

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO.: 1410

AN ORDINANCE AMENDING TOWN ORDINANCE NO.: 511, AS AMENDED FROM TIME TO TIME, 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 REPEALING ALL TOWN CODE SECTIONS AND ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH.

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, did originally pass and adopt Town Ordinance No.: 511, as amended from time to time, 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 Town Ordinance No.: 511, as amended from time to time, to bring the same into compliance with applicable provisions of the Indiana Code regarding the State's statutory system of uniform court costs; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has been advised that it is again necessary to amend Town Ordinance No.: 511 due to an amendment to applicable provisions of the Indiana Code pertaining to the State's system of uniform court costs required to be assessed for violations of State Statutes and Ordinances throughout the State of Indiana; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has received notice from the Clerk of the Lake County, Indiana, Courts indicating that County Court costs in the amount of One Hundred Six and 50/100 Dollars (\$106.50) shall be collected for any Ordinance violation and/or violation of a State statute that constitutes a moving violation; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, having reviewed the applicable provisions of the Indiana Code and having received and review the notice from the Clerk of the Lake County, Indiana, Courts regarding these matters, as well as Town Ordinance No.: 511, and all amendments thereto, now concurs that it is advisable, necessary, and in the best interests of the residents of the Town of St. John that amendments be made to Town Ordinance No.: 511.

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

SECTION ONE: That Article I of Town Ordinance No.: 511 is hereby replaced to read and provide as follows, namely:

"SEC. 13-2. In accordance with I.C. 9-13-2-127 and I.C. 34-6-2-85, as the same are amended from time to time, any person, firm or corporation violating and found liable by plea of any portion of this Traffic Code of the Town of St. John which regulates the use,

standing or parking of vehicles upon streets, alleys, or other public places, may, in lieu of being charged for such violation in court, pay to the Clerk-Treasurer of the Town of St. John, a penalty of Twenty-Five and 00/100 Dollars (\$25.00) for a moving violation, a penalty of Twenty and 00/100 Dollars (\$20.00) for a non-specific parking violation, a penalty of One Hundred and 00/100 Dollars (\$100.00) for parking in a fire lane, and/or a penalty of One Hundred and 00/100 Dollars (\$100.00) for parking in a handicapped area or zone. Said payment shall be deposited in the General Fund of the Town. Such penalties shall be paid within seven (7) days of the date of the violation. Upon failure to pay any penalty herein prescribed in accordance with the provisions hereof, such violator shall be charged forthwith in a court pursuant to Indiana law. All moving violations of the Ordinance shall be certified pursuant to Indiana law. Further, in addition to the fines and penalties aforesaid, court costs shall be assessed in the amount of One Hundred Six and 50/100 Dollars (\$106.50) and a law enforcement continuing education fee in the amount of Three and 00/100 Dollars (\$3.00) shall likewise be assessed for all moving violations only. The fine, court costs, and law enforcement continuing education fee shall be payable the Clerk-Treasurer of St. John, Lake County, Indiana, as a designated violations bureau of the Lake County Court. Upon receipt of payment, the Town's Clerk-Treasurer shall forward the court costs and the law enforcement continuing education fee to the Clerk of the Lake County Court for distribution in accordance with applicable Indiana statutes."

SECTION TWO: That all existing Town Code Sections and 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 THREE: 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 FOUR: 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, and publication in conformance with applicable law.

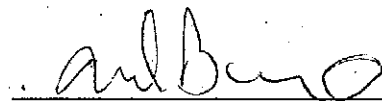
ALL OF WHICH IS PASSED AND ADOPTED THIS 22nd DAY OF DECEMBER, 2005, BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

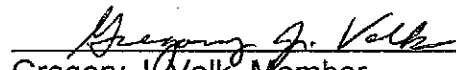
**TOWN OF ST. JOHN, LAKE COUNTY,
INDIANA, TOWN COUNCIL**


Michael S. Fryzel, President

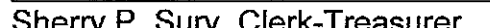

Jerry A. Teibel, Vice-President


Charles Pearson, Member


Mark Barenie, Member


Gregory J. Volk, Member

ATTEST:


Sherry P. Sury, Clerk-Treasurer