O. VII
1179I	5-7-1998	Ch. 71, Sch. I
1179A	5-26-1998	37.021
1179C	5-26-1998	37.023
1179D	5-26-1998	37.023
1179E	5-26-1998	33.002
1750	5-26-1998	T.S.O. XI
1751	5-26-1998	T.S.O. XI
1752	5-26-1998	T.S.O. XI
1753	5-26-1998	T.S.O. VIII
1754	5-26-1998	T.S.O. VIII
1755	5-26-1998	T.S.O. VIII
1181B	6-3-1998	Ch. 71, Sch. II
1181C	6-3-1998	Ch. 71, Sch. II
1180A	6-9-1998	T.S.O. VII
1756	6-9-1998	T.S.O. X
1297	6-14-1988	T.S.O. VIII

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–	6-25-1998	Ch. 71, Sch. II
1181A	7-7-1998	31.195–31.201
1181D	7-7-1998	37.034
–	7-24-1998	Ch. 71, Sch. II
1183B	8-5-1998	Ch. 71, Sch. II
1135F-1	8-11-1998	35.35
1751-A	8-11-1998	T.S.O. XI
1757	8-11-1998	T.S.O. XI
1758	8-11-1998	153.025
1759	8-11-1998	T.S.O. X
1760	8-11-1998	T.S.O. XI
1761	8-11-1998	T.S.O. XI
1183C	9-8-1998	37.026
1182E	9-8-1998	35.07
1182F	9-8-1998	34.02
1182H	9-8-1998	37.011
1762	9-8-1998	T.S.O. VIII
1763	9-8-1998	T.S.O. VIII
1764	9-18-1998	T.S.O. XI
1185A	10-7-1998	Ch. 71, Sch. II
1185B	10-7-1998	Ch. 71, Sch. II
1184A	10-13-1998	37.126
1184B	10-13-1998	T.S.O. V
1765	10-13-1998	T.S.O. XI
1766	10-13-1998	T.S.O. XI
1767	10-13-1998	T.S.O. VIII
1768	10-13-1998	T.S.O. VIII
1769	10-13-1998	T.S.O. VIII
1000E-2	11-10-1998	93.08
1770	11-10-1998	T.S.O. XI
1771	11-10-1998	T.S.O. VIII
1181A-1	12-15-1998	31.197
1186A	12-15-1998	31.215; 31.216
1186D	12-15-1998	37.026
1772	12-15-1998	T.S.O. VIII
1773	12-15-1998	T.S.O. VIII
1186G	12-29-1998	37.033
1186H	12-29-1998	37.033
1180A-1	1-12-1999	T.S.O. VII
–	2-5-1999	Ch. 71, Sch. I
1188B	2-9-1999	37.032
1188C	2-9-1999	37.031
1188D	2-9-1999	37.013
1774	2-9-1999	T.S.O. X

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1775	2-9-1999	T.S.O. X
1776	4-13-1999	T.S.O. VIII
1777	4-13-1999	T.S.O. VIII
1032C-1	5-11-1999	Ch. 72, Sch. II
1191A	5-11-1999	T.S.O. VII
1778	5-11-1999	T.S.O. VIII
1779	5-11-1999	T.S.O. VIII
1780	5-11-1999	T.S.O. VIII
1782	5-11-1999	T.S.O. VIII
1192A	5-12-1999	Ch. 71, Sch. I
1156A-2	6-8-1999	37.019
1186A-1	6-8-1999	31.215; 31.217
1192C	6-8-1999	37.030
1781	6-8-1999	T.S.O. VIII
1783	6-8-1999	T.S.O. XI
1784	6-8-1999	T.S.O. XI
1785	6-8-1999	T.S.O. XI
1786	6-8-1999	T.S.O. XI
1787	6-8-1999	T.S.O. XI
1193A	6-16-1999	Ch. 71, Sch. II
–	6-21-1999	Ch. 71, Sch. II
1192E	6-28-1999	T.S.O. VII
1192F	6-28-1999	33.001
1193B	7-13-1999	37.029
1788	7-13-1999	T.S.O. VIII
1194A	8-5-1999	T.S.O. VII
–	8-9-1999	Ch. 71, Sch. IV
1182E-1	8-10-1999	35.07
1194C	8-10-1999	T.S.O. VII
1788-A	8-10-1999	T.S.O. VIII
1789	8-10-1999	T.S.O. VIII
1790	8-10-1999	T.S.O. VIII
1791	8-10-1999	T.S.O. VIII
1195A	8-18-1999	Ch. 71, Sch. II
1031A-5	9-14-1999	37.002
1156A-3	9-14-1999	37.019
1192C-1	9-14-1999	37.030
1195G	9-14-1999	35.07
1195H	9-14-1999	34.02
1195J	9-14-1999	37.011
1794	9-14-1999	T.S.O. XI
1795	9-14-1999	T.S.O. VIII
1792	10-4-1999	T.S.O. VIII
1793	10-4-1999	T.S.O. VIII
1195A	10-12-1999	37.028

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1196A	10-12-1999	37.028
1796	10-12-1999	T.S.O. XI
1798	10-12-1999	T.S.O. XI
1799	10-12-1999	T.S.O. VIII
1801	10-12-1999	T.S.O. VIII
1802	10-12-1999	T.S.O. X
–	10-18-1999	Ch. 71, Sch. I
1197A	10-20-1999	Ch. 71, Sch. IV
1197B	11-9-1999	37.027
1797	11-9-1999	T.S.O. XI
1800	11-9-1999	T.S.O. VIII
1803	11-9-1999	T.S.O. X
1804	11-9-1999	T.S.O. XI
1805	11-9-1999	T.S.O. VIII
1198B	11-17-1999	Ch. 71, Sch. I
1041C-3	12-14-1999	37.003
1113B-1	12-14-1999	37.014
1186D-1	12-14-1999	37.026
1198C	12-14-1999	110.01–110.11; 110.99
1806	12-14-1999	T.S.O. XI
1807	12-14-1999	T.S.O. VIII
1207M	- -2000	T.S.O. XIII
1199A	1-10-2000	T.S.O. VII
1808	1-10-2000	T.S.O. VIII
–	1-14-2000	Ch. 71, Sch. I
1199B	1-18-2000	32.025–32.038
1809	2-8-2000	T.S.O. X
1810	2-8-2000	T.S.O. XI
1811	2-8-2000	T.S.O. VIII
1200B	2-8-2000	T.S.O. VII
1031A-6	2-29-2000	37.002
1816	3-14-2000	T.S.O. VIII
1202A	4-11-2000	T.S.O. VII
1202C	4-11-2000	37.035
1202D	4-11-2000	37.013; 37.036
1458A	4-11-2000	151.025
1720-A	4-11-2000	T.S.O. VIII
1814	4-11-2000	T.S.O. VIII
1815	4-11-2000	T.S.O. VIII
1817	5-9-2000	T.S.O. X
1818	5-9-2000	T.S.O. X
1819	5-9-2000	T.S.O. VIII
1820	5-9-2000	T.S.O. VIII
1822	5-9-2000	T.S.O. VIII
1823	5-9-2000	T.S.O. VIII

