

TABLE OF SPECIAL ORDINANCES

Table

I. VACATION OF STREETS, ALLEYS, AND PUBLIC WAYS

TABLE I: VACATION OF STREETS, ALLEYS, AND PUBLIC WAYS

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
1-1985	6-3-1985	Vacates part of a ten-foot wide alley running east and west through Block 5
2-1985	12-2-1985	Vacates part of a ten-foot wide alley running east and west from Brook Street to Lee Street, between Main Street and Walnut Street



TOWN OF MILTON, INDIANA

ORDINANCE NO. 2014 - **03**

AN ORDINANCE VACATING A
PUBLIC WAY

WHEREAS, Kenneth Risch and Jennifer Risch have petitioned the Town Council ("Council") as the legislative body for the Town of Milton, Indiana ("Town") to vacate a certain platted but unimproved ten-foot wide alley way located generally between the properties commonly known as 208 E. Connersville St., Milton, IN and 204 E. Connersville St., Milton, IN; and

WHEREAS, the exact plat of the requested vacated area of the alley way is set forth on the attached "Exhibit A"; and

WHEREAS, this Council finds that the entire area of the requested vacation lies within the corporate boundaries of the Town; and

WHEREAS, this Council is authorized pursuant to the provisions of Indiana Code ("IC") 36-7-3-12 to vacate a public alley or way following due notice to the public and to all abutting property owners; and

WHEREAS, public notice of the hearing to be held on Tuesday, June 10, 2014, at 6:30 p.m. was duly given by publication as provided by IC 5-3-1 and public hearing was held on the proposed vacation at said time and place;

NOW, THEREFORE, BE IT ORDAINED by the Town Council for the Town of Milton, Indiana, that that certain platted but unimproved ten-foot wide alley way more particularly described on the attached "Exhibit A" and being situate to the east and west of those properties commonly known as 208 E. Connersville St., Milton, IN and 204 E. Connersville St., Milton, IN running south between those adjacent lots to the property line of said lots, and to the north towards South street to the property line of said lots be and is hereby vacated.

BE IT FURTHER ORDAINED that ownership of the herein vacated public alley way shall vest, to the midpoint thereof, in the respective owners of the adjacent and abutting parcels of property.

DULY ADOPTED AND ORDAINED this 8th day of July 2014.

(End of Page One of Ordinance – Signatures Follow)

41.02-230-204.000-27
41.02-230-203.008-27

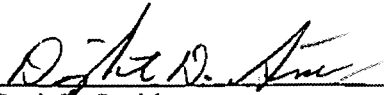
DULY ENTERED FOR TAXATION
This 14 day of July, 2014
Karen L. Stinson
RECORDER OF WAYNE COUNTY

BBKCC

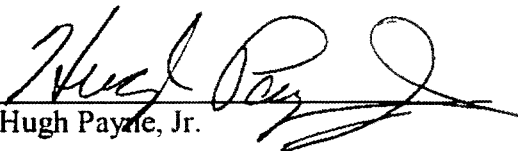
TOWN OF MILTON, INDIANA
By its duly elected Town Council

Voting "aye"

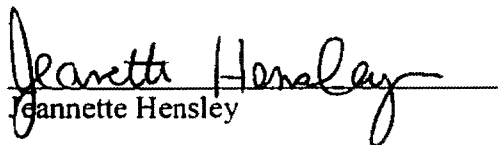
Voting "nay"

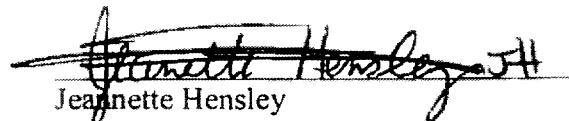

Dwight Smith

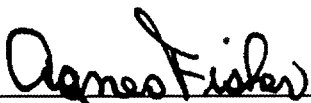
Dwight Smith


Hugh Payne, Jr.


