

**TOWN OF GREENVILLE
ORDINANCE NO. 2009-T-001**

**ORDINANCE TO ESTABLISH THE PROCEDURE TO BE FOLLOWED FOR
THE DEVELOPMENT AND REQUIREMENTS OF WRITTEN ORDINANCES
AND WRITTEN MONTHLY MEETINGS MINUTES AND THE PROCEDURE
FOR RECORDING OF, AND KEEPING OF, THESE DOCUMENTS FOR THE
TOWN OF GREENVILLE, INDIANA**

WHEREAS, the town council for the Town of Greenville, Indiana, in the interest of public records keeping, find it necessary to adopt this ordinance for the performance of functions of the town. The Town has developed an Ordinance for the procedure and information required for written Ordinances and written Monthly Minutes and Record Keeping for the Town of Greenville, Indiana to be kept in the custody of the town clerk;

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

DOCUMENT SIZE:

1) All ordinances and monthly minutes are to be recorded on a paper size not to exceed 8 1/2" x 11".

ORDINANCE DEVELOPMENT:

1) The numbering system for recording any ordinances beginning January 1st, 2009 shall be as follows:

- The first four digits of any ordinance shall begin with the year it is passed or proposed with a hyphen behind. Example: the year of the writing of this ordinance is 2009-. Next year would begin with 2010-, so on and so forth.
- The next digit in the ordinance will be a letter. The letters used will be as follows: T = Town Ordinance, W = Water Company Ordinance, R = Resolution Ordinance, M = Marshal Department Ordinance with a hyphen behind each. Example: for this year 2009-T- would represent a Town Ordinance, 2009-W- would represent a Water Company Ordinance, 2009-R- would represent a Town Resolution, 2009-M- would represent a Marshal Departments Ordinance.
- The last three digits of any ordinance shall begin with 001 thru 999 for that year. At the end of any given year the last three digits will begin over again with 001 thru 999. The last three digits will not be used for any other ordinance whether the middle letter is T, W, R, or M. Example: an ordinance which is numbered 2009-T-001 can not also have a number of 2009-W-001, 2009-R-001, or 2009-M-001. The proper way for these to be numbered would be: 2009-T-001, 2009-W-002, 2009-R-003, and 2009-M-004.

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- 2) The next lines are to contain the official title of the ordinance being proposed for passage. See example:

ORDINANCE TO ESTABLISH THE PROCEDURE TO BE FOLLOWED FOR THE DEVELOPMENT AND REQUIREMENTS OF WRITTEN ORDINANCES AND WRITE MONTHLY MEETINGS MINUTES AND THE PROCEDURE FOR RECORDING OF, AND KEEPING OF, THESE DOCUMENTS FOR THE TOWN OF GREENVILLE, INDIANA

- 3) The next line is to contain the following information as per this example:

WHEREAS, the town council for the Town of Greenville, Indiana, in the interest of public records keeping, find it necessary that the Town develop an Ordinance for the procedure and information required for written ordinances and written monthly minutes and record keeping for the Town of Greenville, Indiana;

- 4) The next line is to contain the following information as per this example:

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

- 5) The next line is to contain the section topic information as per this example:

ORDINANCE DEVELOPMENT:

- 6) The information under each section is a legal description of the content of the ordinance as written for this ordinance.

- 7) All pages of the ordinance are to be numbered in the lower right hand corner, one thru etc. All ordinances are to have the title at the top of each page. See example.

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8} After completion of the body of the ordinance, the ordinance will end with the adoption day, month, year, who prepared the ordinance and appropriate signatures required. The only signatures required on the ordinance will be the presiding Greenville Town Board Officer and attested to by the Greenville Town Clerk. See example below;

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE 12th DAY OF JANUARY, 2009.

