

TOWN OF GREENVILLE
ORDINANCE NO. 2012-BPR-026

**RESOLUTION CONCERNING THE APPROVAL FOR NEW OR
REMODELED CONSTRUCTION WITHIN THE TOWN OF
GREENVILLE, INDIANA**

WHEREAS, the Town Council for the Town of Greenville, Indiana, is the entity for approving new and modification of structures within the Town of Greenville, Indiana and;

WHEREAS, the Town Council has reviewed plans and permits submitted in accordance with Ordinance 2010-T-067, 2010-T-050 or successor Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS:

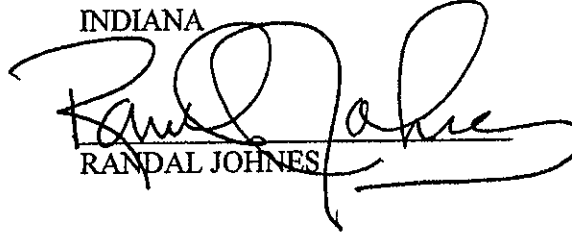
1. After signing of this Resolution the Developer, Builder, Contractor or Property Owner is hereby authorized to begin construction.
2. This Resolution applies to the following listed property located within the Corporate Limits of the Town of Greenville. See plot plan attached.
 - Lot 78, 1119 Frontier Trail, Heritage Springs Sub-Division Greenville, Indiana.
3. Developer, Builder, Contractor or Property Owners agrees to build, construct or modify structure or structures in accordance with Ordinance 2010-T-067, 2010-T-050 or successor Ordinance; and further agree to inspections mandated by Ordinance 2010-T-067 or successor Ordinance by a Town of Greenville recommended building inspector {see Resolution 2010-R-084 or successor Resolution}.
4. After passage of the Resolution a signed copy shall be made available at the Greenville Water Utility Offices for pick-up by the Developer, Builder, Contractor or Property Owner, one copy for the Building Inspector, two copies for Greenville Town Clerk / Treasurer, one PDF copy made for the Town of Greenville Electronic File and a copy sent to the Floyd County Assessor Office.

NOTE: Please review new 2012 Indiana Residential Energy Code and Table N1102.4.2 Air Barrier and Insulation Inspection attached before beginning construction.


TOWN OF GREENVILLE
ORDINANCE NO. 2012-BPR-026

APPROVED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE 11th DAY
OF APRIL, 2012.

DESIGNEE OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA


RANDAL JOHNES

ATTESTED BY:


JACK TRAVILLIAN, CLERK/TREASURER OR
AMY STONE DEPUTY CLERK/TREASURER
TOWN OF GREENVILLE, INDIANA

Ordinances and Resolutions Attached;

2010-R-008

2010-T-050

2010-T-060

2010-T-061

2010-T-063

2010-T-067

2010-T-068

2010-R-084

2010-R-086

Greenville Building Inspection Form

80'

LOT # 78
1119 FRONTIER TRAIL

54' STEVE THIENEMAN

Lot 78

.280 AC
12,016 SF
M/L

41' 10"

35' 4"

152.7'

13'

13'

152.7'

18' 3"

5'

3'

6'

13' 4"

22' 5"

37'

1119 Frontier Trail

1119 Frontier Trail Lot 78 80' Steve Thieneman

Town of Greenville
P.O. Box 188
Greenville, In. 47124

TOWN OF GREENVILLE CONSTRUCTION INSPECTION REPORT

BPR# 2012-BPR-026

NAME OF INSPECTOR PRINT: HOUSER CANTER

INSPECTION DATE	INSPECTED ITEM	APPROVED INSPECTOR INITIALS	NOT APPROVED INSPECTOR INITIALS	SEE ATTACHMENT REMARKS FOR CORRECTIVE ACTIONS	RE-INSPECTED AND APPROVED INSPECTOR INITIALS / DATE
5-14-12	BUILDING OFFSETS	WHC	-	-	#50.00
5-9-12	BEARING FOOTERS	WHC	-	-	#50.00
5-14-12	TEMPORARY ELECTRICAL POLE	WHC	Called Duke.		#50.00
5-11-12	FOUNDATION CONCRETE WALLS	WHC	-	-	#50.00
-	FOUNDATION BLOCK WALLS	-	-	-	-
6-30-12	FRAMING	WHC	-	-	#50.00
6-30-12	HEATING ROUGH	WHC	-	-	#50.00
6-30-12	PLUMBING ROUGH	WHC	-	-	#50.00
6-30-12	ELECTRICAL ROUGH	WHC	-	-	#50.00
6-30-12	ELECTRICAL SERVICE	WHC	Called Duke		#50.00
10-5-12	2012 INDIANA RESIDENTIAL ENERGY CODE	WHC	-	-	#50.00
10-5-12	HEAT FINAL	WHC	-	-	#50.00
10-5-12	PLUMBING FINAL	WHC	-	-	#50.00
10-5-12	ELECTRICAL FINAL	WHC	-	-	#50.00
10-5-12	FINAL ON BUILDING FOR OCCUPANCY	WHC	-	-	#50.00

BETH

DEVELOPER, BUILDER, CONTRACTOR OR HOME OWNER NAME:

STEVE THIENEMAN GROUP

#700.00

PROPERTY ADDRESS LOT 78, 1119 FRONTIER TRAIL GREENVILLE, INDIANA 47124

FINAL INSPECTION PERFORMED BY {INSPECTOR NAME PRINT} HOUSER CANTER DATE: 10-5-12

ALL INSPECTION FEES HAVE BEEN PAID AND BUILDING IS APPROVED FOR OCCUPANCY:

INSPECTOR SIGNATURE:

[Handwritten Signature]