Hugh Payne, Jr.

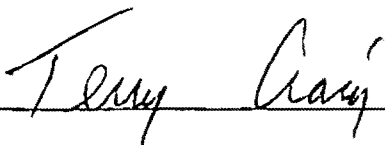

Jeannette Hensley


Jeannette Hensley


Agnes Fisher

Agnes Fisher

ATTEST:


Terry Craig, Clerk-Treasurer

I affirm under penalties for perjury, that I have taken reasonable care
to redact all social security numbers, unless required by law.

Andrew J. Sickmann

Exhibit "A"

The East ½ of a certain platted but unimproved ten-foot wide alley way more particularly described as being situate to the West of:

**Lot Six (6) in Block Seventeen (17) in the Town of Milton, Wayne County, Indiana
(commonly known as 208 E. Connersville Street, Milton, IN 47357)**

And

The West ½ of a certain platted but unimproved ten-foot wide alley way more particularly described as being situate to the East of:

Lot Number Seven (7) in Block Number Seventeen (17) in the Town of Milton, as laid out by Jonathan Justice.

(commonly known as 204 E. Connersville Street, Milton, IN 47357)

TOWN OF MILTON, INDIANA

ORDINANCE NO. 2011 – 02

AN ORDINANCE ESTABLISHING A DEPARTMENT OF PARKS AND RECREATION FOR THE TOWN OF MILTON, INDIANA

BE IT ORDAINED by the Town Council of the Town of Milton, Indiana (“Town”), as follows:

Section I

Pursuant to the authority derived from Indiana Code (“IC”) 36-10-3 there is hereby created a Department of Parks and Recreation (the “Department”) to exercise its jurisdiction within the park district comprised by the corporate boundaries of the Town (the “District”).

Section II

There is hereby created a Park and Recreation Board (“Board”) that shall be comprised as follows:

1. The Board shall consist of four (4) members who shall be appointed by the Town Council based upon the appointed members’ interest in and knowledge of parks and recreation.
2. No more than two (2) members of the Board may be affiliated with the same political party (subject to the waiver provisions of IC 36-10-3-4.1).
3. All members of the Board must reside within the District.

Section III

The terms of the initially established Board shall expire on the first Monday in January and shall be for the periods of time as follows:

1. One member shall serve a term of one (1) year.
2. One member shall serve a term of two (2) years.
3. One member shall serve a term of three (3) years.
4. One member shall serve a term of four (4) years.

Subsequent terms of office for all members of the Board shall be for four (4) years.

Members whose terms are expiring shall continue to serve until a successor member is duly appointed and qualified. If a successor member is not appointed to fill the vacancy created by an incumbents expired term by the first Monday in April

following the incumbent's expired term, then the incumbent shall serve another full four-year term.

If a vacancy occurs during the term of a member, the Town Council shall appoint a new member to serve the remaining unexpired term of the vacant former member.

Section IV

The Board shall determine the time and place of its regular meetings, which shall be no less frequent than on a quarterly basis. All meetings of the Board shall be open to the public and subject to the applicable provisions of the Indiana Open Door Law, IC 5-14-1.5, et. seq. At its first regular meeting each year, the Board shall reorganize itself and appoint from among its members a president and a vice-president. The vice-president shall serve as president of the Board in the absence or disability of the president. The Board may appoint a secretary to the Board who may or may not also be a member of the Board.

Section V

The Board shall be possessed of all powers and duties accorded such Municipal Parks and Recreation Boards under applicable Indiana law.

Section VI

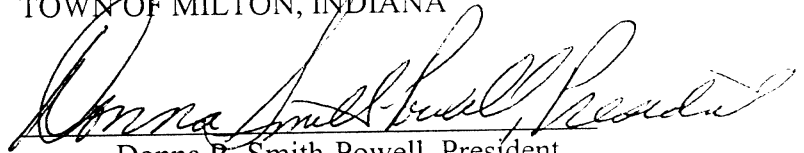
The Board shall prepare and submit to the Town Council the Department's annual budget in the same manner, at the same time and in the same overall format as other executive departments of the Town.