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1824	5-9-2000	T.S.O. VIII
1825	5-9-2000	T.S.O. VIII
1826	5-9-2000	T.S.O. VIII
1203A	5-9-2000	31.265–31.269
1203B	5-9-2000	37.037
–	6-13-2000	Ch. 71, Sch. I, ; Ch. 71, Sch. II; Ch. 72, Sch. I
1204A	6-13-2000	37.038
1204C	6-13-2000	31.245–31.251
1204D	6-13-2000	37.039
1827	6-13-2000	T.S.O. X
–	6-21-2000	Ch. 71, Sch. I; Ch. 71, Sch. II
1204H	6-27-2000	50.45–50.47
1204I	6-27-2000	32.050–32.053; 32.999
1195I-1	7-11-2000	39.01
1195I-2	7-11-2000	39.01
1828	7-11-2000	T.S.O. X
1829	7-11-2000	T.S.O. XI
1830	7-11-2000	T.S.O. XI
1831	7-11-2000	T.S.O. VIII
1832	7-11-2000	T.S.O. VIII
–	7-24-2000	Ch. 71, Sch. I; Ch. 71, Sch. II; Ch. 71, Sch. IV; Ch. 72, Sch. I
1206E	8-8-2000	101.15–101.17; 101.99
1835	8-8-2000	T.S.O. VIII
1834	8-11-2000	T.S.O. XI
1027A-1	9-12-2000	37.040
1204I-1	9-12-2000	32.053
1207E	9-12-2000	35.07
1207F	9-12-2000	34.02
1207G	9-12-2000	39.01
1207H	9-12-2000	37.011
1207J	9-12-2000	T.S.O. VII
1207K	9-12-2000	98.45–98.51; 98.99
1207L	9-12-2000	99.01–99.05; 99.99
1833	9-12-2000	T.S.O. XI
1836	9-12-2000	T.S.O. X
–	10-10-2000	Ch. 71, Sch. II
1203A-1	10-10-2000	31.266; 31.268; 31.269
1208B	10-10-2000	110.01–110.11; 110.99
1208C	10-10-2000	98.45–98.51; 98.99
1838	10-10-2000	T.S.O. X
1839	10-10-2000	T.S.O. VIII
1209B	11-14-2000	110.01–110.11; 110.99
1209C	11-14-2000	33.050

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1840	11-14-2000	T.S.O. XI
1841	11-14-2000	T.S.O. XI
1842	11-14-2000	T.S.O. XI
1051B-1	12-19-2000	35.02
1210A	12-19-2000	T.S.O. XIII
1843	12-19-2000	T.S.O. XI
1844	12-19-2000	T.S.O. XI
1845	12-19-2000	T.S.O. XI
1846	12-19-2000	T.S.O. VIII
23A	1-9-2001	112.01–112.03
993B-3	1-9-2001	92.01
1848	1-9-2001	T.S.O. XI
1849	1-9-2001	T.S.O. XI
1850	1-9-2001	T.S.O. VIII
1851	1-9-2001	T.S.O. VIII
1852	1-9-2001	T.S.O. VIII
1212A	2-13-2001	37.013
1212B	2-13-2001	36.30–36.32
1212C	2-13-2001	98.45–98.51; 98.99
1212D	2-13-2001	37.041
1853	2-13-2001	T.S.O. XI
1854	2-13-2001	T.S.O. XI
1855	2-13-2001	T.S.O. XI
1856	2-13-2001	T.S.O. VIII
1051B-2	3-13-2001	35.02
1207G-1	3-13-2001	39.01
1213A	3-13-2001	T.S.O. VII
1213B	3-13-2001	35.07
1860	3-13-2001	T.S.O. VIII
–	4-10-2001	Ch. 71, Sch. II
1859	4-10-2001	154.187
1861	4-10-2001	T.S.O. VIII
1862	4-10-2001	T.S.O. VIII
–	5-8-2001	Ch. 71, Sch. II
1181A-2	5-8-2001	31.201
1858	5-8-2001	153.011
1863	5-8-2001	T.S.O. X
1864	5-8-2001	T.S.O. XI
1865	5-8-2001	T.S.O. X
1866	5-8-2001	T.S.O. VIII
–	6-12-2001	Ch. 71, Sch. II
18A-1	6-12-2001	151.040
1867	6-12-2001	T.S.O. VIII
1217A	7-10-2001	39.02

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1869	7-10-2001	T.S.O. XI
1870	7-10-2001	T.S.O. XI
1871	7-10-2001	T.S.O. XI
1873	7-10-2001	T.S.O. VIII; T.S.O. X
1874	7-10-2001	T.S.O. VIII
1875	7-10-2001	T.S.O. VIII
1876	7-10-2001	T.S.O. VIII
1859	8-10-2001	154.186; 154.187
1878	8-14-2001	T.S.O. X
1879	8-14-2001	T.S.O. X
1880	8-14-2001	T.S.O. VIII
1881	8-14-2001	T.S.O. VIII
1882	8-14-2001	T.S.O. VIII
1883	8-14-2001	T.S.O. VIII
1884	8-14-2001	T.S.O. VIII
1885	8-14-2001	T.S.O. VIII
1886	8-14-2001	T.S.O. VIII
1218G	9-12-2001	35.07
1218H	9-12-2001	34.02
1218I	9-12-2001	39.011
218J	9-12-2001	37.011
20A	10-16-2001	92.17
23A-1	10-16-2001	92.01; 112.02
1041C-4	10-16-2001	37.003
1181A-3	10-16-2001	31.201
1220A	10-16-2001	37.042
1890	10-16-2001	T.S.O. VIII
1893	10-16-2001	T.S.O. VIII
1894	10-16-2001	T.S.O. VIII
–	11-13-2001	Ch. 71, Sch. II
1218H-1	11-13-2001	34.02
1221A	11-13-2001	37.043
1889-A	11-13-2001	T.S.O. VIII
1895	11-13-2001	T.S.O. VIII
1896	11-13-2001	T.S.O. VIII
1897	11-13-2001	T.S.O. VIII
1898	11-13-2001	T.S.O. VIII
1899	11-13-2001	T.S.O. VIII
–	12-11-2001	Ch. 71, Sch. II
1222B	12-11-2001	Ch. 71, Sch. II
1900	12-11-2001	T.S.O. X
1901	12-11-2001	T.S.O. VIII
1902	12-11-2001	T.S.O. VIII
1903	12-11-2001	T.S.O. VIII

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1904	12-11-2001	T.S.O. VIII
1905	12-11-2001	T.S.O. VIII
1218I-1	1-8-2002	39.01
1223A	1-8-2002	T.S.O. XIII
1223B	1-8-2002	37.044
1223C	1-8-2002	39.02
1906	1-8-2002	T.S.O. XI
1907	1-8-2002	T.S.O. VIII
1908	1-8-2002	T.S.O. VIII
23A-2	1-14-2002	112.99
1223D	1-24-2002	37.045
1218I-2	2-12-2002	39.01
1224A	2-12-2002	92.03
1224B	2-12-2002	37.046
1224C	2-12-2002	33.004
1224D	2-12-2002	37.047
1909	2-12-2002	T.S.O. VIII
1910	2-12-2002	T.S.O. VIII
1911	2-12-2002	T.S.O. VIII
1912	2-12-2002	T.S.O. VIII
–	3-12-2002	Ch. 71, Sch. II
1225D	3-12-2002	37.048
1015C-3	4-9-2002	34.31
1226A	4-9-2002	37.013
1915	4-9-2002	T.S.O. XI
1916	4-9-2002	T.S.O. XI
1917	4-9-2002	T.S.O. VIII
1918	4-9-2002	T.S.O. VIII
1919	4-9-2002	T.S.O. VIII
1920	4-9-2002	T.S.O. X
1218I-3	5-14-2002	39.01
1218I-4	5-14-2002	39.01
1218I-5	5-14-2002	39.01
1218I-6	5-14-2002	39.01
1218I-7	5-14-2002	39.01
1218I-8	5-14-2002	39.01
1223C-1	5-14-2002	39.02
1913	5-14-2002	T.S.O. XI
1922	5-14-2002	T.S.O. XI
1923	5-14-2002	T.S.O. X
1924	5-14-2002	T.S.O. VIII
1169A-1	6-11-2002	37.025
1228B	6-11-2002	T.S.O. VII
1925	6-11-2002	T.S.O. XI
1927	6-11-2002	T.S.O. VIII