DATE: 10/5/12

PAID IN FULL
10/12/12
WHC

ZONE 4 ENERGY

12/16/11

INDIANA CODE AFTER

4/12

AIR BARRIER AND INSULATION INSPECTION

COMPONENT		CRITERIA #78 119 FRONTIER TRAIL
Air barrier and thermal barrier	✓	Exterior thermal envelope insulation for framed walls is installed in substantial contact and continuous alignment with building envelope air barrier. Breaks or joints in the air barrier are filled or repaired. Air-permeable insulation is not used as a sealing material. Air-permeable insulation is inside of an air barrier.
Ceiling/attic	✓	Air barrier in any dropped ceiling/soffit is substantially aligned with insulation and any gaps are sealed. Attic access (except unvented attic), knee wall door, or drop down stair is sealed.
Walls	✓	Corners and headers are insulated. Junction of foundation and sill plate is sealed.
Windows and doors	✓	Space between window/door jambs and framing is sealed.
Rim joists	✓	Rim joists are insulated and include an air barrier.
Floors (including above garage and cantilevered floors)	✓	Insulation is installed to maintain permanent contact with underside of subfloor decking. Air barrier is installed at any exposed edge of floor.
Crawl space walls N/A	X	Insulation is permanently attached to walls. Exposed earth in unvented crawl spaces is covered with Class I vapor retarder with overlapping joints taped.
Shafts, penetrations	✓	Duct shafts, utility penetrations, knee walls and flue shafts opening to exterior or unconditioned space are sealed.
Narrow cavities	✓	Batts in narrow cavities are cut to fit, or narrow cavities are filled by sprayed/blown insulation.
Garage separation	✓	Air sealing is provided between the garage and conditioned spaces.
Recessed lighting	✓	Recessed luminaries are airtight, IC rated and sealed to drywall. Exception - luminaries in conditioned space.
Plumbing and wiring	✓	Insulation is placed between outside and pipes. Batt insulation is cut to fit around wiring and plumbing, or sprayed/blown insulation extends behind piping and wiring.
Shower/tub on exterior wall	✓	Showers and tubs on exterior walls have insulation and an air barrier separating them from the exterior wall.
Electrical/phone box on exterior wall	✓	Air barrier extends behind boxes or air sealed type boxes are installed.
Common wall N/A	X	Air barrier is installed in common wall between dwelling units.
HVAC register boots	✓	HVAC register boots that penetrate building envelope are sealed to subfloor or drywall.
Fireplace N/A	X	Fireplace walls include an air barrier.



www.housercenter.com

HOUSER CANTER

BUILDER — RADON

812-949-1475

Fax: 812-944-5639

whcanter@aol.com

Building Inspector

W. HOUSER CANTER

812-949-1475

Required Inspections — \$50.00 each

- Temporary Electric Pole
- Foundation Walls
- Plumbing, HVAC, Electrical
- Footers
- Framing
- Final / Occupancy

Reinspections and other inspections \$50.00 each

Plan Ahead Call 24 Hours in Advance

EFFECTIVE 4-5-12

2012 Indiana Residential Energy Code

~~N/A Prescriptive Path:~~

~~Basement walls: R-10/13
Crawlspace walls: R-10/13
Slabs: R-10 2' down.
Rim & Band: R-13+5 or R-20
Exterior Walls: R-13+5 or R-20
Ceilings: R-38 Flat, R-38
Vaulted.
Raised Heel Trusses Required
Windows: .35 U-Factor or lower.~~

~~N/A UA Trade-off:~~

~~Basement walls: R-10
Crawlspace walls: R-10
Slabs: R-10 2' down.
Rim & Band: R-13+3
Exterior Walls: R-13+3
Ceilings: R-38 Flat, R-38
Vaulted.
Raised Heel Trusses Required
Windows: .35 U-Factor or lower.~~

Typical Performance Path:

Basement walls: R-10 4' down
Crawlspace walls: R-10 interior.
Slabs: R-10 2' down
Rim & Band: R-13.
Exterior Walls: R-13 & OSB.
Ceilings: R-38 Flat, R-30
Vaulted.
Windows: .35 U-Factor or lower.
Doors: Standard insulated steel.

*Note: above listed are typical assemblies and may vary.

Mandatory Requirements:

- Certificate of all insulation values and equipment sizes posted on electrical panel.
- Weather stripped and insulated attic access panel.
- All HVAC equipment sized according to ACCA Manual J eighth edition.
- All Ducts Sealed W/ Mastic or UL 181 Tape. (see attached)
- R-3 Refrigerant line insulation.
- 50% CFL Light bulbs in Permanent fixtures.
- Air Leakage: The Following must be caulked, sealed or gasketed.
 - A) Site-built windows, doors and sky-lights.
 - B) Openings between door and window assemblies. (fiberglass not permitted)
 - C) Utility Penetrations.
 - D) Dropped ceilings or Chases adjacent to the thermal envelope.
 - E) Knee walls.
 - F) Walls and Ceilings Separating a garage from conditioned space.
 - G) Behind tubs and showers on exterior walls.
 - H) Common walls between dwelling units.
 - I) Attic Access Openings.
 - J) Rim Joist junctions.
 - K) Bottom Plates.
- Setback / Programmable Thermostat initially set at 70 heat and 78 cool.
- Blower door testing showing less than 7 ACH @ 50 pa, or 3rd party verified inspection checklist completed .Note: Testing removes many expensive checklist items. (see attached checklist)
- Duct testing showing less than 8 CFM per 100 sq ft, required if any portion of the duct work is outside the thermal boundary.
- Special requirements for Pools and Snow melt controls.

EFFECTIVE 4/5/12

TABLE N1102.4.2
AIR BARRIER AND INSULATION INSPECTION

COMPONENT	CRITERIA
Air barrier and thermal barrier	Exterior thermal envelope insulation for framed walls is installed in substantial contact and continuous alignment with building envelope air barrier. Breaks or joints in the air barrier are filled or repaired. Air-permeable insulation is not used as a sealing material. Air-permeable insulation is inside of an air barrier.
Ceiling/attic	Air barrier in any dropped ceiling/soffit is substantially aligned with insulation and any gaps are sealed. Attic access (except unvented attic), knee wall door, or drop down stair is sealed.
Walls	Corners and headers are insulated. Junction of foundation and sill plate is sealed.
Windows and doors	Space between window/door jambs and framing is sealed.
Rim joists	Rim joists are insulated and include an air barrier.
Floors (including above garage and cantilevered floors)	Insulation is installed to maintain permanent contact with underside of subfloor decking. Air barrier is installed at any exposed edge of floor.
Crawl space walls	Insulation is permanently attached to walls. Exposed earth in unvented crawl spaces is covered with Class I vapor retarder with overlapping joints taped.
Shafts, penetrations	Duct shafts, utility penetrations, knee walls and flue shafts opening to exterior or unconditioned space are sealed.
Narrow cavities	Batts in narrow cavities are cut to fit, or narrow cavities are filled by sprayed/blown insulation.
Garage separation	Air sealing is provided between the garage and conditioned spaces.
Recessed lighting	Recessed luminaries are airtight, IC rated and sealed to drywall. Exception - luminaries in conditioned space.
Plumbing and wiring	Insulation is placed between outside and pipes. Batt insulation is cut to fit around wiring and plumbing, or sprayed/blown insulation extends behind piping and wiring.
Shower/tub on exterior wall	Showers and tubs on exterior walls have insulation and an air barrier separating them from the exterior wall.
Electrical/phone box on exterior wall	Air barrier extends behind boxes or air sealed type boxes are installed.
Common wall	Air barrier is installed in common wall between dwelling units.
HVAC register boots	HVAC register boots that penetrate building envelope are sealed to subfloor or drywall.
Fireplace	Fireplace walls include an air barrier.