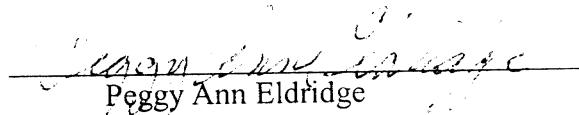
Section VII

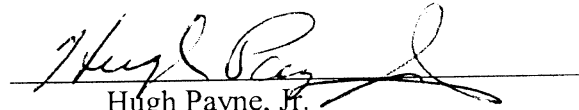
This ordinance shall be effective upon passage and shall repeal all prior ordinances, resolutions or parts thereof, in conflict with the provisions of this Ordinance.

Duly adopted by the Town Council of Milton, Indiana this ____ day of _____, 2011.

TOWN COUNCIL OF THE TOWN OF
TOWN OF MILTON, INDIANA


Donna R. Smith-Powell, President


Peggy Ann Eldridge


Hugh Payne, Jr.


Kenneth Risch

ATTEST:

Terry Craig, Clerk-Treasurer

TOWN OF MILTON, INDIANA

ORDINANCE NO. 2011 - 02

AN ORDINANCE VACATING A
PUBLIC WAY

WHEREAS, Richard C. Myers and Rodger D. Myers have petitioned the Town Council ("Council") as the legislative body for the Town of Milton, Indiana ("Town") to vacate a certain platted but unimproved ten-foot wide alley way located generally between the properties commonly known as 208 West Connersville Street and 214 West Connersville Street and to the south of those adjacent lots to the north facing Seminary Street; and

WHEREAS, the exact plat of the requested vacated area of the alley way is set forth on the attached "Exhibit A"; and

WHEREAS, this Council finds that the entire area of the requested vacation lies within the corporate boundaries of the Town; and

WHEREAS, this Council is authorized pursuant to the provisions of Indiana Code ("IC") 36-7-3-12 to vacate a public alley or way following due notice to the public and to all abutting property owners; and

WHEREAS, public notice of the hearing to be held on Tuesday, June 14, 2011 at 6:30 p.m. was duly given by publication as provided by IC 5-3-1 and by certified mail to the owners of all abutting properties and public hearing was held on the proposed vacation at said time and place;

NOW, THEREFORE, BE IT ORDAINED by the Town Council for the Town of Milton, Indiana, that that certain platted but unimproved ten-foot wide alley way more particularly described on the attached "Exhibit A" and being situate to the north of those properties commonly known as 208 West Connersville Street and 214 West Connersville Street and to the south of those adjacent lots to the north facing Seminary Street be and is hereby vacated.

BE IT FURTHER ORDAINED that ownership of the herein vacated public alley way shall vest, to the midpoint thereof, in the respective owners of the adjacent and abutting parcels of property.

DULY ADOPTED AND ORDAINED this 14th day of June 2011.

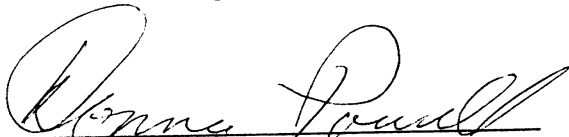
(End of Page One of Ordinance - Signatures Follow)

41-02-120-408.008-27 S¹/₂ vac alley
41-02-120-409.000-27 S¹/₂ vac alley
41-02-120-406.000-27 N¹/₂ vac alley

DULY ENTERED FOR TAXATION
this 13 day of July, 2011
Karen L. Hancock
AUDITOR OF WAYNE COUNTY

TOWN OF MILTON, INDIANA
By its duly elected Town Council

Voting "aye"



Donna R. Smith-Powell, President

Voting "nay"

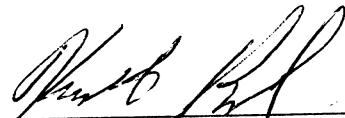
Donna R. Smith-Powell, President

Peggy Ann Eldridge

Peggy Ann Eldridge



Hugh Payne, Jr.

