

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 889

AN ORDINANCE REPEALING TOWN ORDINANCE NO. 633, WHICH ESTABLISHED A PROCEDURE FOR THE INSPECTION OF MOTOR VEHICLES PRIOR TO REGISTRATION, ADOPTED ON JUNE 11, 1984, AS WELL AS REPEALING TOWN ORDINANCE NO. 728, ADOPTED ON FEBRUARY 8, 1988, AS WELL AS REPEALING TOWN ORDINANCE NO. 732, ADOPTED ON MARCH 14, 1988, WHICH ORDINANCES AMENDED TOWN ORDINANCE NO. 633, AS WELL AS REPEALING ALL AMENDMENTS TO TOWN ORDINANCE NUMBERS 633, 728 AND 732 PASSED SUBSEQUENT TO PASSAGE; ESTABLISHING A PROCEDURE FOR THE INSPECTION OF MOTOR VEHICLES PRIOR TO REGISTRATION; AND ESTABLISHING A SPECIAL VEHICLE INSPECTION FUND.

WHEREAS, the Board of Metropolitan Police Commissioners of the Town of St. John, Lake County, Indiana, has reviewed the matters pertaining to the inspection of motor vehicles by the Police Officers of the Town Police Department prior to registration; and

WHEREAS, the Board of Metropolitan Police Commissioners has determined that certain Ordinances existed in the Town which prohibited the inspection of motor vehicles prior to registration by Officers of the Town Police Department; and

WHEREAS, the Board of Metropolitan Police Commissioners of the Town has agreed with the recommendation of the Chief of the Police Department that the current requirements and provisions contained in the existing Town Ordinances require amendment in their terms pertaining to restrictions prohibiting Police Officers in the Town Police Department from inspecting motor vehicles prior to registration; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has reviewed the recommendations of the Board of Metropolitan Police Commissioners concerning the inspection of motor vehicles prior to registration by Police Officers of the Town; and

WHEREAS, the then-Board of Trustees of the Town of St. John, Lake County, Indiana, passed and adopted Ordinance No. 633 on June 11, 1984, as well as Ordinance No. 728 on February 8, 1988, as well as Ordinance No. 732 on March 14, 1988; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has reviewed the terms and provisions of the aforementioned Ordinances regarding the procedures and restrictions

established for the inspection of motor vehicles by Police Officers of the Town prior to registration of said vehicles; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has determined that it is necessary and advisable to repeal Town Ordinance No. 633, as well as Town Ordinance No. 728, as well as Town Ordinance No. 732, and to establish a current procedure for the inspection of motor vehicles prior to registration in accordance with applicable, current State Law; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has determined that it is in the best interests of the residents of the Town of St. John to establish and adopt procedures under current applicable law for the inspection of motor vehicles by Police Officers of the Town prior to registration.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA:

SECTION ONE: That Town Ordinance No. 633, and all amendments passed subsequent thereto, is hereby repealed and abolished in its entirety.

SECTION TWO: That Town Ordinance No. 728, and all amendments passed subsequent thereto, is hereby repealed and abolished in its entirety.

SECTION THREE: That Town Ordinance No. 732, and all amendments passed subsequent thereto, is hereby repealed and abolished in its entirety.

SECTION FOUR: That a Police Officer of the Town of St. John Police Department may conduct an inspection of a motor vehicle, semi-trailer, or recreational vehicle for both residents and non-residents of the Town. In the event a Police Officer of the Town conducts an inspection of motor vehicles, semi-trailers, or recreational vehicles pursuant to the provisions of Indiana Code 9-17-2-1, et. seq., as amended from time to time, that Police Officer shall specifically comply with the requirements and duties of an inspector under the applicable statutory provisions, as the same are amended from time to time. A Police Officer of the Town Police Department may be on-duty or off-duty for purposes of conducting the inspection contemplated by Indiana Code 9-17-2-1, et. seq., as amended from time to time.

SECTION FIVE: That in the event a Police Officer of the Town Police Department conducts an inspection of a motor vehicle, semi-trailer, or recreational vehicle for a resident of the Town, there shall be no charge or fee for the conducting of such inspection. In the event that a Police Officer of the Town Police Department conducts an inspection of a motor vehicle, semi-trailer, or recreational vehicle for a non-resident of the Town, then a fee of Five Dollars (\$5.00) may be charged and collected for the conduct of such inspection. All fees charged and collected pursuant to the

provisions of this Ordinance shall be deposited with the Clerk-Treasurer of the Town, and shall be deposited into a Special Vehicle Inspection Fund of the Police Department which is hereby established. All such fees charged and collected, and deposited into the Special Vehicle Inspection Fund of the Police Department may be used for law enforcement purposes only, and no other, in accordance with applicable State Law and procedure.


SECTION SIX: That all existing Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

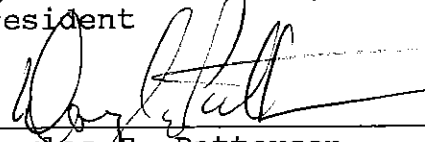
SECTION SEVEN: If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this Ordinance.


SECTION EIGHT: That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of St. John.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, THIS 11 DAY OF MAY, 1992.

TOWN OF ST. JOHN, LAKE COUNTY,  
INDIANA, TOWN COUNCIL

  
\_\_\_\_\_  
Kenneth D. Gembala,  
President

  
\_\_\_\_\_  
Douglas E. Patterson,  
Vice-President

  
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Carl Brown,  
Member

ATTEST:

  
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JUDITH L. COMPANIK,  
Clerk-Treasurer