N1102.4.2.1 Testing option. Tested air leakage is less than 7 air changes per hour (ACH) when tested with a blower door at a pressure of 0.007 psi (50 pascals). Testing shall occur after rough in and after installation of penetrations of the building envelope, including penetrations for utilities, plumbing, electrical, ventilation and combustion appliances. During testing:

1. Exterior windows and doors, fireplace and stove doors shall be closed, but not sealed;
2. Dampers shall be closed, but not sealed, including exhaust, intake, makeup air, back draft, and flue dampers;
3. Interior doors shall be open;
4. Exterior openings for continuous ventilation systems and heat recovery ventilators shall be closed and sealed;
5. Heating and cooling system(s) shall be turned off;
6. HVAC ducts shall not be sealed; and
7. Supply and return registers shall not be sealed.

N1102.4.2.2 Visual inspection option. The items listed in Table N1102.4.2, applicable to the method of construction, are field verified. Where required by local ordinance, an approved party independent from the installer of the insulation, shall inspect the air barrier and insulation.

N1102.4.3 Fireplaces. New wood-burning fireplaces shall have gasketed doors and outdoor combustion air.

N1102.4.4 Fenestration air leakage. Windows, skylights and sliding glass doors shall have an air infiltration rate of no more than 0.3 cubic foot per minute per square foot [$1.5(L/s/m^2)$], and swinging

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-067

**ORDINANCE CONCERNING THE ADOPTION OF THE STATE OF
INDIANA BUILDING CODES FOR ENFORCEMENT WITHIN THE
CORPORATE LIMITS OF THE TOWN OF GREENVILLE, INDIANA**

WHEREAS, the Town Council for the Town of Greenville, Indiana, in the interest of public health, safety and welfare, has deemed it necessary that the Town of Greenville adopts the State of Indiana Building Codes within the Corporate Limits of the Town of Greenville, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS:

1. The State of Indiana Building Codes are adopted as of the effective date of this Ordinance, codifies in 675 of Indiana Administrative Code and any future amendments or revisions to I. A. C. 675 is hereby incorporated by reference and adopted by the Town of Greenville, Indiana Building Codes.
2. Appendices and other technical matters incorporated into the State of Indiana Administrative Code 675 shall also become part of this Ordinance by reference. Standards referenced in the text of the State of Indiana Administrative Code 675 shall be considered an integral part of the codes and are also incorporated herein by reference.
3. At the time the State of Indiana adopts a new code or a supplement, revision or amendment to an existing code, the Town of Greenville Building Code Ordinance shall be deemed automatically amended to include the latest provision of such codes. These new codes shall continue to be in effect even if the State of Indiana codifies the new codes under a new title number or numbers. This amendment shall take place by operation of law , without necessity or amending this Ordinance., it being the intent of the Greenville Town Council to require compliance with the latest editions of the codes as they are amended from time to time.
4. The owner or builder of any improvements to real property shall bear the expense of any inspections mandated for compliance with the State of Indiana Building Codes I.A.C 675.
5. Upon written stop work notice from the Town of Greenville Council President or his designee work on any building, structure, electrical, gas, mechanical, plumbing that is being done contrary to provisions of State of Indiana Administrative Codes I.A.C. 675 or Town of Greenville Ordinance and Resolutions, or in a dangerous or unsafe manner, shall immediately cease. Such Stop Work Notice shall be given to the owner of the property, or his agent, or person doing the work by a Member of the Greenville Marshal Department or placed in a conspicuous location on the property and shall state the conditions under which work may be resumed.

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-067

Where an emergency exists, the Greenville Town Council shall not be required to give a written stop work notice prior to stopping work. Stop work under emergency situation shall be issued verbally by the Greenville Town Council President, his/her designee or a member of the Greenville Marshal Department.

6. All plans for construction for new or addition to existing structures must be approved by the Greenville Town Council. Property owner or builder shall submit all plans, permit from the Floyd County Health Department if a septic system for waste removal is being used in place of sewer system tie-in, including plot plan layout showing location of structure to be in compliance with Town of Greenville set back requirements {see 2010-T-050 or a successor Ordinance if said Ordinance is repealed}. The Town of Greenville Council by a majority vote pass a Verbal Building Permit Resolution approving construction. Verbal Building Permit Resolution shall be followed by a written Confirming Resolution at the next scheduled Monthly Meeting or Special Meeting if a meeting is scheduled. Confirming Building Permit Resolution shall be signed by the Town of Greenville Council President and attested to by the Town of Greenville Clerk / Treasurer. After signing of the Confirming Building Permit Resolution a copy shall be given to the Town of Greenville Deputy Clerk and he/she shall contact property owner, builder and recommended building inspector to pick up copy of signed Confirming Building Permit Resolution.

7. If all plans submitted are approved by the Town of Greenville Council, and if the structure is determined by the Greenville Town Council to be used for commercial purposes, the owner or builder shall submit a design release from the State of Indiana Department of Home Land Security or governing office if changed to the Greenville Town Council before construction can begin.

8. All property owners or builders shall contact the recommended Town of Greenville {list shall be provided with Building Permit Resolution} professional inspectors licensed and approved by the State of Indiana or Floyd County, Indiana to be used for new building or building addition before construction shall begin. Inspectors shall abide by all inspections required by this Ordinance and I.A.C. 675. Inspector contracted by owners or builder shall submit their reports to the Greenville Town Council by delivering a copy to the Greenville Water Utility Clerk. Owners or builders shall be responsible for the cost of these inspections. If inspections are not submitted for each trade required by I.A.C.675, a stop work order will be issued by the Greenville Town Council. If construction has proceeded as to prevent the inspection, the Greenville Town Council may require removal of any additional construction so that inspection can be completed and impose a \$1000.00 fine for each inspection not preformed. Property Owner or builder accepts all responsibly for inspections submitted that are found not to meet I.A.C. 675 or future amendments if structure fails due to not being constructed in accordance with the Town of Greenville Ordinances and I.A.C. 675. Property owner or builder shall not hold the Town of Greenville or the recommended building inspector liable during, after construction, or for future structure failure.

TOWN OF GREENVILLE ORDINANCE NO. 2010-T-067

9. A copy of I.A.C. 675 and the town of Greenville Ordinances are available for viewing at the Greenville Water Utility. Copies can be provided of any page of I.A.C. 675 and Ordinances upon written request. A fee charge per page shall apply in accordance with I.C. 5-14-3-8 section 8 item C and I.C. 5-14-3-3 section 3{A} & {B}.