**DAFFY DUCK,
CLERK/TREASURER**

**PRESIDENT OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA**

**PREPARED BY:
BUGS BUNNY**

ELMER FUDD

- 9} If an ordinance that is being considered for adoption by the town council is to replace an existing ordinance or revise an ordinance, that ordinance number is to appear in the new ordinance with a copy of that ordinance attached to the new ordinance. Those ordinances replaced or revised are to be mentioned as voided and those ordinances are to be removed from the active ordinance file and placed in the inactive or voided ordinance file. Under no circumstances should an existing ordinance number be reused by adding the letter A or R. Any ordinance being revised or changed will require a new ordinance number complying with this ordinance.
- 10} If a reference to any state or county code in an ordinance, a copy of that code must be attached to any ordinance being considered for adoption. Any additional information that would be helpful in supporting a new ordinance would be recommended but not required.
- 11} An ordinance can be generated for consideration by any board member, the town clerk, or the town marshal for review and consideration for passage by the town council. All new ordinances to be considered are to be submitted to all board members two weeks prior to when such new ordinance is to be considered for passage to allow a period of time for review and comments by other board members. It will be the responsibility of the ordinance originator to provide the information to the other board members either in the form of a written or electronic copy.
- 12} All new ordinances are to be submitted to the town attorney for a legal review two weeks prior to the new ordinance being considered for passage by the Greenville Town Board.

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13} New ordinances require only the signature of the presiding Town of Greenville Official {Board President or acting Board President in the case that the elected town board president is incapacitated}. An ordinance is valid only by the recorded vote that is taken in the monthly or special meeting. Pursuant to IC 36-5-2-10, an ordinance, order, or resolution passed by the legislative body is considered adopted when it is signed by the executive.

**DEFINITION OF RECORD BOOK TO BE KEPT BY TOWN AS DESCRIBED
BELOW IN ORDINANCE RECORD KEEPING, RECORDING OF
GREENVILLE MONTHLY TOWN MINUTES AND MONTHLY MINUTES
RECORD KEEPING:**

ORDINANCE RECORD KEEPING,

- 1} After the ordinance has been voted on and signed by the executive, the signed copy of that ordinance is to be scanned into an electronic PDF file {continuous to contain all documents in the same file} and transferred into the appropriate electronic file folder for the year it was written. The original ordinance signed copy is to be placed in a secured fire and waterproof environment to protect it as the official Town of Greenville Ordinance Document. The electronic PDF file is to be maintained on the town's official CPU and copied onto an electronic flash key using the town's computer USB port. This flash key is to be stored in the town's fire proof safe. This flash key will be updated within a reasonable time following the approval of the monthly meeting minutes. Town board members may request a copy of the electronic file for their records from the town clerk. The town clerk may through e-mail forward this information to the council member through either their written or verbal request. This electronic information is for elected town officials or the town marshal only. The PDF files of the ordinance may be posted on the Town of Greenville Web Site for citizen consumption. A copy of the signed ordinance shall be kept in a binder system in the town hall. Any voided ordinances in this binder system are to be marked as voided and replacing ordinance number noted on voided ordinance.

- 2} A register of documents is always crucial in the locating and retrieving of any documents. An electronic excel spreadsheet is to be kept on all ordinances. This will require two spreadsheets. One spreadsheet will be the ordinance numbering log. It will consist of listing the Ordinance Date in the first column, Ordinance Number in the second column and Ordinance Title in the third column and be referred to as the Ordinance Numbering Log. This log is to be updated within a reasonable time of a new ordinance being approved by the council and signed and validated by the signing of the ordinance by the executive. A printed copy of this log is to be kept in a binder by the town at the town hall. The second log is to be an excel spreadsheet called Ordinance Description Log. This log is to contain in the first column a description of what is covered under that ordinance; the second column is to contain the ordinance number. The third column is to have the ordinance date.

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This log is to be updated within a reasonable time of the ordinance being approved and a printed copy of this log is to be kept in a binder in the Greenville Town Hall in accordance with IC 36-5-2-10.2. These electronic excel spreadsheets are to be added to the flash key containing the town Ordinances and updated when ordinances are added to the file within a reasonable period of time. All ordinance numbers, whether approved or denied, will be entered on both spreadsheets. If an ordinance is a denied or withdrawn ordinance, enter the word 'denied' or 'withdrawn' in the title column. This is so all numbers can be accounted for.

