

GENERAL ORDINANCE NO. 03, 2020

AN ORDINANCE MODIFYING CHAPTER 5, ARTICLE 5, SECTION 5-73, CHAPTER 5, ARTICLE 6, SECTION 5-104, CHAPTER 5, ARTICLE 7, SECTION 5-110(c)(1), CHAPTER 6, ARTICLE 5, SECTIONS 6-90 AND 6-91, INCREASING THE MAXIMUM FINE FOR LITTERING VIOLATIONS.

WHEREAS, the Common Council, from time to time, seeks to modify portions of the *Terre Haute City Code* for the benefit of its citizens;

WHEREAS, the Common Council, recognizes the tremendous effort on behalf of the City and its citizens to keep public and private areas clear of trash and debris; and

WHEREAS, the Common Council desires to increase the maximum penalty for littering violations to deter said behavior.

IT IS HEREBY ORDAINED by the Common Council of the City of Terre Haute that the *Terre Haute City Code* shall be modified as follows:

SECTION 1. *Terre Haute City Code* shall be modified with the insertion of the underlined text and the deletion of stricken text as follows:

...

Sec. 5-73 Littering Prohibited.

No person shall throw, place or allow to remain in any public park, public parkway or public boulevard of the City any box, paper, stale or broken food, food remnants, melon rinds or other waste or rubbish of any kind, or display for sale or for advertising purposes in any public park, public parkway or public boulevard of the City any goods, article, thing, placard, sign or circular, except upon written permission from the Board of Park Commissioners. Any person violating any provision of this Article shall upon conviction thereof be fined in an amount not to exceed ~~Three Hundred Dollars (\$300.00)~~ Five Hundred Dollars (\$500.00). Each day such violation is committed or is permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

...

Sec. 5-104 Penalty.

Unless otherwise provided, any person violating any provisions of this Article shall be financially responsible for any necessary repairs and other costs associated with the proper restoration of public facilities. Any person violating any of the provisions of this Article shall be

fined not more than ~~Three Hundred Dollars (\$300.00)~~Five Hundred Dollars (\$500.00). Each day's continued violation shall constitute a separate offense.

...

Sec. 5-110 Rules and Regulations for Trails System.

...

c. Penalties.

(1) Violation of any of the rules and regulations provided herein, except the use of motorized vehicles, shall be an ordinance violation which shall subject the violator to a fine of not more than ~~Three Hundred Dollars (\$300.00)~~Five Hundred Dollars (\$500.00) for each violation.

...

Sec. 6-90 Littering Prohibited.

No person shall throw, discharge, deposit, place or leave or cause to be thrown, discharged, dumped, deposited, placed or left on any of the streets, parkways, roadways, thoroughfares, alleys, sidewalks, vacant lots, front yards or porches, in or on the grounds of the public parks, swimming pools, playgrounds, recreation areas, public buildings, streams, water or banks of such streams or rivers, any waste paper, ashes, glass, cans, dirt, rubbish, waste, garbage, refuse or any other trash. Any person violating any provision of this Division shall upon conviction thereof be fined in an amount not to exceed ~~Three Hundred Dollars (\$300.00)~~Five Hundred Dollars (\$500.00). Each day such violation is committed or is permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

...

SECTION 2. The illegality or invalidity, for any reason, of any of the sections of this ordinance, or parts thereof, shall invalidate only such section or sections as are so determined to be illegal or invalid, any such invalidity shall have no effect on the remaining sections of this ordinance.

SECTION 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after the date of its passage by the Common Council of Terre Haute, Indiana and approval of the Mayor and upon publication as required by law.

Introduced by: Curtis DeBaun Curtis DeBaun, Councilperson

Passed in open Council this 14TH day of JANUARY, 2021.

O. Gad, President

ATTEST: Michelle L. Edwards Michelle L. Edwards, City Clerk

Presented by me to the Mayor this 15TH day of JANUARY, 2021.

Michelle L. Edwards Michelle L. Edwards, City Clerk

Approved by me, the Mayor, this 15TH day of JANUARY, 2021.

Duke A. Bennett Duke A. Bennett, Mayor

ATTEST: Michelle L. Edwards Michelle L. Edwards, City Clerk