10. Whenever it is necessary to make an inspection to enforce any of the provisions of State of Indiana Administrative Code I.A.C. 675 or the Town of Greenville Ordinances and Resolution, or whenever the Town of Greenville Council has reasonable cause to believe that there exists in any new construction or addition to existing structure violations of any State of Indiana Administrative Code I.A.C. 675 or the Town of Greenville Ordinances and Resolution the Greenville Town Council may enter such construction or addition to existing structure at a reasonable time to inspect for compliance with State of Indiana Administrative Code I.A.C. 675 or the Town of Greenville Ordinances and Resolution. The Town of Greenville Council shall first make a reasonable effort to locate the owner or builder having charge or control of construction or addition to existing structure to request entry.

11. If the property owner or builder refuses entry to the Town of Greenville Council or their representative all legal remedies available shall be obtained to gain entry, up to and including a court order. Property owner or builder shall be responsible for all attorney fees, court cost and a fine of \$500.00 if a court ordered to enter is required. No owner or occupant or any other persons having charge, care or control of any building, structure, or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Greenville Town Council or its representative for the purpose of inspection and examination pursuant to Ordinance and I.A.C. 675.

12. Any person, firm, corporation or agent who shall violate a provision of this Ordinance and I.A.C. 675, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, install, demolish or move any structure, electrical, gas mechanical or plumbing system, in violation of a detailed statement or drawing submitted and permitted there under, shall be guilty of a class A infraction, each such person shall be considered guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Ordinance and I.A.C.675 is committed or continued, and upon conviction of any such violation such person shall be punished within the limits and as provided by Indiana State Laws.

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-067

13. No officer, agent, representative, or employee of the Town of Greenville or the Town of Greenville Council shall render himself/herself personally liable for any damage, whether personal injury, property damage, or economic loss, that may occur to any person as a result of any act required or permitted in the discharge of their duties in the enforcement of this Ordinance and I.A.C.675.

14. This Ordinance and the various parts, sections, sentences, phrases, and clauses hereof, are hereby declared to be severable, if any part, section, sentence, phrase, or clause is judges unconstitutional or invalid, and it is hereby provided that the remainder of this Ordinance shall not be affected thereby.

15. All recommended inspector fees shall be paid to recommended inspector by the developer, builder, contractor or property owner prior to Certificate of Occupancy being issued. Recommended inspector shall submit original of all inspection reports and the Certificate of Occupancy to the Greenville Town Clerk or Deputy Clerk before occupancy can begin. Submittal of the Certificate of Occupancy by recommended inspector shall constitute all inspection fees have been paid.

ENFORCEMENT:

Enforcement of this Ordinance shall be pursuant to I.C. 36-1-6-1, I.C. 36-1-6-2, I.C. 36-1-6-3 or I.C. 36-1-6-4, or a successor statute if said statute is repealed.

Fines and Penalties:

1. If levied fines are not paid within 30 days, a lien will be sought against person or person's responsible real estate with attorney fees and court cost in accordance with I.C. 36-1-6-2.
2. The Town of Greenville may pursue any and all penalties described in I.C. 36-1-6-3 in addition to the penalties described in I.C. 36-1-6-4, plus attorney fees and court cost or a successor statute if said statute is repealed.
3. No penalty shall be levied for violation of this Ordinance, nor shall any action be taken by the Town to bring the real property into compliance with this Ordinance, unless all persons holding a substantial interest in the property are given a reasonable opportunity to bring the property into compliance.

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ORDINANCE NO. 2010-T-067

4. The Town shall give all persons holding a substantial interest in any Real property, which is not in compliance with this Ordinance ten {10} days written notice to correct the condition and bring the property into compliance. Such notice may be in person by any member of the Greenville Marshal Department, or by mailing it by registered or certified mail with return receipt requested.

5. Furthermore, if the condition of said real estate has not been corrected within thirty {30} days the Town may cause to be certified to the County Auditor as a charge against the taxes due and payable to the County Treasurer all fines, plus attorney fees and court cost in the following year in accordance with IC 36-1-6-2 or successor statute, if said statute is repealed.

6. Any portion of any prior Ordinance in conflict with the provisions of this Ordinance is hereby repealed.

7. This Ordinance replaces Ordinance 2007-T-75 dated September 10th, 2007. Ordinance 2007-T-75 shall be moved to the voided Ordinance file after passage of this Ordinance.

8. The Town of Greenville Clerk Treasurer shall publish this Ordinance within 30 days in the New Albany Tribune after passage.

9. The Town of Greenville Clerk Treasurer shall attach a copy of the publication and related information to the original signed Ordinance and a PDF file shall be added to the electronic file copy of this Ordinance.

10. Any unlawful provision found in this ordinance shall not effect the remaining provision.

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-067

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE
13th DAY OF DECEMBER, 2010.

PRESIDENT OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA


TALBOTTE RICHARDSON,


JACK TRAVILLIAN,
CLERK/TREASURER

PREPARED BY:
RANDAL JOHNES

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-050

**ORDINANCE CONCERNING THE ESTABLISHMENT OF THE
PROCEDURES FOR THE CONSTRUCTION OF NEW STRUCTURES
AND OFFSETS FOR PLACEMENTS ON LOTS WITHIN THE TOWN OF
GREENVILLE, INDIANA**

WHEREAS, the Town Council for the Town of Greenville, Indiana, has deemed it necessary that the Town develop an Ordinance which defines procedures for construction, types of structures and offsets required for placement on lots within the Corporate limits of the Town of Greenville;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS:

Definitions:

1. **Residential Dwelling** is a structure which its primary use is for the shelter of person or persons commonly referred to as a home or house occupied by a single person or a family.
2. **Commercial Dwelling** is a structure which its primary use is for the conducting of business with the public or other businesses.
3. **Multi-Family Dwelling** is a structure which its primary use is for the shelter of person or persons commonly referred to as a Condo, Duplex, Apartment Complex, etc.
4. **Addition to Dwelling** is a structure which is constructed to attach to a Residential or Commercial Dwelling.
5. **Detached Garage** is a structure that its main function is for vehicle storage that is detached from a Residential or Commercial Dwelling.
6. **Car Port** is a structure that its main function is to shelter a vehicle from the weather.
7. **Storage Building** is a structure that its main function is to be used as a storage area for such items as lawn equipment, etc. that is detached from a Residential or Commercial Dwelling.
8. **Pool House** is a structure that its main function is to be used as a changing house used with a swimming pool.
9. **Swimming Pool** is a structure used to hold water for the purpose of swimming.
10. **Gazebo** is a structure that its primary use is for sitting or swinging that is detached from a Residential or Commercial Dwelling.
11. **Porch** is a structure that is attached to a Residential or Commercial Dwelling that can be covered, uncovered or enclosed.

**TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-050**

12. **Deck** is a wooden structure that is attached to a Residential or Commercial Dwelling that can be covered, uncovered or enclosed.