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1928	6-11-2002	T.S.O. XI
1229A	7-9-2002	37.049
1229B	7-9-2002	T.S.O. V
1926	7-9-2002	T.S.O. VIII
1929	7-9-2002	T.S.O. VIII
1930	7-9-2002	T.S.O. VIII
1931	7-9-2002	T.S.O. VIII
1932	7-9-2002	T.S.O. VIII
1230A	8-13-2002	31.165–31.167
–	9-10-2002	Ch. 71, Sch. IV
1231E	9-10-2002	35.07
1231F	9-10-2002	34.02
1231G	9-10-2002	39.01
1936	9-10-2002	T.S.O. VIII
1937	9-10-2002	T.S.O. VIII
1938	9-10-2002	T.S.O. VIII
1939	9-10-2002	T.S.O. XI
1940	9-10-2002	T.S.O. XI
1941	9-10-2002	T.S.O. X
1942	9-10-2002	T.S.O. XI
1943	9-10-2002	T.S.O. VIII
1944	9-10-2002	T.S.O. VIII
1945	9-10-2002	T.S.O. VIII
1946	9-10-2002	T.S.O. VIII
1947	9-10-2002	T.S.O. XI
1231K	9-20-2002	T.S.O. XIII
1230A-1	10-8-2002	31.165–31.167
1058A-3	10-8-2002	95.03
1950	10-8-2002	T.S.O. XI
1951	10-8-2002	T.S.O. XI
1952	10-8-2002	T.S.O. X
1953	10-8-2002	T.S.O. X
1955	10-8-2002	T.S.O. VIII
1956	10-8-2002	T.S.O. VIII
1957	10-8-2002	T.S.O. VIII
1958	10-8-2002	T.S.O. VIII
1959	10-8-2002	T.S.O. VIII
1232A	10-21-2002	37.050
1232B	10-21-2002	37.051
–	11-12-2002	Ch. 71, Sch. I
1960	11-12-2002	T.S.O. VIII
1962	11-12-2002	T.S.O. XI
1963	11-12-2002	T.S.O. VIII
1964	11-12-2002	T.S.O. VIII
1965	11-12-2002	T.S.O. VIII

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1966	11-12-2002	T.S.O. VIII
1967	11-12-2002	T.S.O. VIII
1221A-1	1-14-2003	37.043
1235A	1-14-2003	39.02
1235B	1-14-2003	39.04
1235C	1-14-2003	32.015
1973	1-14-2003	T.S.O. VIII
1974	1-14-2003	T.S.O. VIII
1975	1-14-2003	T.S.O. VIII
1231G-1	2-12-2003	39.01
1977	2-12-2003	T.S.O. XI
1978	2-12-2003	T.S.O. XI
1236A	2-13-2003	T.S.O. VII
1980	2-13-2003	T.S.O. VIII
1981	2-13-2003	T.S.O. VIII
1982	2-13-2003	T.S.O. VIII
1979	2-22-2003	T.S.O. XI
1235A-1	3-11-2003	39.02
1976	3-11-2003	T.S.O. X
1985	3-11-2003	T.S.O. VIII
1983	3-11-2003	T.S.O. XI
1984	3-11-2003	T.S.O. XI
1113B-2	4-8-2003	37.014
1235A-2	4-8-2003	39.02
1238A	4-8-2003	39.05
1238B	4-8-2003	T.S.O. VII
1238C	4-8-2003	37.052
1238D	4-8-2003	37.053
1238E	4-8-2003	37.054
1986	4-8-2003	T.S.O. XI
1987	4-8-2003	T.S.O. VIII
1988	4-8-2003	T.S.O. VIII
1989	4-8-2003	T.S.O. VIII
1231G-2	5-13-2003	39.01
1231G-3	5-13-2003	39.01
1239A	5-13-2003	159.01–159.08; 159.99
1239B	5-13-2003	37.056
1239C	5-13-2003	37.055
1990	5-13-2003	T.S.O. X
1991	5-13-2003	T.S.O. VIII
1992	5-13-2003	T.S.O. VIII
1239D	6-2-2003	T.S.O. XIII
1231G-4	6-10-2003	39.01
1231G-5	6-10-2003	39.01

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1240A	6-10-2003	T.S.O. XIII
1240B	6-10-2003	30.05
1993	6-10-2003	T.S.O. XI
1994	6-10-2003	T.S.O. VIII
1995	6-10-2003	T.S.O. VIII
1997	6-10-2003	T.S.O. X
1113B-2	7-8-2003	37.014
1231G-6	7-8-2003	39.01
1241A	7-8-2003	37.056
1241B	7-8-2003	33.004
1241C	7-8-2003	131.01–131.03; 131.99
1670A	7-8-2003	153.094; Ch. 153, App. B
1998	7-8-2003	T.S.O. XI
1999	7-8-2003	T.S.O. XI
2000	7-9-2003	T.S.O. XI
–	8-12-2003	Ch. 71, Sch. II
1235A-3	8-12-2003	39.02
1242B	8-12-2003	37.038
1242C	8-12-2003	37.057
1242D	8-12-2003	37.058
1670A-1	8-12-2003	153.094; Ch. 153, App. B
2001	8-12-2003	T.S.O. XI
2002	8-12-2003	T.S.O. XI
1243E	9-4-2003	35.07
1243F	9-4-2003	39.01
1243G	9-9-2003	37.059
1243H	9-9-2003	37.060
1243I	9-9-2003	37.061
2003	9-9-2003	T.S.O. XI
2004	9-9-2003	T.S.O. VIII
2005	9-9-2003	T.S.O. VIII
–	10-14-2003	Ch. 71, Sch. I
1231G-7	10-14-2003	39.01
1235A-4	10-14-2003	39.02
1244D	10-14-2003	33.060
2006	10-14-2003	T.S.O. XI
2007	10-14-2003	T.S.O. VIII
1231G-8	11-12-2003	39.01
1245A	11-12-2003	37.062
1245B	11-12-2003	39.02
1245C	11-12-2003	37.063
1245D	11-12-2003	37.064
1245B	11-22-2003	39.02
1230A-2	12-9-2003	31.166; 31.167
1231G-8	12-9-2003	39.01