Hugh Payne, Jr.


Kenneth Risch

Kenneth Risch

ATTEST:


Terry Craig, Clerk-Treasurer

GARY DOBOS
 REGISTERED
 No.
 LS80040464
 STATE OF
 INDIANA
 LAND SURVEYOR
 DATE: 11/21/11

MAG SPIKE FOUND—
TOP AT PAVEMENT
SURFACE—
CENTER OF WALNUT
STREET & WEST LINE
OF 10' ALLEY
WILLIAM D. BROWN
LT 80080020

MAG NAIL FOUND-
TOP AT PAVEMENT
SURFACE
WILLIAM D. BROWN
/ LS 80680070

5882400E
165.00

NOTHING FOUND

SEMINARY STREET 60' R/W
ASPHALT PAVEMENT

METAL SIDED POLE
DASH - TONS OF
MILK

WOMEN WIRE YARD FENCE

NOTHING
FOUND

5/8" DIA. IRON REBAR FOUND -
TOP AT GROUND SURFACE.
WILLIAM D. BROWN
LS 80260070

5/8" DIA. IRON RODDER
FOUND- TOP OF GROUND
SURFACE- WILLIAM D. BRENNER
(S 80860076)

RICHARD C. MYERS ET AL
INSTR. NO. Z004005895

WATER
TANK

BROOK STREET ADJW/

5" DIA. IRON REBAR PLACED IN
CHAIN LINK FENCE - TOP AT GROUND
SURFACE - NOTHING FOUND
17' x 11.6' FRAME

10' WIDE ALLEY CALLED FOR
INSTR. NOS. 7004005895 &
7006007697 - NO RECORD
OF DEDICATION TO THE PUBLIC
ROUND AT THIS TIME.
ALLEY NOT OPEN
16A'S DEAD

5/8 DIA. IRON REBAR PLACED
0.2' EAST OF CHAIN LINK
FENCE - NOTHING FOUND -
TOP AT GROUND SURFACE

714 W. CONNERSVILLE
STREET

RODGER D. MYERS &
RICHARD C. MYERS
(NSTR. NO. 7006009639)

708 W. CONNERSVILLE
STREET

RICHARD C. MYERS,
LINDA A. MARCUM & ROGER
D. MYERS
INSTR. NO. 700405895

DRILL HOLE & IRON
BOLT PLACED N 85° 36' 05" W
2.97' & S 00° 54' 27" W 0.42'
FROM NW CORNER OF
10' WIDE CONCRETE ALLEY
ENTRANCE

NORTH EDGE OF 4' WIDE CONC
SIDEWALK 1003-108" W
87' DEED

CONNERSVILLE STREET
S/DRAW (NOT CERTAIN IN THIS AREA)
ASPHALT PAVEMENT

DAVID E. HICKS & SCOTT E. HICKS
INSTR. NO. 200300948

RECORDED

1111 14 2011

~~DEBRA S. TIEMANN, R.W.C~~

TOWN OF MILTON, INDIANA

ORDINANCE NO. 2012 - 02

**AN ORDINANCE VACATING A
PUBLIC WAY**

WHEREAS, Robert Simon and Sandra Munoz have petitioned the Town Council ("Council") as the legislative body for the Town of Milton, Indiana ("Town") to vacate a certain platted but unimproved ten-foot wide alley way located generally between the properties commonly known as 206 East Seminary Street and 208 East Seminary Street; and

WHEREAS, the exact plat of the requested vacated area of the alley way is set forth on the attached "Exhibit A"; and

WHEREAS, this Council finds that the entire area of the requested vacation lies within the corporate boundaries of the Town; and