Procedure before construction can begin:

1. Plot plan of new structure or addition to dwelling showing offset requirements being met must be presented to the Town of Greenville Council at its regular monthly meeting for construction approval .
2. If a variance is being requested from the set back requirements, a plot plan must be submitted showing that variance request to the Greenville Town Council at its regular monthly meeting for construction approval.
3. If plan is approved, a permit from the Floyd County Health Department must be obtained and a copy given to the Greenville Town Council at its regular monthly meeting for construction approval.
4. If building is to be used for commercial purposes a design release from the Indiana Department of Homeland Security shall be presented to the Greenville Town Council at its regular monthly meeting for construction approval.

Before you build review the following Ordinances:

1. 2009-T-028, 2009-T-029 and 2009-T-039, or a successor Ordinance if said Ordinance is repealed.

Structure Offset Requirements:

The following shall not apply to any structure or addition built prior to July 12th, 1994.

1. **Residential, Commercial, Multi Family Dwelling or Addition to Dwelling:** Twenty feet {20 ft.} from the right of way of any highway, street, alleyway, rear property line {from rear of structure to adjoining property of others}, or other public right of way. This shall include any decks or porch structures located on front of dwelling which faces a highway, street, alleyway, or other public right of way. Five feet {5 ft.} from any side property line.
2. **Detached Garage, Car Port:** Twenty feet {20 ft.} from the right of way of any highway, street, alleyway, or other public right of way. Five feet {5 ft.} from any side property line or rear property line {from rear of structure to adjoining property of others}.
3. **Storage Building, Pool House, Gazebo:** Twenty feet {20 ft.} from the right of way of any highway, street, alleyway, or other public right of way. Five feet {5 ft.} from any side property line or rear property line {from rear of structure to adjoining property of others}.
4. **Porch, Deck:** Twenty feet {20 ft.} from the right of way of any highway, street, alleyway, or other public right of way when deck or porch structure located on front of dwelling which faces a highway, street, alleyway, or other public right of way. Five feet {5 ft.} from any side property line. Ten feet {10 ft.} from any rear property line {from rear of structure to adjoining property of others}.

TOWN OF GREENVILLE ORDINANCE NO. 2010-T-050

5. Swimming Pool: Twenty feet {20 ft.} from the right of way of any highway, street, alleyway, or other public right of way. This shall include any decks located on pool which faces a highway, street, alleyway, or other public right of way. Ten feet {10 ft.} from any side property line or rear property line {from rear of structure to adjoining property of others}. This is to include any decking around pool. Pool area shall be fenced.

ENFORCEMENT:

Enforcement of this Ordinance shall be pursuant to I.C. 36-1-6-3 or I.C. 36-1-6-4, or a successor statute if said statute is repealed.

Fines and Penalties:

1. If any structure of any type as listed is found to be in violation of this ordinance, a stop construction order shall be issued through the Greenville Marshal Department.
2. Any violations of above Rules and Regulations shall be subject to a Fifty US Dollar {\$50.00} fine per day until violations are corrected, plus Attorney Fees and Court Cost.
3. Person or persons responsible shall be required to appear before the Greenville Town Council to show what shall be done to correct the structure or structures in violation. If the violations are not correctable, the person or persons responsible may request a variance from the Greenville Town Council to allow the construction to continue.
4. If a variance is required and it is denied the structure or structures shall be removed by the person or persons responsible within a time frame determined by the Greenville Town Council. If structure is ordered removed by the Greenville Town Council because the structure or structures do not comply with this Ordinance and the time frame determined by the Greenville Town Council for removal is not met, the Greenville Town Council may have the structure removed and fine the property owner or owners cost involved of removal of structure plus 20% handling fee; plus One Hundred U.S. Dollars {\$100.00} per day fine while structure is in non-compliance, plus Attorney Fees and Court Cost.
5. If levied fines are not paid within 30 days, a lien will be sought against person or person's responsible real estate in accordance with I.C. 36-1-6-2.
6. The Town of Greenville may pursue any and all penalties described in I.C. 36-1-6-3 in addition to the penalties described in I.C. 36-1-6-4, or a successor statute if said statute is repealed.

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-050

7. No penalty shall be levied for violation of this Ordinance, nor shall any action be taken by the Town to bring the real property into compliance with this Ordinance, unless all persons holding a substantial interest in the property are given a reasonable opportunity to bring the property into compliance.
8. Any portion of any prior Ordinance in conflict with the provisions of this Ordinance is hereby repealed.
9. This Ordinance replaces Ordinance 2009-T-065 dated September 14th, 2009. Ordinance 2009-T-065 shall be moved to the voided Ordinance file after passage of this Ordinance.
10. The Town of Greenville Clerk Treasurer shall publish this Ordinance within 30 days in the New Albany Tribune after passage.
11. The Town of Greenville Clerk Treasurer shall attach a copy of the publication and related information to the original signed Ordinance and a PDF file shall be added to the electronic file copy of this Ordinance.
12. Any unlawful provision found in this ordinance shall not effect the remaining provision.

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE
16th DAY OF AUGUST, 2010.

PRESIDENT OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA


TALBOTTE RICHARDSON,


JACK TRAVILLIAN,
CLERK/TREASURER

PREPARED BY:

TOWN OF GREENVILLE
ORDINANCE NO. 2010-R-084

**RESOLUTION CONCERNING THE RECOMMENDED BUILDING
INSPECTORS FOR THE TOWN OF GREENVILLE, INDIANA**

WHEREAS, the Town Council for the Town of Greenville, Indiana, in the interest of public health, safety and welfare, has deemed it necessary that the Town develop a Resolution that lists recommended Building Inspectors for the Town of Greenville, Indiana;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS:

This list shall be in affect after passage and shall be amended from time to time by Resolution by the Greenville Town Council.

1. Houser Canter Home Inspector, P.O. Box 6746 New Albany, Indiana 47150
Cell Phone {812} 949-1475.

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE 13th DAY OF DECEMBER, 2010.

PRESIDENT OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA


TALBOTTE RICHARDSON,


JACK TRAVILLIAN,
CLERK/TREASURER

PREPARED BY:
RANDAL JOHNES

TOWN OF GREENVILLE
RESOLUTION NO. 2010-R-086

**RESOLUTION CONCERNING THE AUTHORIZING OF COUNCILMAN JOHNES TO
SIGN BUILDING PERMIT RESOLUTIONS ON BEHALF OF THE GREENVILLE
TOWN COUNCIL OF THE TOWN OF GREENVILLE, INDIANA**

WHEREAS, the Town Council for the Town of Greenville, Indiana, in the interest of public health, safety and welfare, deemed it necessary to develop a Building Permit Resolution for allowing structure construction upon real property within the Corporate limits of the Town of Greenville and;

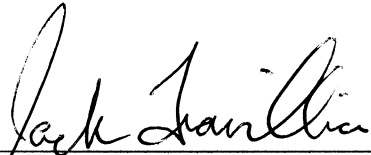
WHEREAS, it is not prudent to require those seeking a standard Building Permit Resolution to wait until the next scheduled Town of Greenville Monthly Meeting to submit their plans for approval;

LET IT BE ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS:

1. Councilman Johnes is authorized by this Resolution to review plans submitted by those seeking to acquire a Building Permit Resolution and issue a Building Permit Resolution on behalf of the entire Greenville Town Council.
2. This shall apply to all new construction and new construction to existing structures if such structures adhere to all Town of Greenville Ordinances and Resolutions.
3. This does not apply to any structure that will require a Construction Building Permit Variance before construction can begin. All Construction Building Permit Variances requested shall be reviewed by the entire council present at the next scheduled Monthly Meeting or if scheduled Special Meeting.
4. Any denial of a Building Permit Resolution by Councilman Johnes can be appealed to the entire council present at the next scheduled Monthly Meeting or if scheduled Special Meeting.