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1243F-1	12-9-2003	39.01
1670A-3	12-9-2003	153.094; Ch. 153, App. B
2009	12-9-2003	T.S.O. XI
2010	12-9-2003	T.S.O. XI
2011	12-9-2003	T.S.O. XI
2012	12-9-2003	T.S.O. X
2013	12-9-2003	T.S.O. XI
2014	12-9-2003	T.S.O. XI
2015	12-9-2003	T.S.O. VIII
2016	12-9-2003	T.S.O. VIII
2017	12-9-2003	T.S.O. VIII
1246C	12-15-2003	37.044
1247A	1-13-2004	37.065
1247B	1-13-2004	37.066
1247C	1-13-2004	37.067
2018	1-13-2004	T.S.O. XI
2019	1-13-2004	T.S.O. VIII
1235B-1	2-10-2004	39.04
1248B	2-10-2004	T.S.O. VII
1248C	2-10-2004	T.S.O. XI
2020	2-20-2004	T.S.O. VIII
2021	2-20-2004	T.S.O. VIII
2022	2-20-2004	T.S.O. VIII
2023	2-20-2004	T.S.O. VIII
2024	2-20-2004	T.S.O. VIII
2025	2-20-2004	T.S.O. VIII
2026	2-20-2004	T.S.O. VIII
1243F-2	3-9-2004	39.01
1249A	3-9-2004	37.068
1249B	3-9-2004	101.01; 101.99
1249C	3-9-2004	159.01–159.08; 159.99
1249D	3-9-2004	37.069
1249E	3-9-2004	37.070
2028	3-9-2004	T.S.O. VIII
2029	3-9-2004	T.S.O. VIII
2030	3-9-2004	T.S.O. VIII
1164A-3	4-13-2004	31.129; 31.130
1243E-1	4-13-2004	35.07
1250A	4-13-2004	34.02
2031	4-13-2004	T.S.O. XI
2032	4-13-2004	T.S.O. XI
2033	4-13-2004	T.S.O. XI
2034	4-13-2004	T.S.O. X
2035	4-13-2004	T.S.O. XI
2036	4-13-2004	T.S.O. X

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2037	4-13-2004	T.S.O. VIII
2038	4-13-2004	T.S.O. VIII
1251A	5-11-2004	T.S.O. XIII
2040	5-11-2004	T.S.O. XI
2041	5-11-2004	T.S.O. VIII
2042	5-11-2004	T.S.O. VIII
2043	5-11-2004	T.S.O. VIII
1243F-3	6-8-2004	39.01
1245B-1	6-8-2004	39.02
2039	6-8-2004	T.S.O. X
2044	6-8-2004	T.S.O. X
2045	6-8-2004	T.S.O. X
2046	6-8-2004	T.S.O. XI
2047	6-8-2004	T.S.O. VIII
2048	6-8-2004	T.S.O. VIII
2049	6-8-2004	T.S.O. VIII
2050	6-8-2004	T.S.O. VIII
1253A	7-13-2004	T.S.O. XIII
2014-A	7-13-2004	T.S.O. XI
–	8-10-2004	Ch. 71, Sch. II
1254A	8-10-2004	T.S.O. VII
1254B	8-10-2004	37.079
2051	8-10-2004	T.S.O. XI
2052	8-10-2004	T.S.O. XI
2053	8-10-2004	T.S.O. XI
2056	8-10-2004	T.S.O. X
1255A	9-7-2004	T.S.O. XII
1255B	9-7-2004	T.S.O. XII
1255C	9-7-2004	39.03
1255E	9-7-2004	35.07
1255F	9-7-2004	34.02
1255G	9-7-2004	39.01
1255I	9-14-2004	37.071
2054	9-14-2004	T.S.O. X
2055	9-14-2004	T.S.O. XI
2057	9-14-2004	T.S.O. XI
2058	9-14-2004	T.S.O. VIII
–	10-12-2004	Ch. 71, Sch. II
1031A	10-12-2004	37.002
1256A	10-12-2004	37.002
1256B	10-12-2004	37.072
1256C	10-12-2004	37.073
1256D	10-12-2004	T.S.O. XIII
2059	10-12-2004	T.S.O. X
2060	10-12-2004	T.S.O. XI

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2061	10-12-2004	T.S.O. XI
2062	10-14-2004	T.S.O. VIII
2063	11-9-2004	T.S.O. XI
2064	11-9-2004	T.S.O. X
2065	11-9-2004	T.S.O. VIII
2066	11-9-2004	T.S.O. X
2067	11-9-2004	T.S.O. XI
–	12-9-2004	Ch. 71, Sch. I
1245B-2	12-9-2004	39.02
–	12-14-2004	Ch. 71, Sch. II
1255E-1	12-14-2004	35.07
1258A	12-14-2004	37.074
1258B	12-14-2004	37.075
1258C	12-14-2004	110.01–110.11; 110.99
1258D	12-14-2004	T.S.O. XIII
1258E	12-14-2004	37.076
1258F	12-14-2004	T.S.O. XIII
1258G	12-14-2004	37.077
1258H	12-14-2004	33.005
2068	12-14-2004	T.S.O. X
2069	12-14-2004	154.243
2070	12-14-2004	T.S.O. VIII
1156A-4	1-11-2005	37.019
1255G-1	1-11-2005	39.01
1259A	1-11-2005	T.S.O. XIII
2071	1-11-2005	T.S.O. XI
2072	1-11-2005	T.S.O. VIII
2073	1-11-2005	T.S.O. VIII
2074	1-11-2005	T.S.O. VIII
2075	1-11-2005	T.S.O. VIII
2076	1-11-2005	T.S.O. VIII
2077	1-11-2005	T.S.O. VIII
1255G-2	2-8-2005	39.01
1260A	2-8-2005	110.01–110.11; 110.99
2078	2-8-2005	T.S.O. X
2079	2-8-2005	T.S.O. XI
2081	2-8-2005	T.S.O. VIII
2082	2-8-2005	T.S.O. VIII
2083	3-15-2005	T.S.O. VIII
1255G-3	3-15-2005	39.01
1164A-4	4-12-2005	31.129
1262A	4-12-2005	37.078
2080	4-12-2005	T.S.O. VIII
2084	4-12-2005	T.S.O. XI
2085	4-12-2005	T.S.O. X

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2086	4-12-2005	T.S.O. XI
2087	4-12-2005	T.S.O. XI
2088	4-12-2005	T.S.O. X
1263A	5-10-2005	T.S.O. XIII
2090	5-10-2005	T.S.O. XI
2091	5-10-2005	T.S.O. XI
2092	5-10-2005	T.S.O. VIII
2093	5-10-2005	T.S.O. VIII
1113B-3	6-13-2005	37.014
1255G-4	6-13-2005	39.01
1264A	6-13-2005	100.01–100.11; 100.99
1264B	6-13-2005	T.S.O. VII
1264C	6-13-2005	110.01–110.11; 110.99
1264D	6-13-2005	110.01–110.11; 110.99
1264E	6-13-2005	37.079
1264F	6-13-2005	T.S.O. XIII
1264G	6-13-2005	T.S.O. XIII
2089	6-13-2005	T.S.O. VIII
2094	6-13-2005	T.S.O. XI
2095	6-13-2005	T.S.O. XI
2096	6-13-2005	T.S.O. XI
2097	6-13-2005	T.S.O. VIII
2098	6-13-2005	T.S.O. VIII
2099	6-13-2005	T.S.O. VIII
1264I	6-28-2005	T.S.O. XII
1265A	7-12-2005	37.080
2100	7-12-2005	T.S.O. XI
2101	7-12-2005	T.S.O. VIII
1255G-5	8-9-2005	39.01
1255G-6	8-9-2005	39.01
1266A	8-9-2005	T.S.O. VII
1266B	8-9-2005	37.081
1266C	8-9-2005	37.082
1266E	8-9-2005	T.S.O. XIII
1266F	8-9-2005	T.S.O. XIII
2102	8-9-2005	T.S.O. XI
2104	8-9-2005	T.S.O. VIII
2105	8-9-2005	T.S.O. VIII
2106	8-9-2005	T.S.O. VIII
1267A	9-8-2005	T.S.O. XII
1267B	9-8-2005	T.S.O. XII
1267C	9-8-2005	39.03
1267E	9-8-2005	35.07
1267F	9-8-2005	34.02
2103	9-8-2005	T.S.O. XI