WHEREAS, this Council is authorized pursuant to the provisions of Indiana Code ("IC") 36-7-3-12 to vacate a public alley or way following due notice to the public and to all abutting property owners; and

WHEREAS, public notice of the hearing to be held on Tuesday, October 9, 2012 at 6:30 p.m. was duly given by publication as provided by IC 5-3-1 and public hearing was held on the proposed vacation at said time and place;

NOW, THEREFORE, BE IT ORDAINED by the Town Council for the Town of Milton, Indiana, that that certain platted but unimproved ten-foot wide alley way more particularly described on the attached "Exhibit A" and being situate to the east and west of those properties commonly known as 206 East Seminary Street and 208 East Seminary Street running south between those adjacent lots to the property line of said lots, and to the north towards seminary street to the property line of said lots be and is hereby vacated.

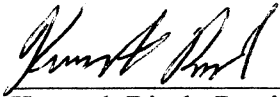
BE IT FURTHER ORDAINED that ownership of the herein vacated public alley way shall vest, to the midpoint thereof, in the respective owners of the adjacent and abutting parcels of property.

DULY ADOPTED AND ORDAINED this 9th day of October 2012.

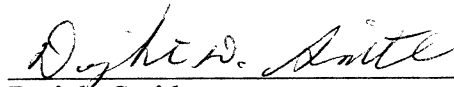
(End of Page One of Ordinance – Signatures Follow)

TOWN OF MILTON, INDIANA
By its duly elected Town Council

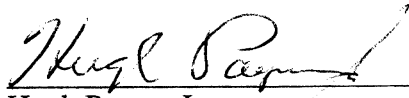
Voting "aye"



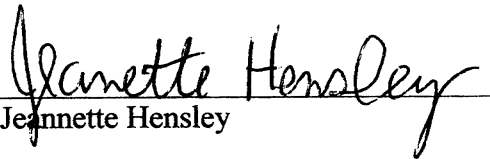
Kenneth Risch, President



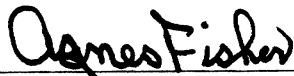
Dwight Smith



Hugh Payne, Jr.



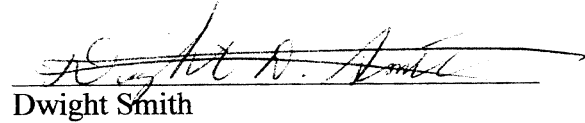
Jeannette Hensley



Agnes Fisher

Voting "nay"

Kenneth Risch, President



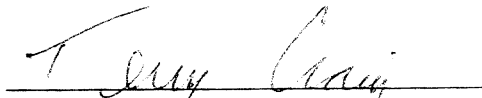
Dwight Smith

Hugh Payne, Jr.

Jeannette Hensley

Agnes Fisher

ATTEST:



Terry Craig, Clerk-Treasurer

TOWN OF MILTON, INDIANA

RESOLUTION NO. 2012 - 1

**RESOLUTION FOR THE DISPOSITION OF
SURPLUS PROPERTY**

WHEREAS, the Town of Milton, Indiana ("Town") is the owner of certain real estate consisting of land having heretofore been razed of valueless structures and being a part of the west half of Lot No. 3, Block No. 11, in the incorporated area of the Town, and more particularly described on the attached "Exhibit A" (the "Surplus Property"); and

WHEREAS, the Surplus Property has not been recently used for governmental purposes by the Town; is unnecessary for the current and foreseeable operations of the Town; and its continued ownership and maintenance by Town is burdensome to the fiscal resources of the Town and its taxpayer constituents; and

WHEREAS, the Surplus Property has an assessed value of less than fifteen thousand dollars (\$15,000.00) as determined by the most recent appraisal, and is situated in such a manner as to render its highest and best use to be that arising from a sale to an abutting landowner, as contemplated by IC 36-1-11-5;

NOW THEREFORE, BE IT RESOLVED, that, pursuant to IC 36-1-11-5, Town determines that:

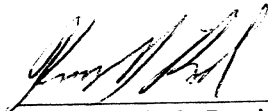
1. The highest and best use of the Surplus Property is that arising from its sale to an abutting landowner; and
2. The cost to the public of maintaining the Surplus Property equals or exceeds the estimated fair market value of the tract; and
3. It is economically unjustifiable for Town to attempt to sell the Surplus Property in the manner prescribed by IC 36-1-11-4.