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE 13th DAY OF DECEMBER, 2010.

PRESIDENT OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA



JACK TRAVILLIAN,
CLERK/TREASURER OR
AMY STONE DEPUTY CLERK



TALBOTTE RICHARDSON

PREPARED BY: RANDAL JOHNES

TOWN OF GREENVILLE
ORDINANCE NO. 2010-R-008

**RESOLUTION CONCERNING THE USE OF LAND LOCKED
PROPERTIES FOR STRUCTURE CONSTRUCTION LOCATED WITHIN
THE TOWN OF GREENVILLE, INDIANA**

WHEREAS, the Town Council for the Town of Greenville, Indiana, in the interest of allowing development of land locked property for structure development has prepared this Resolution for use of land locked property within the Corporate limits of the Town of Greenville, Indiana;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS:

1. Development of land locked property shall be allowed using a right-of-way access if all other criteria contained within the Town of Greenville Codes, Ordinances or Resolutions are met with the exception of road frontage requirements.
2. Minimum width for right-of-way access for residential structures shall be 20 feet.
3. Minimum width for right-of-way access for commercial or industrial structures shall be 40 feet.

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE 8th DAY OF MARCH, 2010.

PRESIDENT OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA


TALBOTTE RICHARDSON,


JACK TRAVILLIAN,
CLERK/TREASURER

PREPARED BY: RANDAL JOHNES

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-060

**ORDINANCE CONCERNING THE REGULATING OF LAND
EXCAVATION WITHIN THE TOWN OF GREENVILLE, INDIANA**

WHEREAS, the Town Council for the Town of Greenville, Indiana, in the interest of preventing land erosion and water run off, has deemed it necessary that the Town develop an Ordinance which forbids excavation on real property within the Corporate limits of the Town of Greenville without prior Greenville Town Council approval;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS:

Definition of Excavating for the Purpose of this Ordinance

Excavating: 1. To make a hollow by removing the inner part; make a hole or cavity in; form into a hollow, as by digging. 2. To make {a hole, tunnel, etc.} by removing material. 3. To dig or scoop out, {earth, sand, etc.}. 4. To expose or lay bare by digging; unearth, hollow out.

Requirements of Compliance with this Ordinance:

1. Persons or person wishing to excavate a property must appear before the Greenville Town Council and present a clear and precise drawing plan for the area to be excavated before excavation can begin.
2. Plan shall address such topics as earth {land} erosion and water run off.
3. Plan shall indicate the purpose required for the excavation.
4. If property is for new construction the person or persons shall present a copy of those plans to the Greenville Town Council along with a plot plan for the location of such structure, it's dimensional location to adjoining properties, and the proposed entry and exits from adjoining Greenville streets and alleyways.

Exempted from this Ordinance

1. Person or persons performing common yard maintenance such as planting trees, shrubs, seeding and re-seeding of grass, etc.

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-060

7. This Ordinance replaces Ordinance 2009-T-028 dated May 26th, 2009. Ordinance 2009-T-028 shall be moved to the voided Ordinance file after passage of this Ordinance.

8. The Town of Greenville Clerk Treasurer shall publish this Ordinance within 30 days in the New Albany Tribune after passage.

9. The Town of Greenville Clerk Treasurer shall attach a copy of the publication and related information to the original signed Ordinance and a PDF file shall be added to the electronic file copy of this Ordinance.

10. Any unlawful provision found in this ordinance shall not effect the remaining provision.

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE
31st DAY OF AUGUST, 2010.

PRESIDENT OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA


TALBOTTE RICHARDSON,



JACK TRAVILLIAN,
CLERK/TREASURER

PREPARED BY:
RANDAL JOHNES

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-061

**ORDINANCE CONCERNING PROHIBITING THE USE OF HEAVY
CONSTRUCTION EQUIPMENT UPON THE STREETS, ALLEYS AND
ROADWAYS WITHIN THE TOWN OF GREENVILLE, INDIANA**

WHEREAS, the Town Council for the Town of Greenville, Indiana, in the interest of preventing damage to streets, alleys and roadways, has deemed it necessary that the town develop an Ordinance which forbids the operation of heavy construction equipment upon the streets, alleys and roadways within the Corporate limits of the Town of Greenville;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS:

Definition of Heavy Construction Equipment for the Purpose of this Ordinance

Any type of construction equipment tracked, or tired that would cause damage to the streets, alleys and roadways. Such as but not limited to bull dozers, excavators, etc.

Requirements of Compliance with this Ordinance:

1. Persons or person wishing to excavate a property using heavy construction equipment may transport equipment to construction site using typical truck and trailer used to transport this type of equipment on the streets, alleys and roadways, but must unload equipment onto area to be excavated without using the streets, alleys and roadways of the Town of Greenville.
2. After the loading or unloading of such equipment the owner of truck and trailer used for transportation of the heavy construction equipment shall not park truck and trailer as to where it impedes the flow of traffic on the streets, alleys and roadways of the Town of Greenville.

Exempted from this Ordinance

1. The Greenville Water Utility and streets, alleys, roadway maintenance {grading, asphaltting, re-surfacing, replacing and installing culverts} performed by or on the behalf of the Town of Greenville.

TOWN OF GREENVILLE ORDINANCE NO. 2010-T-061

ENFORCEMENT:

Enforcement of this Ordinance shall be pursuant to I.C. 36-1-6-2, I.C. 36-1-6-3 or I.C. 36-1-6-4, or a successor statute if said statute is repealed.