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–	9-21-2005	Ch. 71, Sch. I
1255E-2	9-26-2005	35.07
1255G-7	9-26-2005	39.01
1255G-8	9-26-2005	39.01
2107	9-26-2005	T.S.O. VIII
2108	9-26-2005	T.S.O. VIII
2109	9-26-2005	T.S.O. VIII
2110	9-26-2005	T.S.O. VIII
2111	9-26-2005	T.S.O. VIII
1268A	10-11-2005	31.165–31.167
1268B	10-11-2005	T.S.O. VII
1268C	10-11-2005	Ch. 71, Sch. I
2112	10-11-2005	T.S.O. X
2113	10-11-2005	T.S.O. VIII
2114	10-11-2005	T.S.O. VIII
2115	10-11-2005	T.S.O. VIII
1268D	10-12-2005	33.015
1268E	10-12-2005	37.083
1268F	10-12-2005	37.084
1268G	10-12-2005	37.085
–	11-8-2005	Ch. 71, Sch. I
1269A	11-8-2005	T.S.O. VII
2116	11-8-2005	T.S.O. XI
2117	11-8-2005	T.S.O. VIII
2118	11-8-2005	T.S.O. VIII
2119	11-8-2005	T.S.O. VIII
2120	11-8-2005	T.S.O. VIII
–	12-13-2005	Ch. 71, Sch. I; Ch. 71, Sch. II
1258H-1	12-13-2005	33.005
1270A	12-13-2005	39.01
1270B	12-13-2005	T.S.O. XIII
1270C	12-13-2005	37.087
1270D	12-13-2005	37.088
2122	12-13-2005	T.S.O. VIII
1031A-8	1-10-2006	37.002
1031A-9	1-10-2006	37.002
1258H-2	1-10-2006	33.005
1267E-1	1-10-2006	35.07
1270A-1	1-10-2006	39.01
1270A-2	1-10-2006	39.01
1271A	1-10-2006	37.045
1271B	1-10-2006	37.089
2124	1-10-2006	T.S.O. VIII

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2125	1-10-2006	T.S.O. VIII
2126	1-10-2006	T.S.O. VIII
2127	1-10-2006	T.S.O. VIII
1270A-3	2-14-2006	39.01
2123	2-14-2006	T.S.O. X
2128	2-14-2006	T.S.O. VIII
–	2-15-2006	Ch. 71, Sch. I; Ch. 71, Sch. II
1270A-4	3-14-2006	39.01
2129	3-14-2006	T.S.O. X
2131	3-14-2006	T.S.O. VIII
2132	3-14-2006	T.S.O. VIII
2133	3-14-2006	T.S.O. VIII
2134	3-14-2006	T.S.O. VIII
2136	3-13-2006	T.S.O. VIII
2138	3-13-2006	T.S.O. VIII
1270A-5	4-11-2006	39.01
1274A	4-11-2006	52.01
1274C	4-11-2006	T.S.O. XII
2131	4-11-2006	T.S.O. VIII
1156A-5	5-9-2006	37.019
1270A-6	5-9-2006	39.01
2137	5-9-2006	T.S.O. VIII
2139	5-9-2006	T.S.O. X
2139-A	5-9-2006	T.S.O. X
2140	5-9-2006	T.S.O. XI
2141	5-9-2006	T.S.O. X
2142	5-9-2006	T.S.O. X
2143	5-9-2006	T.S.O. X
2144	5-9-2006	T.S.O. XI
2145	5-9-2006	T.S.O. VIII
2146	5-9-2006	T.S.O. VIII
1276B	6-13-2006	T.S.O. XII
2147	6-13-2006	T.S.O. X
2148	6-13-2006	T.S.O. X
2149	6-13-2006	T.S.O. VIII
2150	6-13-2006	T.S.O. X
2151	6-13-2006	T.S.O. X
2152	6-13-2006	T.S.O. X
2153	6-13-2006	T.S.O. X
1270A-7	7-11-2006	39.01
1277A	7-11-2006	37.089
2154	7-11-2006	T.S.O. VIII
1276A	7-13-2006	131.01–131.03; 131.99
1270A-8	8-9-2006	39.01

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1278A	8-9-2006	T.S.O. XIII
1278B	8-9-2006	T.S.O. XIII
1278C	8-9-2006	T.S.O. XIII
2160	8-9-2006	T.S.O. X
2161	8-9-2006	T.S.O. XI
2162	8-9-2006	T.S.O. XI
2163	8-9-2006	T.S.O. VIII
2164	8-9-2006	T.S.O. VIII
2167	8-9-2006	154.243
1278D	8-22-2006	37.091
1279A	9-5-2006	T.S.O. XII
1279B	9-5-2006	T.S.O. XII
1279C	9-5-2006	39.03
1279E	9-5-2006	35.07
1279F	9-5-2006	34.02
1270A-9	9-12-2006	39.01
1279H	9-12-2006	37.092
1279I	9-12-2006	37.093
2155	9-12-2006	151.083
2156	9-12-2006	154.186
2157	9-12-2006	154.262
2158	9-12-2006	151.023
2159	9-12-2006	154.281
2163	8-9-2006	T.S.O. VIII
2164	8-9-2006	T.S.O. VIII
2165	9-12-2006	151.025
2166	9-12-2006	154.281
2168	9-12-2006	T.S.O. VIII
2169	9-12-2006	T.S.O. VIII
1270A-10	10-10-2006	39.01
1280A	10-10-2006	33.070
1280C	10-10-2006	90.01–90.39; 90.99
2170	10-10-2006	T.S.O. XI
2171	10-10-2006	T.S.O. XI
2172	10-10-2006	T.S.O. VIII
2173	10-10-2006	T.S.O. VIII
2174	10-10-2006	T.S.O. VIII
1270A-12	11-14-2006	39.01
1281A	11-14-2006	37.040
1282A	12-12-2006	T.S.O. VII
1282B	12-12-2006	39.01
1282C	12-12-2006	37.040
1282D	12-12-2006	37.095
–	1-9-2007	Ch. 71, Sch. IV