BE IT FURTHER RESOLVED, that Town, acting through this Town Council, the Town executive and with the assistance of legal counsel, shall proceed to publish the required notice and affect the procedures set forth at IC 36-1-11-5(e), et. seq. in order to sell the Surplus Property to an abutting landowner.

BE IT FURTHER RESOLVED, that this Council determines that the "offering price" for the sale of the Surplus Property consisting of its currently appraised value is less than the anticipated costs of a sale of the property to a third party such that the public interest is best served by a minimum offering price of One Hundred Dollars and 00/100 (\$100.00) direct consideration to the Town.

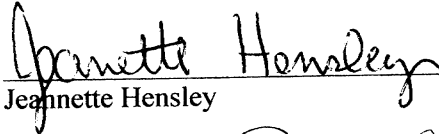
Duly adopted this 1st day of August 2012.

TOWN OF MILTON, INDIANA
By its duly elected Town Council

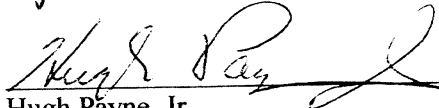


Kenneth Risch, President

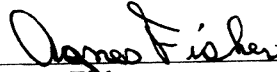
Dwight Smith



Jeannette Hensley

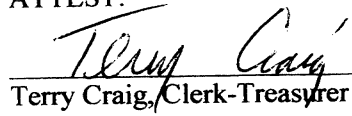


Hugh Payne, Jr.



Agnes Fisher

ATTEST:



Terry Craig, Clerk-Treasurer

§ 10.99 GENERAL PENALTY.

WHEREAS, the Town Council ("Council") as the legislative body for the Town of Milton, Indiana, has the power and authority to regulate the use of public land, including its streets and roads, for the public health, protection and safety of its citizens and assess penalties and fees for violations of certain existing regulations; and

WHEREAS, the Town of Milton, Indiana recognizes an interest in enforcing equal regulations by way of Ordinance and that in so doing, penalties for all Ordinance violations will be assessed in a uniform manner which will promote administrative efficiency and principles of fairness to the residents of Milton, Indiana; and

WHEREAS, Council has determined that the fees that are presently assessed for a violation of a provision of this code for which another penalty is not specifically provided should be reduced; and

WHEREAS, to accomplish the foregoing, the Town Council of the Town of Milton, Indiana, has recognized the need to amend the uniform fee schedule for violations of its Ordinances.

NOW THEREFORE, BE IT ORDAINED by the Town Council for the Town of Milton, Indiana, that the following regulations concerning uniform fee assessment be enacted:

Section 1: Purpose

- (a) This fee schedule sets forth the monetary civil penalty for violations of the specific ordinances included herein. This fee schedule is subject to amendment without the amendment of any corresponding ordinance.
- (b) Any Ordinance enacted by the Town of Milton, Indiana may utilize the fee schedule contained within this Ordinance by reference to the same. The Town of Milton, Indiana may choose to exempt certain Ordinances from the fee schedule by incorporating a different penalty for such Ordinance within said Ordinance. However, should an Ordinance adopted by the Town of Milton, Indiana refer to this Ordinance for the implementation of fees for violation of impermissible conduct, this Ordinance's fee schedule shall control.

Section 2: Fee Schedule

- (a) The Fee Schedule for the Town of Milton, Indiana is that which is contained within the "Penalty Fee Schedule" chart which is attached hereto and incorporated by reference herein as Exhibit "A".

