

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1012

BEING AN ORDINANCE AMENDING ORIGINAL ORDINANCE NO. 511, AS AMENDED, THE SAME BEING AN ORDINANCE REGULATING TRAFFIC AND ESTABLISHING FINES AND PENALTIES FOR VIOLATIONS OF TRAFFIC REGULATIONS IN THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, AND REPEAL OF ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, did originally adopt Ordinance No. 511, the same being an ordinance regulating traffic and establishing fines and penalties for violations of traffic regulations in the Town of St. John, Lake County, Indiana; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has, on numerous occasions, amended said ordinance to bring the same into compliance with state statutes as well as recognizing the growth of the Town; and

WHEREAS, therefore, it has become necessary to amend such ordinance, again, due to a change by the State of Indiana in the system of uniform court costs to be assessed for violations of statutes and ordinances throughout the State; and

WHEREAS, pursuant to Indiana Code, the Clerk is required to assess court costs and other fees in the amount of \$63.50 for any ordinance violation; and

WHEREAS, the St. John Clerk-Treasurer has been designated by the Lake Superior Court, County Division II, as a Traffic Violations Bureau under the supervision of the Clerk of the Lake Superior Court for the receipt of fines and costs for ordinance violations accordingly; and

WHEREAS, it now appearing to the Town Council that court costs under previous ordinances had been in the sum of \$53.00, and now should be amended to reflect the above and foregoing \$63.50 which must be collected for all moving violations as aforesaid; and

WHEREAS, the Town Council, after consideration and study, has further determined that a St. John Driver Education Program should be instituted, which Program is designed for first-time traffic offenders (Town ordinance violators only), with the objective of improving offenders' driving skills; and

WHEREAS, the intent of the St. John Driver Education Program is that upon successful completion of an 8-hour course, pending traffic charges will be dismissed; and ⁴

WHEREAS, the Town Council has considered that a \$50.00 fee should be charged and utilized to defray the cost of the Program;

and

WHEREAS, the Lake Superior Court, County Division II, has approved of the establishment of the St. John Driver Education Program to be operated by the Chief of the St. John Police Department who shall be certified by the State of Indiana as such; and

WHEREAS, the St. John Driver Education Program will have several positive benefits, namely, reduced costs to the offender, no points assessed against the offender's drivers license, reduced insurance costs, less court time for members of the St. John Police Department, greater financial return on officers traffic enforcement efforts, and safer driving habits by the public.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of St. John, Lake County, Indiana, that Ordinance No. 511 shall be amended specifically, and as follows:

1. "Article I. IN GENERAL, SEC. 13-2 Penalty" shall be amended to reflect that court costs and fees shall be assessed in the sum of \$63.50 for each moving violation; the penalty of \$10.00 for moving violations shall remain payable to the Town of St. John as currently exists as well as the penalty of \$10.00 for a non-specific parking violation, a penalty of \$25.00 for parking in a fire lane, and a penalty of \$25.00 for parking in a handicapped area or zone.
2. That there is hereby created and established a St. John Driver Education Program designed for first-time offenders (Town ordinance violators only) with the objective of improving offenders driving skills.
3. That the fee and charges of the Program shall be in the sum of \$50.00 to defray the cost of the Program.
4. That the Program shall be administered and operated by the St. John Police Chief who shall be state-certified for this position as well as all instructors.
5. That upon successful completion of the ⁴8-hour course and Program, the pending traffic charges shall be dismissed.
6. That the first-time offenses eligible for the Program shall be all Town ordinance moving violations.

7. That the Program shall be operated consistent with the St. John Driver Education Program Manual containing the Mission Statement, Eligibility/Attendance, Schedule of Classes/Length/Validity, Instructors, and Protocol which Manual is hereby specifically incorporated in this ordinance by reference.
8. That the Chief of Police shall be and hereby is authorized in conjunction with the Clerk-Treasurer to create such forms and bulletins to effectively administer the Program.

BE IT FURTHER ORDAINED that all existing ordinances, or parts thereof, in conflict with the provisions of this ordinance, are hereby deemed null, void, and of no legal affect, and are specifically repealed.

BE IT FURTHER ORDAINED that 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.

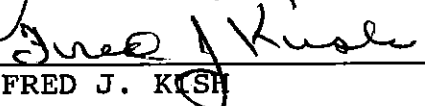
BE IT FURTHER ORDAINED that the Town Council declares an emergency and that this ordinance shall take effect and be in full force and effect, from and after its passage by the Town Council of the Town of St. John, Lake County, Indiana, pursuant to law.

PASSED AND ADOPTED by the Town Council of the Town of St. John, Lake County, Indiana, this 22nd day of August, 1996.

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




JOHN R. TAYLOR



FRED J. KISH

DOUGLAS E. PATTERSON

ATTEST:



JUDITH L. COMPANIK
Clerk-Treasurer