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1279E-1	1-9-2007	35.07
1282B-1	1-9-2007	39.01
1283A	1-9-2007	T.S.O. VII
1283B	1-9-2007	37.096
2159-A	1-9-2007	154.281
2176	1-9-2007	T.S.O. XI
2177	1-9-2007	T.S.O. XI
2178	1-9-2007	T.S.O. X
2179	1-9-2007	T.S.O. X
2180	1-9-2007	T.S.O. VIII
2181	1-9-2007	T.S.O. VIII
1204I-2	2-20-2007	32.050–32.053; 32.999
1282B-2	2-20-2007	39.01
1282B-3	2-20-2007	39.01
1284A	2-20-2007	T.S.O. XIII
1284B	2-20-2007	37.097
2182	2-20-2007	T.S.O. X
2183	2-20-2007	T.S.O. X
1285A	3-13-2007	T.S.O. XIII
1285B	3-13-2007	32.001; Ch. 32, App. A
2184	3-13-2007	T.S.O. X
2185	3-13-2007	T.S.O. VIII
2186	3-13-2007	T.S.O. VIII
1286A	4-10-2007	37.098
1286B	4-10-2007	33.040
1286C	4-10-2007	37.099
1282B-4	5-14-2007	39.01
1287A	5-14-2007	37.100
1628A-1	5-14-2007	151.079
2187	5-14-2007	T.S.O. VIII
2188	5-14-2007	T.S.O. VIII
2189	5-14-2007	T.S.O. VIII
1282B-5	6-12-2007	39.01
1282B-6	6-12-2007	39.01
1288A	6-12-2007	102.01; 102.02; 102.99
2190	6-12-2007	T.S.O. XI
1289A	7-10-2007	37.101
1289B	7-10-2007	37.102
2191	7-10-2007	T.S.O. VIII
2192	7-10-2007	T.S.O. VIII
20A-1	8-14-2007	92.17
1282B-7	8-14-2007	39.01
2193	8-14-2007	T.S.O. X
2194	8-14-2007	T.S.O. VIII
2195	8-14-2007	T.S.O. VIII

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2196	8-14-2007	T.S.O. VIII
2197	8-14-2007	T.S.O. VIII
1291B	8-23-2007	T.S.O. XII
1291A	9-4-2007	T.S.O. XII
1291C	9-4-2007	39.03
1291E	9-4-2007	34.02
–	9-11-2007	Ch. 71, Sch. II
1291H	9-11-2007	37.103
2106A	9-11-2007	T.S.O. VIII
2198	9-11-2007	T.S.O. XI
2199	9-11-2007	T.S.O. XI
2200	9-11-2007	T.S.O. VIII
2201	9-11-2007	T.S.O. VIII
1282B-8	10-9-2007	39.01
1292B	10-9-2007	33.080; 37.104
1292C	10-9-2007	T.S.O. VII
2202	10-9-2007	T.S.O. VIII
2203	10-9-2007	T.S.O. VIII
2204	10-9-2007	T.S.O. VIII
1293B	11-13-2007	T.S.O. XIII
2205	11-13-2007	T.S.O. XI
1294A	12-11-2007	39.01
1294B	12-11-2007	37.105
1294C	12-11-2007	35.07
1294D	12-11-2007	T.S.O. XIII
1294E	12-11-2007	T.S.O. XIII
1295A	1-8-2008	35.46
2206	1-8-2008	T.S.O. X
–	1-12-2008	Ch. 71, Sch. I
1296A	2-12-2008	37.106
1296B	2-12-2008	37.107
2207	2-12-2008	T.S.O. X
2208	2-12-2008	T.S.O. VIII
2209	2-12-2008	T.S.O. VIII
2210	2-12-2008	T.S.O. XI
2211	2-12-2008	T.S.O. VIII
1285B-2	3-11-2008	32.001; Ch. 32, App. A
1285B-3	3-11-2008	32.001; Ch. 32, App. A
1294A-1	3-11-2008	39.01
1297A	3-11-2008	T.S.O. XIII
2212	3-11-2008	T.S.O. VIII
2213	3-11-2008	T.S.O. VIII
2214	3-11-2008	T.S.O. VIII
1294A-2	4-8-2008	39.01
1298A	4-8-2008	37.108

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2216	4-8-2008	T.S.O. XI
2217	4-8-2008	T.S.O. X
2218	4-8-2008	T.S.O. XI
2219	4-8-2008	T.S.O. X
2220	4-8-2008	T.S.O. X
2221	4-8-2008	T.S.O. X
1294A-3	5-13-2008	39.01
2215	5-21-2008	T.S.O. VIII
1285B-4	6-10-2008	32.001; Ch. 32, App. A
1294A-4	6-10-2008	39.01
1297A-1	6-10-2008	T.S.O. XIII
1300B	6-10-2008	37.109
2222	6-10-2008	153.037; 153.038
2223	6-10-2008	T.S.O. XI
2224	6-10-2008	T.S.O. X
2226	6-10-2008	T.S.O. VIII
2227	6-10-2008	T.S.O. VIII
1294C-1	7-8-2008	35.07
1301A	7-8-2008	T.S.O. VII
1301B	7-8-2008	37.076
2230	7-8-2008	T.S.O. VIII
2231	7-8-2008	T.S.O. VIII
1301C	7-24-2008	39.02
1301D	7-30-2008	39.02
1285B-5	8-12-2008	32.001; Ch. 32, App. A
1302B	8-12-2008	37.105
1302C	8-12-2008	37.110
2225	8-12-2008	T.S.O. X
2229	8-12-2008	T.S.O. XI
2232	8-12-2008	T.S.O. XI
2233	8-12-2008	T.S.O. XI
2234	8-12-2008	T.S.O. VIII
2235	8-12-2008	T.S.O. VIII
2236	8-12-2008	T.S.O. VIII
1302F	8-20-2008	37.111
1305F	8-21-2008	T.S.O. XII
1285B-6	8-26-2008	32.001; Ch. 32, App. A
1285B-7	9-9-2008	32.001; Ch. 32, App. A
2227	9-9-2008	T.S.O. X
2239	9-9-2008	T.S.O. X
1285B-8	10-14-2008	32.001; Ch. 32, App. A

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2240	10-14-2008	T.S.O. XI
2241	10-14-2008	T.S.O. X
1305A	11-10-2008	33.140
1305B	11-10-2008	37.112
1305C	11-10-2008	T.S.O. XII
2242	11-10-2008	T.S.O. XI
2243	11-10-2008	T.S.O. XI
2244	11-10-2008	T.S.O. XI
2245	11-10-2008	T.S.O. XI
2246	11-10-2008	T.S.O. XI
1305E	11-25-2008	T.S.O. XII
1305I	11-25-2008	34.02
1306A	12-9-2008	111.01–111.07; 111.99
1306B	12-9-2008	33.090
1306C	12-9-2008	37.113
1306D	12-9-2008	35.07
1306F	12-9-2008	39.02
1306G	12-9-2008	37.114
1306H	12-17-2008	T.S.O. XIII
1306I	12-17-2008	T.S.O. XIII
1307A	1-13-2009	33.130
1307C	1-13-2009	35.45
2248	1-13-2009	T.S.O. XI
2249	1-13-2009	T.S.O. XI
2250	1-13-2009	T.S.O. XI
2252	1-13-2009	T.S.O. XI
2253	1-13-2009	T.S.O. XI
2254	1-13-2009	T.S.O. XI
2255	1-13-2009	T.S.O. VIII
1169B-1	2-10-2009	T.S.O. XIII
2251	2-10-2009	T.S.O. XI
2256	2-10-2009	T.S.O. X
2257	2-10-2009	T.S.O. X
2258	2-10-2009	T.S.O. XI
1309A	3-10-2009	T.S.O. XIII
2259	3-10-2009	T.S.O. X
2260	3-10-2009	T.S.O. XI
2261	3-10-2009	T.S.O. X
2262	3-10-2009	T.S.O. VIII
1310A	4-14-2009	37.114
2263	4-14-2009	T.S.O. XI
1285B-9	5-12-2009	32.001; Ch. 32, App. A
2264	5-12-2009	T.S.O. VIII
2265	5-12-2009	T.S.O. X
2265-1	6-8-2009	T.S.O. X