(b) The fees for a second, third or subsequent offense set forth above shall only apply when an individual violates a particular Ordinance more than one time. Thus, an individual will not be charged pursuant to this Fee Schedule for a second offense when that individual has violated two different Ordinances. Further, an individual will not be charged pursuant to this Fee Schedule for a third or subsequent offense when that individual has violated three different Ordinances. Rather, fees pursuant to this schedule will only be assessed for "second" or "third and any subsequent" offenses when an individual has violated the same Ordinance on two, three or more occasions.

(c) It shall be the duty of the Town of Milton, Indiana Town-Clerk Treasurer to maintain accurate records of Ordinance violations so that appropriate fees may be levied.

This Ordinance shall be in full force and effect from and after its passage and adoption, and proper publication required by law, whichever is later.

DULY ADOPTED AND ORDAINED this 9th day of April 2013.

TOWN OF MILTON, INDIANA

By its duly elected Town Council

Kenneth B. Risch
Kenneth Risch, President

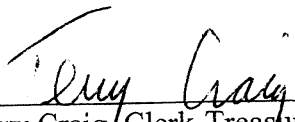
Dwight D. Smith
Dwight Smith

Hugh Payne, Jr.

Jeanette Hensley
Jeanette Hensley

Agnes Fisher
Agnes Fisher

ATTEST:


Terry Craig, Clerk-Treasurer

TOWN OF MILTON, IN PENALTY FEE SCHEDULE

ORDINANCE VIOLATION	PENALTY NUMBER	ORDINANCE NUMBER	1 ST VIOLATION	2 ND VIOLATION	3 RD & SUBSEQUENT VIOLATION
GARBAGE AND RUBBISH	#10.99	#52	\$25.00	\$50.00	\$75.00
GENERAL TRAFFIC AND PARKING VIOLATIONS	#10.99	#70	\$25.00	\$50.00	\$75.00
TRUCK GROSS WEIGHT	#10.99	#71	\$25.00	\$50.00	\$75.00
TRAFFIC SCHEDULE TRUCK ROUTES	#10.99	#72	\$25.00	\$50.00	\$75.00
TRAFFIC CONTROL DEVICES	#10.99	#74	\$25.00	\$50.00	\$75.00
CRUISING	#10.99	#75	\$25.00	\$50.00	\$75.00
WEEDS AND VEGETATION	#10.99	#90	\$25.00	\$50.00	\$75.00
ANIMALS	#92.99	#91/170*	\$25.00	\$50.00	\$100.00
ANIMALS-VICIOUS	#183.01	#91/171-93	\$100.00	\$200.00	\$500.00
ANIMALS-DUTY AND RESPONSIBILITY OF ANIMAL OWNERS	#183.01	#171.01-175.04 #91	\$100.00	\$200.00	\$500.00
NOISE	#92.99	#92	\$25.00	\$50.00	\$100.00
LITTER CONTROL	#10.99	#93	\$25.00	\$50.00	\$75.00
ABANDONED VEHICLES	#10.99	#95	\$25.00	\$50.00	\$75.00
STREETS AND SIDEWALKS	#10.99	#96	\$25.00	\$50.00	\$75.00
JUNK STORES AND JUNK DEALERS	#10.99	#110	\$25.00	\$50.00	\$75.00
SOLICITORS AND CANVASSERS	#10.99	#111	\$25.00	\$50.00	\$75.00
GENERAL LICENSING PROVISIONS	#10.99	#112	\$25.00	\$50.00	\$75.00
GENERAL OFFENSES	#10.99	#130	\$25.00	\$50.00	\$75.00
CURFEW		#97	WRITTEN WARNING	\$25.00	\$50.00
GOLF CARTS & MOPEDS	#10.99	#98	\$25.00	\$50.00	\$75.00