RECORDING OF GREENVILLE MONTHLY TOWN MINUTES:

- 1} The Town Clerk is to take notes to produce a computer word document of the Town of Greenville monthly minutes. The minimum requirements for this document are the following:
 - Date and time of meeting.
 - Record what board members are present.
 - Record all votes taken on any subject brought before the board
 - Record basic subject matter discussed by the board.
 - Note if any executive meetings were held since last monthly board meeting.
 - Record when meeting was adjourned.
 - State when next meeting will be held.
 - These minutes are also to contain as an attachment any ordinances that will be approved by acceptance of the monthly minutes.
 - Any financial statements, budget balance sheets etc. or anything that is mentioned in the minutes.
 - Agenda for that month or any special posting for additional meetings for that month.

- 2} The Greenville Town Board may require that a board meeting be taped. This tape does not have to be used to produce the monthly minutes nor does it have to be transcribed into a written form. This tape is to become part of the town records and to be stored in a fire and waterproof environmentally safe place at the town hall for future reference and clarification of written minutes.

- 3} The town clerk is to provide an electronic copy of the monthly minutes within a reasonable time following the monthly meeting for review by all council members prior to the next meeting. Council Members have the right to revise any monthly minutes to reflect what they may consider to be important issues to clarify a subject discussed or protect the interest of the Town of Greenville. These revisions or comments must be made within a reasonable time prior to the next board meeting and submitted to other board members and to the town clerk. This may be done through electronic mail.

- 4} The presiding town board officer is to request of the board members if they have reviewed the monthly minutes. He is to request if any member wishes to have the minutes read or discussed prior to voting to accept the monthly minutes.

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- 5} After voting on the monthly meeting minutes, these minutes are to be signed by the presiding town official {town board president or acting president} and attested to by the Greenville Town Clerk. If the minutes require amendments, those amendments must be made before minutes are signed.

MONTHLY MINUTES RECORD KEEPING,

- 1} After the monthly minutes have been voted on and accepted. The monthly minutes are to be scanned into an electronic PDF file {continuous to contain all documents in the same file} along with any supportive documents such as agenda for that month, ordinances, financial statements, water company reports, marshal reports, budget reports, special postings for that month, etc. {any document mentioned in the minutes} and transferred into the appropriate electronic file folder for the year it was written. The original monthly minutes signed copy is to be placed in a secured fire and waterproof environment to protect it as the Official Town of Greenville Monthly Minutes Document. The electronic PDF file is to be maintained on the town's official CPU and copied onto an electronic flash key using the town's computer USB port. This flash key is to be stored in the town's fire proof safe. This flash key will be updated within a reasonable time following the approval of the monthly meeting minutes. Town board members may request a copy of the electronic file for their records from the town clerk. The town clerk may through e-mail forward this information to the council member through either their written or verbal request. This electronic information is for elected town officials or the town marshal only. The PDF files of the monthly minutes may be posted on the Town of Greenville Web Site for citizen consumption. A copy of the signed monthly minutes shall be kept in a binder system in the town hall by the town.
- 2} A register of monthly minutes is always crucial in the locating and retrieving of any documents. An electronic excel spreadsheet is to be kept on all monthly minutes. The monthly minutes file name is to consist of the Month, Day, Year preceded by the letters MM {example: the monthly minutes for this meeting would be; MM 01-12-2009}.

**TOWN OF GREENVILLE
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**PROVIDING COPIES OF ORDINANCES AND MONTHLY MINUTES TO
CITIZENS UNDER INDIANA CODE OPEN DOOR POLICY.**

Whereas, the public shall have the right to inspect and copy public agency records, all requests shall be in written form as pursuant State of Indiana Code 5-14-3-3 SECTION 3 ITEMS A AND B.