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2266	6-8-2009	T.S.O. X
2267	6-8-2009	T.S.O. X
2268	6-8-2009	T.S.O. X
1285B-10	6-9-2009	32.001; Ch. 32, App. A
1312A	6-9-2009	131.15
1312B	7-8-2009	T.S.O. XII
1156A-5	7-14-2009	37.019
2269	7-14-2009	T.S.O. X
2270	7-14-2009	T.S.O. XI
2271	7-14-2009	T.S.O. X
1314B	8-11-2009	131.15; 131.99
1314C	8-11-2009	37.116
2273	8-11-2009	T.S.O. VIII
1315A	9-8-2009	37.117
1315B	9-8-2009	37.118
1315C	9-8-2009	37.119
2274	9-8-2009	T.S.O. XI
2275	9-8-2009	T.S.O. X
1316J	9-24-2009	T.S.O. XII
–	10-3-2009	Ch. 71, Sch. II
2323	10-12-2009	154.034
–	10-13-2009	Ch. 71, Sch. II
1316A	10-13-2009	37.074
1316B	10-13-2009	37.120
1316C	10-13-2009	37.121
1316E	10-13-2009	33.100
1316F	10-13-2009	37.122
1316I	10-13-2009	T.S.O. XII
1316M	10-13-2009	34.02
2276	10-13-2009	T.S.O. X
2277	10-13-2009	T.S.O. XI
2278	10-13-2009	T.S.O. VIII
1317C	11-10-2009	33.120
1317D	11-10-2009	33.110
1317E	11-10-2009	37.123
1317F	11-10-2009	37.124
1317G	11-10-2009	37.125
2247	11-10-2009	T.S.O. VIII
2279	11-10-2009	T.S.O. X
2280	11-10-2009	T.S.O. X
2281	11-10-2009	T.S.O. VIII
2282	12-8-2009	T.S.O. VIII
2283	12-8-2009	T.S.O. VIII
1318B	12-9-2009	35.07
1258H-3	1-12-2010	33.005

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1285B-11	1-12-2010	32.001; Ch. 32, App. A
1318A-1	1-12-2010	39.01
1319A	1-12-2010	39.02
2284	1-12-2010	T.S.O. XI
2285	1-12-2010	T.S.O. XI
2286	1-12-2010	T.S.O. VIII
2287	1-12-2010	T.S.O. VIII
2288	1-12-2010	T.S.O. VIII
2289	1-12-2010	153.061
1258H-4	2-23-2010	33.005
1285B-12	2-23-2010	32.001; Ch. 32, App. A
1320B	2-23-2010	T.S.O. XIII
1320C	2-23-2010	33.150; Ch. 33, App. B
2290	2-23-2010	T.S.O. XI
2291	2-23-2010	T.S.O. X
2292	2-23-2010	T.S.O. VIII
2293	2-23-2010	T.S.O. VIII
1031A-10	3-9-2010	37.002; Ch. 37, App. A
1320A	3-17-2010	33.165
1318A-2	4-13-2010	39.01
1322C	4-13-2010	34.30–34.35
2294	4-13-2010	T.S.O. XI
2295	4-13-2010	T.S.O. X
2296	4-13-2010	T.S.O. XI
2297	4-13-2010	T.S.O. XI
2298	4-13-2010	T.S.O. VIII
2299	4-13-2010	T.S.O. VIII
1323A	5-11-2010	37.128
2300	5-11-2010	T.S.O. XI
2301	6-8-2010	T.S.O. X
2302	6-8-2010	T.S.O. X
2303	6-8-2010	T.S.O. VIII
1285B-13	7-13-2010	32.001; Ch. 32, App. A
1325A	7-13-2010	39.04
2304	7-13-2010	T.S.O. XI
2305	7-13-2010	T.S.O. XI
2306	7-13-2010	T.S.O. X
2307	7-13-2010	T.S.O. X
2308	7-13-2010	T.S.O. XI
1318A-3	8-10-2010	39.01
1322C-1	8-10-2010	34.31; 34.35
1326A	8-10-2010	T.S.O. XIII
1326B	8-10-2010	39.04
2309	8-10-2010	T.S.O. XI
2310	8-10-2010	T.S.O. XI

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2311	8-10-2010	T.S.O. VIII
2312	8-10-2010	151.080–151.082
1264D-1	9-14-2010	110.09
1320C-1	9-14-2010	33.150
2313	9-14-2010	154.003; 154.041; 154.186
2314	9-14-2010	T.S.O. XI
2315	9-14-2010	T.S.O. XI
2316	9-14-2010	T.S.O. XI
2317	9-14-2010	T.S.O. XI
2318	9-14-2010	T.S.O. XI
2319	9-14-2010	T.S.O. VIII
1285B-14	9-22-2010	32.001; Ch. 32, App. A
1328A	10-12-2010	132.01
2320	10-12-2010	T.S.O. X
2321	10-12-2010	T.S.O. X
2322	10-12-2010	T.S.O. X
1328B	10-14-2010	T.S.O. XII
1328C	10-14-2010	T.S.O. XII
1328D	10-14-2010	39.03
1328F	10-14-2010	34.02
2325	11-9-2010	T.S.O. X
2326	11-9-2010	T.S.O. X
2327	11-9-2010	T.S.O. XI
1330A	12-14-2010	35.07
1330B	12-14-2010	39.01
1330C	12-14-2010	39.02
1330E	12-14-2010	37.129
1330F	12-14-2010	33.175
1330G	12-14-2010	37.130
2324	12-14-2010	T.S.O. VIII
2329	12-14-2010	T.S.O. X
1331A	1-12-2011	37.131
2330	1-12-2011	T.S.O. XI
2331	1-12-2011	T.S.O. X
2332	1-12-2011	T.S.O. XI
2333	1-12-2011	T.S.O. X
1330B-1	2-9-2011	39.01
1332A	2-9-2011	Ch. 71, Sch. II
1332B	2-9-2011	Ch. 71, Sch. II
1332C	2-9-2011	Ch. 71, Sch. I & II
2334	2-9-2011	T.S.O. XI
2335	2-9-2011	T.S.O. VIII
2337	2-9-2011	T.S.O. XI
1209C-1	3-8-2011	33.050
1330B-2	3-8-2011	39.01

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2336	3-8-2011	157.001–157.004; 157.015; 157.025; 157.027–157.034; 157.050–157.052; 157.070–157.077; 157.090–157.096; 157.999
1206E-1	3-30-2011	101.15
1333B	3-30-2011	33.205
1333C	3-30-2011	33.190; 33.191
1333D	3-30-2011	37.127
1333E	3-30-2011	103.01–103.03; 103.99
1334C	3-30-2011	33.003; Ch. 33 App. A
–	4-12-2011	33.003; Ch. 33, App. A
–	4-12-2011	T.S.O. XIII
1334D	4-12-2011	T.S.O. XIII
1334A	4-20-2011	37.132
1334B	4-20-2011	37.133
1335D	5-10-2011	Ch. 71, Sch. IV
2338	5-10-2011	T.S.O. XI
2339	5-10-2011	T.S.O. XI
1206E-2	5-18-2011	101.15; 101.17
1330B-3	5-18-2011	39.01
1335A	5-18-2011	37.145
2340	6-4-2011	T.S.O. X
1336A	6-15-2011	92.01; 92.17; 112.02
1336B	6-15-2011	37.144
1336C	6-15-2011	37.143
1336D	6-15-2011	37.086
1336E	6-15-2011	37.142
1336F	6-15-2011	37.141
1336G	6-15-2011	37.140
1337B	7-12-2011	Ch. 71, Sch. IV
2341	7-12-2011	T.S.O. XI
2342	7-12-2011	T.S.O. X
2343	7-12-2011	T.S.O. X
2344	7-12-2011	T.S.O. XI
2345	7-12-2011	37.146; 154.003; 154.042; 154.999
2347	7-12-2011	T.S.O. X
1330A-1	7-20-2011	35.07
1330B-4	7-20-2011	39.01
1337A	7-20-2011	31.320–31.325
1338A	8-9-2011	37.139
2346	8-9-2011	T.S.O. XI
1338B	8-17-2011	Ch. 72, Sch. 2
1339A	9-26-2012	37.115
1339E	9-26-2011	39.06