Fines and Penalties:

1. If failure to comply with this Ordinance will require Greenville Marshal's Department to obtain a court order to stop excavation using such heavy construction equipment operating on roadways, streets and alleys within the corporate limits of the Town of Greenville, a fine of five hundred dollars per day will occur for each day the violation continues after Marshal issuing the citation while obtaining a court order to stop the excavation. If levied fines are not paid within 30 days then a lien will be sought against person's property, who is the owner of the property being excavated in accordance with I.C. 36-1-6-2 plus attorney fees and court cost.
2. Persons or person who is the owner or owners of such property shall be responsible for a any repair construction work required. Repairs to be completed within 14 days upon notice to correct any damage to roadways {streets, alleyways} caused by such heavy construction equipment, to the satisfaction of the Greenville Town Council. If the Town of Greenville Council deems it necessary to hire another party to perform such repairs, the owner or owners of such property shall be responsible for those costs. If levied costs are not paid within 30 days then a lien will be sought against person's property, who is the owner of the property where heavy construction equipment was used in accordance with I.C. 36-1-6-2 plus attorney fees and court cost.
3. The Town of Greenville may pursue any and all penalties described in I.C. 36-1-6-3 in addition to the penalties described in I.C. 36-1-6-4 plus attorney fees and court cost, or a successor statute if said statute is repealed.
4. Furthermore, if the condition of said real estate has not been corrected within thirty {30} days, the Town may cause to be certified to the County Auditor as a charge against the taxes due and payable to the County Treasurer in the following year together with attorney fees and court cost in accordance with IC 36-1-6-2 or successor statute, if said statute is repealed.
5. Any portion of any prior Ordinance in conflict with the provisions of this Ordinance is hereby repealed.
6. This Ordinance replaces Ordinance 2009-T-029 dated May 26th, 2009. Ordinance 2009-T-029 shall be moved to the voided Ordinance file after passage of this Ordinance.

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-061

9. The Town of Greenville Clerk Treasurer shall publish this Ordinance within 30 days in the New Albany Tribune after passage.

10. The Town of Greenville Clerk Treasurer shall attach a copy of the publication and related information to the original signed Ordinance and a PDF file shall be added to the electronic file copy of this Ordinance.

11. Any unlawful provision found in this ordinance shall not effect the remaining provision.

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE
31ST DAY OF AUGUST, 2010.

PRESIDENT OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA


TALBOTTE RICHARDSON,


JACK TRAVILLIAN,
CLERK/TREASURER

PREPARED BY:
RANDAL JOHNES

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-063

**ORDINANCE CONCERNING THE REGULATING OF NEW
CONSTRUCTION TO INCLUDE CONCRETE CURBS, CONCRETE
SIDEWALKS, GRASSY AREA AND GUARD RAILS WITHIN THE TOWN
OF GREENVILLE, INDIANA**

WHEREAS, the Town Council for the Town of Greenville, Indiana, in the interest of public health, safety and welfare, has deemed it necessary that the Town develop a Resolution which requires the installation of Concrete Curbs, Concrete Sidewalks, Grassy Areas and Guard Rails within the Corporate limits of the Town of Greenville;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS:

Definition: New construction means: A structure{s} erected on a vacant lot, or a lot where existing structure{s} has been raised to allow for new construction. It does not mean a lot where structure{s} addition is being preformed, additional structure{s} being added to a lot that has an existing structure{s}, or dwelling, occupied for the purpose of a residence or commercial use.

1. This Resolution applies to all new construction projects, residential or commercial, unless noted otherwise.

2. All Town streets and roadways that continuously border property where new construction is being preformed shall have the following {state properties are exempted};

- Shall have continuous 5 ½" high 3500 psi concrete curd installed at edge of all streets, alleyways and roadways. Construction must meet or exceed State of Indiana, Floyd County, Indiana and Local Codes. Exception is where entrance and exit areas are located.
- Shall have continuous 18" wide grassy area adjoining concrete curd of all streets, alleyways and roadways. Exception is where entrance and exit areas are located.
- Shall have continuous five foot {5 ft.} wide 3500 psi reinforced 3½" thick concrete walkway over gravel fill adjoining grassy area of all streets and roadways. Construction must meet or exceed State of Indiana, Floyd County, Indiana and Local Codes. Exception is where entrance and exit areas are located.
- Commercial structures only shall install a continuous guard rail system at the inside of the continuous concrete sidewalk areas and along grassy areas of alleyways up to the approved entrance and exit areas to prevent entry and exit over curbs, grassy area and walkways.

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-063

ENFORCEMENT:

Enforcement of this Ordinance shall be pursuant to I.C. 36-1-6-2, I.C. 36-1-6-3 or I.C. 36-1-6-4, or a successor statute if said statute is repealed.

Fines and Penalties:

1. A violation of any of the above requirements shall cause the construction to be stopped until violations are corrected. If violations are not corrected the Town of Greenville may have the structure removed at the owners expense, including any court cost or attorney fees required in accordance with I.C. 36-1-6-2 and I.C. 34-28-6-1 after 10 day notice, see item 5 below.
2. If costs of removing structure including any court cost or attorney fees are not paid within 30 days, a lien will be sought against person or person's responsible real estate in accordance with I.C. 36-1-6-2.
3. The Town of Greenville may pursue any and all penalties described in I.C. 36-1-6-3 in addition to the penalties described in I.C. 36-1-6-4 plus attorney fees and court cost, or a successor statute if said statute is repealed.
4. No penalty shall be levied for violation of this Ordinance, nor shall any action be taken by the Town to bring the real property into compliance with this Ordinance, unless all persons holding a substantial interest in the property are given a reasonable opportunity to bring the property into compliance.
5. The Town shall give all persons holding a substantial interest in any Real property, which is not in compliance with this Ordinance ten {10} days written notice to correct the condition and bring the property into compliance. Such notice may be in person by any member of the Greenville Marshal Department, or by mailing it by registered or certified mail with return receipt requested.
6. That for each day any person or entity shall be in violation of this Ordinance after the ten {10} day period set forth in item {5} above, said person shall be fined an amount equal to the removal cost plus Attorney fees and Court Cost.
7. Furthermore, if the condition of said real estate has not been corrected within thirty {30} days after the aforesaid ten {10} day notice period, the Town may cause to be certified to the County Auditor as a charge against the taxes due and payable to the County Treasurer in the following year together in accordance with IC 36-1-6-2 plus attorney fees and court cost, or successor statute, if said statute is repealed.
8. Any portion of any prior Ordinance in conflict with the provisions of this Ordinance is hereby repealed.

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-063

9. This Ordinance replaces Ordinance 2009-T-039 dated July 13th, 2009. Ordinance 2009-T-039 shall be moved to the voided Ordinance file after passage of this Ordinance.

10. The Town of Greenville Clerk Treasurer shall publish this Ordinance within 30 days in the New Albany Tribune after passage.


11. The Town of Greenville Clerk Treasurer shall attach a copy of the publication and related information to the original signed Ordinance and a PDF file shall be added to the electronic file copy of this Ordinance.

12. Any unlawful provision found in this ordinance shall not effect the remaining provision.

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE
31st DAY OF AUGUST, 2010.

