

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1594

AN ORDINANCE AMENDING THE SCHEDULE AND AMOUNT OF FEES TO BE CHARGED BY THE POLICE AND FIRE DEPARTMENTS OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, FOR COPYING, ISSUANCE AND CERTIFICATION OF DOCUMENTS, REPORTS AND MISCELLANEOUS ITEMS FROM SAID TOWN POLICE AND FIRE DEPARTMENTS, REPEALING ALL ORDINANCES AND TOWN CODE PROVISIONS OR PORTIONS, THEREOF, IN CONFLICT HEREWITH, INCLUDING REPEAL OF TOWN ORDINANCE NO. 936, AS AMENDED, AND ALL MATTERS RELATED THERETO.

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana (hereinafter, the "Town Council"), a Municipal Corporation, has reviewed current Town Policies and Ordinances establishing the charges imposed by the Town Police and Fire Departments for copying, issuance and certification of reports, documents, and miscellaneous items when the same are requested by the public; and

WHEREAS, the Town Council has reviewed applicable Indiana statutory authority, and specifically, I.C. §5-14-3 *et seq.*, and I.C. §9-29-11 *et seq.*, pertaining to the requirements imposed on the Town's Police and Fire Departments, with said statutes governing the amount(s) that may be charged for copying, issuance and certification of documents, reports, and miscellaneous items, when requested by the public; and

WHEREAS, the Town Council, upon its review of current Town fee policies for copying, issuance and certification of documents, reports and miscellaneous items, by the Town Police and Fire Departments and the State mandated fee schedule for the same, and after being duly advised, has determined that it is necessary, required and appropriate to amend the current Town Police and Fire Departments fee schedule to meet the requirements of applicable Indiana law.

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

SECTION ONE: That Town Ordinance No. 936, and all amendments thereto, is hereby repealed, and replaced by the within enabling Ordinance.

SECTION TWO: That the following fee schedule establishing fees to be charged by the Town Police and Fire Departments for copying, issuance and certification of reports, documents and miscellaneous items shall be, and provide hereafter, as follows, namely:

"POLICE AND FIRE DEPARTMENT FEE SCHEDULE.

(a) The amount to be charged by the Town Fire and Police Departments for certification of documents shall be Five Dollars (\$5.00) per document.

(b) The amount to be charged by the Town Fire and Police Departments for copying documents may not exceed the greater of:

- (1) Ten cents (\$.10) per page for copies that are not color copies, or twenty-five cents (\$.25) per page for color copies; or
- (2) The actual cost to the Town Fire and Police Department incurred in copying of the document. "Actual cost" shall mean the cost of paper and the per-page cost for use of copying or facsimile equipment, and does not include labor costs or overhead costs.

(c) The amount to be charged by the Town Police Department for copying of a State Accident Report shall be Ten Dollars (\$10.00) per report.

(d) The amount to be charged by the Town Police Department for a Tow Release shall be as follows:

- (1) Resulting from an accident, shall be Five Dollars (\$5.00) per release;
- (2) Resulting from a criminal incident shall be Twenty-Five Dollars (\$25.00) per release for both Residents and Nonresidents of the Town.

(e) The amount charged by the Town Police Department for a Vehicle Identification Check ("VIN") for Residents and Nonresidents of the Town shall be Five Dollars (\$5.00) per VIN Check.

(f) The amount charged by the Town Police Department for fingerprinting shall be Ten Dollars (\$10.00) to both Residents and Nonresidents of the Town, for unlimited sets.

(g) The amount charged for a miscellaneous Audio/Video DVD from the Town Police and Fire Departments shall be Ten Dollars (\$10.00).

(h) Local record checks performed by the Town Police Department shall be free to both Residents and Nonresidents of the Town."

SECTION THREE: That the funds collected specifically by the Town Police Department, as herein defined, shall be collected and deposited into the Town Law Enforcement Continuing Education Fund ("LECEF"). Funds collected and deposited in the Town LECEF Fund are authorized to be used by the Town Metropolitan Police Department, as authorized and permitted by enabling Ordinance of the Town or the provisions of the Indiana Code, as authorized, and as each are amended from time to time.

SECTION FOUR: That the funds collected specifically by the Town Fire Department, as herein defined, shall be collected and deposited into the Town General Fund. Funds collected and deposited in the Town General Fund are authorized to be used by the Town as authorized and permitted by enabling Ordinance of the Town or the provisions of the Indiana Code, as authorized, and as are amended from time to time.

SECTION FIVE: That all existing Town Code Sections and Ordinances, or parts thereof, in conflict with this Replacement Enabling Ordinance, are hereby deemed null, void and of no legal effect, and are specifically repealed.

SECTION SIX: 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, or provision of this Ordinance.


SECTION SEVEN: That this Replacement Enabling Ordinance shall take effect, and be in full force and effect, from and after its passage and adoption by the Town Council of the Town of St. John, Lake County, Indiana, and publication in conformance with applicable law.

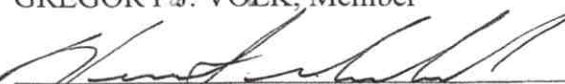
ALL OF WHICH IS PASSED AND ADOPTED THIS 18th DAY OF DECEMBER, 2014, BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

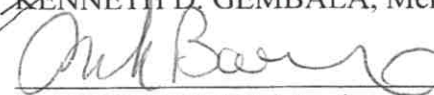
TOWN OF ST. JOHN, LAKE COUNTY,
INDIANA, TOWN COUNCIL


MICHAEL S. FORBES, President


LARRY BUSTAMANTE, Vice-President


GREGORY J. VOLK, Member


KENNETH D. GEMBALA, Member


MARK BARENIE, Member

ATTEST:


BEVERLY J. GAWRYS,
Chief Deputy Clerk-Treasurer