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2348	10-11-2011	T.S.O. X
2349	10-11-2011	T.S.O. VIII
1339C	10-14-2011	T.S.O. XII
1339D	10-19-2011	39.03
1339G	10-19-2011	39.07
2350	11-22-2011	T.S.O. XI
2351	11-22-2011	154.999
2352	12-13-2011	157.015; 157.026
1206E-3	12-21-2011	101.15
1280A-1	12-21-2011	33.070
1339F	12-21-2011	34.02
1341C	12-21-2011	37.094
1341D	12-21-2011	37.136
1341E	12-21-2011	37.135
1341F	12-21-2011	37.134
1341G	12-21-2011	39.08
1342A	12-21-2011	35.35
1342C	12-21-2011	35.07
1342D	12-21-2011	39.01
1342E	12-21-2011	37.137
1243B	1-10-2012	33.111
1317E-1	1-10-2012	37.123
1342D-1	1-10-2012	39.01
1343A	1-10-2012	37.147
1343C	1-10-2012	37.148
1343E	1-10-2012	40.01–40.06
1343F	1-10-2012	70.99, 151.99
1343G	1-10-2012	T.S.O. XIII
2353	1-10-2012	T.S.O. X
1330F-1	2-14-2012	33.175
1342D-2	2-14-2012	39.01
1344A	2-14-2012	T.S.O. XIII
1344B	2-14-2012	T.S.O. V
2354	2-14-2012	T.S.O. X
2355	2-14-2012	T.S.O. XI
2356	2-14-2012	T.S.O. XI
1241B-1	3-13-2012	33.004
1342D-3	3-13-2012	39.01
1345A	3-13-2012	37.149
2357	3-13-2012	T.S.O. X
2358	3-13-2012	T.S.O. XI
1241B-2	4-10-2012	33.004
1258H-5	4-10-2012	33.005
1339D-1	4-10-2012	39.03
1346A	4-10-2012	T.S.O. XIII

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2359	4-10-2012	T.S.O. X
1204I-3	5-15-2012	32.053
1285B-16	5-15-2012	32.001; Ch. 32, App. A
1336A-1	5-15-2012	92.01; 92.17; 112.02
1347B	5-15-2012	35.47
1031A-11	6-12-2012	37.002
1223A-1	6-12-2012	T.S.O. XIII
1258H-6	6-12-2012	33.005
1348A	6-12-2012	37.150
1348B	6-12-2012	37.151
1348C	6-12-2012	37.152
2360	6-12-2012	T.S.O. XI
2361	6-12-2012	T.S.O. X
2362	6-12-2012	T.S.O. XI
2363	6-12-2012	T.S.O. XI
2364	6-12-2012	T.S.O. X
2365	6-12-2012	T.S.O. X
2366	6-12-2012	T.S.O. X
2367	6-12-2012	T.S.O. XI
2368	6-12-2012	T.S.O. XI
2369	6-12-2012	T.S.O. X
1336C-1	7-10-2012	37.143
1342D-4	7-10-2012	39.01
1350A	7-10-2012	37.153
1350B	7-10-2012	37.154
2370	7-10-2012	T.S.O. X
2371	7-10-2012	T.S.O. XI
2372	7-10-2012	T.S.O. X
2373	7-10-2012	T.S.O. XI
2375	7-10-2012	T.S.O. X
1132A-1	8-14-2012	37.015
1351A	8-14-2012	37.155
1351B	8-14-2012	33.212
1351C	8-14-2012	33.211
1351D	8-14-2012	37.156
1351E	8-14-2012	37.157
1351F	8-14-2012	37.158
1351G	8-14-2012	33.210
2374	8-14-2012	T.S.O. XI
1241B-3	9-11-2012	33.004
1342D-5	9-11-2012	39.01
1352D	9-11-2012	37.159
1352A	9-11-2012	39.10
1352B	9-11-2012	37.160
1352C	9-11-2012	37.161

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2376	9-11-2012	154.003; 154.005
1353A	10-9-2012	39.05
1353B	10-9-2012	T.S.O. XIII
1353C	10-9-2012	Ch. 71, Sch. IV
1353D	10-9-2012	Ch. 71, Sch. IV
1353E	10-9-2012	T.S.O. XII
1353F	10-9-2012	T.S.O. XII
1353G	10-9-2012	39.03
1353H	10-9-2012	39.06
1353I	10-9-2012	34.02
1353J	10-9-2012	39.07
2377	10-9-2012	T.S.O. X
2378	10-9-2012	T.S.O. VIII
1340A	10-11-2012	T.S.O. VII
1352A-1	1-13-2012	39.10
1354A	11-13-2012	39.09
1354C	11-13-2012	T.S.O. XIII
1354D	11-13-2012	T.S.O. XIII
1354E	11-13-2012	T.S.O. XIII
1354F	11-13-2012	T.S.O. XIII
1355A	12-11-2012	T.S.O. XIII
1355C	12-11-2012	T.S.O. XIII
1355E	12-11-2012	T.S.O. XIII
1031A-12	12-11-2012	37.002
1258H-7	12-11-2012	33.005
1330G-1	12-11-2012	37.130
1355B	12-11-2012	37.162
1355D	12-11-2012	37.163
1355F	12-11-2012	37.164
1355G	12-11-2012	37.165
1355H	12-11-2012	39.01
1355I	12-11-2012	35.07
1355J	12-11-2012	Ch. 71, Sch. IV
2379	12-11-2012	T.S.O. XI
2380	12-11-2012	T.S.O. XI
2381	12-11-2012	T.S.O. X
2382	12-11-2012	T.S.O. XI
2383	12-11-2012	T.S.O. XI
2384	12-11-2012	T.S.O. X
2385	12-11-2012	T.S.O. XI
2386	12-11-2012	T.S.O. XI
2387	12-11-2012	T.S.O. X
1356B	1-8-2013	T.S.O. VII
1356C	1-8-2013	32.001; Ch. 32, App. A
2390	1-8-2013	T.S.O. VIII
1258H-8	2-12-2013	33.005

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1333A-3	2-12-2013	T.S.O. XIII
1357A	2-12-2013	37.166
1357B	2-12-2013	31.340–31.342
2388	2-12-2013	T.S.O. XI
2391	2-12-2013	T.S.O. XI
2392	2-12-2013	T.S.O. VIII
1355H-1	3-12-2013	39.01
2393	4-9-2013	T.S.O. VIII
1359A	4-9-2013	T.S.O. XIII
1359B	4-9-2013	Repeals 33.025; 33.026
1359C	4-9-2013	37.167
1359D	4-18-2013	T.S.O. XIII
1360A	5-6-2013	41.01
1360B	5-6-2013	41.02
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