PRESIDENT OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA


TALBOTTE RICHARDSON,


JACK TRAVILLIAN,
CLERK/TREASURER

PREPARED BY:
RANDAL JOHNES

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-068

**ORDINANCE CONCERNING THE REGULATING OF OUTDOOR
ADVERTISING WITHIN THE TOWN OF GREENVILLE, INDIANA**

WHEREAS, the Town Council of the Town of Greenville, Indiana, by the powers granted by the Codes and Statutes of the State of Indiana {I.C. 36-1-3} recognizes that outdoor advertising is a legitimate, commercial use of private property adjacent to Public Streets, Roads, Alleyways and Public Ways and constitutes an integral part of a business and marketing function; further that such advertising is an established segment of the local economy and should be allowed to operate where other business and commercial activities are conducted; that erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to Public Streets, Roads, Alleyways and Public Ways within the Corporate Limits of the Town of Greenville, Indiana should be regulated in order to protect the public investments; orderly and effective display of such signs, displays and devices should be promoted within the Corporate Limits of the Town of Greenville, Indiana and:

WHEREAS, the Town Council of the Town of Greenville, deems it necessary to regulate the placement of signs, displays and devices within the Corporate Limits of the Town of Greenville, Indiana, therefore;

BE IT ORDAINED, that the placement of outdoor advertising within the Corporate Limits of the Town of Greenville, is prohibited except outdoor advertising which advertises activities conducted on the property upon which it is located and outdoor advertising which advertises the sale or lease of property upon which it is located. {I.C. 8-23-20 and INDOT Outdoor Advertising Control Manual 03-02-2010 or successor statute or manual, manual available for review at the Greenville Town Hall} and;

BE IT ORDAINED, that the placement of Political signs that advertise for the election to any type of government office or a political cause also shall be allowed but must adhere to all State of Indiana Election Laws {I.C. 8-23-20 and INDOT Outdoor Advertising Control Manual 03-02-2010 or successor statute or manual, manual available for review at the Greenville Town Hall}. Signs shall be permitted in town easement areas if permission has been received by property owner whom property adjoins easement.

FURTHER, the following signs shall not be permitted.

1. Signs which are illegal under the Federal and Indiana State Laws and Rules {I.C. 8-23-20 and INDOT Outdoor Advertising Control Manual 03-02-2010 or successor statute or manual, manual available for review at the Greenville Town Hall}
2. Signs not securely affixed to a substantial permanent structure

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-068

3. Signs which attempt, or appear to attempt to regulate, warn, or direct the movement of traffic, or which interfere with, or imitate, or resemble any official traffic sign, signal, or device.

4. Signs which are not consistent with any law or promulgated rule prohibiting such a sign.

{I.C. 8-23-20 and INDOT Outdoor Advertising Control Manual 03-02-2010 or successor statute or manual, manual available for review at the Greenville Town Hall}

5. Signs which are erected or maintained upon trees painted or drawn upon rocks or other natural features.

6. Signs which are located in such a manner as to obscure or otherwise physically interfere with the effectiveness of an official traffic sign, signal, or device, or obstruct or physically interfere with a driver of a vehicle view of approaching, merging or intersecting traffic.

7. Signs which move or have any animated or moving parts.

8. Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light, or lights, or signs which uses various types of evolving technology such as lights, glow cubes, rotating slats, moving reflective discs, etc. except those giving public service information such as time, date, temperature, weather or similar information.

9. Signs of a pornographic nature that depict nude, or partially clad human bodies of adults or children, male or female genitals, or breast and language that would be considered pornographic, offensive, lewd or inappropriate to be viewed by minors.

10. It shall be the responsibility of the sign's owner to insure that all outdoor advertising devices are erected and maintained in good condition; that is not decayed, insecure, lacking part or portion thereof, is safe and message is not unsightly.

11. Non-conforming signs:

{A} A non-conforming sign is a sign which was lawfully erected but does not comply with the provisions of this Ordinance. Signs must have been physically in existence at the time this Ordinance becomes effective after passage by the Greenville Town Council and publication in the New Albany Tribune.

{B} The sign must remain substantially the same as it was on the date the sign became non-conforming. Reasonable repair and maintenance is allowed.

ENFORCEMENT:

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-068

Enforcement of this Ordinance shall be pursuant to I.C. 36-1-6-1, I.C. 36-1-6-2, I.C. 36-1-6-3 or I.C. 36-1-6-4, or a successor statute if said statute is repealed.

Fines and Penalties:

1. If levied fines are not paid within 30 days, a lien will be sought against person or person's responsible real estate plus attorney fees and court cost in accordance with I.C. 36-1-6-2.
2. The Town of Greenville may pursue any and all penalties described in I.C. 36-1-6-3 in addition to the penalties described in I.C. 36-1-6-4, plus attorney fees and court cost or a successor statute if said statute is repealed.
3. No penalty shall be levied for violation of this Ordinance, nor shall any action be taken by the Town to bring the sign into compliance with this Ordinance, unless all persons holding a substantial interest in the property are given a reasonable opportunity to bring the sign into compliance.
4. The Town shall give all persons holding a substantial interest in any real property, which is not in compliance with this Ordinance ten {10} days written notice to correct the condition and bring the property into compliance. Such notice may be in person by any member of the Greenville Marshal Department, or by mailing it by registered or certified mail with return receipt requested.
5. That for each day any person or entity shall be in violation of this Ordinance after the ten {10} day period set forth said person shall be fined an amount not less than fifty dollars {\$50.00} per day plus Attorney fees and Court Cost.
6. Furthermore, if the condition of said real estate has not been corrected within thirty {30} days after the aforesaid ten {10} day notice period, the Town may cause to be certified to the County Auditor as a charge against the taxes due and payable to the County Treasurer in the following year together with attorney fees and court cost in accordance with I.C. 36-1-6-2 or successor statute, if said statute is repealed.
7. Any portion of any prior Ordinance in conflict with the provisions of this Ordinance is hereby repealed.
8. This Ordinance replaces Ordinance 2000-03 dated July 11th, 2000. Ordinance 2000-03 shall be moved to the voided Ordinance file after passage of this Ordinance.
9. The Town of Greenville Clerk Treasurer shall publish this Ordinance within 30 days in the New Albany Tribune after passage.

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-068


10. The Town of Greenville Clerk Treasurer shall attach a copy of the publication and related information to the original signed Ordinance and a PDF file shall be added to the electronic file copy of this Ordinance.

11. Any unlawful provision found in this ordinance shall not effect the remaining provision.

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE
13TH DAY OF DECEMBER, 2010.

PRESIDENT OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA


TALBOTTE RICHARDSON,


JACK TRAVILLIAN,
CLERK/TREASURER

PREPARED BY:
RANDAL JOHNES