Whereas, the cost of making any public record shall be at the requesting party's expense; **Therefore**, a standard fee shall be assessed and paid in advance before production of those requested records as pursuant to State of Indiana Code 5-14-3-8 SECTION 8 ITEM C.

Fees:

The fee for document copies shall be \$0.10 per one sided page.

The fee for non-standard copies shall be 105% of the cost of reproduction per one sided page.

Whereas, requests shall be recorded into a journal which shall stay at site and be available for viewing upon request. The person recording shall note all required information into the journal and be responsible for notifying the appropriate responder.

- 1} This section of this ordinance voids ordinance 2005-T-046. Ordinance 2005-T-046 is to be placed in the inactive or voided ordinance file.
- 2} A flash key with all current ordinance and monthly meeting minutes to be provided to the Greenville Water Company Clerk. This is to allow the water company clerk to provide requested copies of these documents in the absence of the Greenville Town Clerk.
- 3} This flash key is to be updated within a reasonable time following the approval of monthly minutes and ordinances approved.
- 4} This section of this ordinance is validated by the Indiana Codes mentioned above and included.

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ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE 9th
DAY OF MARCH, 2009.

PRESIDENT OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA


TALBOTTE RICHARDSON


JACK TRAVILLIAN,
CLERK/TREASURER

PREPARED BY:
RANDAL JOHNES

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IC 5-14-3-3

Right to inspect and copy public agency records; electronic data storage; use of information for commercial purposes; contracts

Sec. 3. (a) Any person may inspect and copy the public records of any public agency during the regular business hours of the agency, except as provided in section 4 of this chapter. A request for inspection or copying must:

- (1) identify with reasonable particularity the record being requested; and
- (2) be, at the discretion of the agency, in writing on or in a form provided by the agency.

No request may be denied because the person making the request refuses to state the purpose of the request, unless such condition is required by other applicable statute.

(b) A public agency may not deny or interfere with the exercise of the right stated in subsection (a). The public agency shall either:

- (1) provide the requested copies to the person making the request; or
- (2) allow the person to make copies:
 - (A) on the agency's equipment; or
 - (B) on the person's own equipment.

IC 5-14-3-8

Fees; copies

Sec. 8. (a) For the purposes of this section, "state agency" has the meaning set forth in IC 4-13-1-1.

(b) Except as provided in this section, a public agency may not charge any fee under this chapter:

- (1) to inspect a public record; or
- (2) to search for, examine, or review a record to determine whether the record may be disclosed.

(c) The Indiana department of administration shall establish a uniform copying fee for the copying of one (1) page of a standard-sized document by state agencies. The fee may not exceed the average cost of copying records by state agencies or ten cents (\$0.10) per page, whichever is greater. A state agency may not collect more than the uniform copying fee for providing a copy of a public record. However, a state agency shall establish and collect a reasonable fee for copying nonstandard-sized documents.

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IC 36-5-2-10

Adoption of ordinance, order, or resolution; publication

Sec. 10. (a) An ordinance, order, or resolution passed by the legislative body is considered adopted when it is signed by the executive. If required by statute, an adopted ordinance, order, or resolution must be promulgated or published before it takes effect.

(b) An ordinance prescribing a penalty for a violation must, before it takes effect, be published in the manner prescribed by IC 5-3-1, unless:

(1) it is published under IC 36-1-5; or

(2) it declares an emergency requiring its immediate effectiveness and is posted in:

(A) one (1) public place in each district in the town; or

(B) a number of public places in the town equal to the number of town legislative body members, if the town has abolished legislative body districts under section 4.1 of this chapter.

(c) This section does not apply to a zoning ordinance or amendment to a zoning ordinance, or a resolution approving a comprehensive plan, that is adopted under IC 36-7.

(d) An ordinance increasing a building permit fee on new development must:

(1) be published:

(A) one (1) time in accordance with IC 5-3-1; and

(B) not later than thirty (30) days after the ordinance is adopted by the legislative body in accordance with IC 5-3-1; and

(2) delay the implementation of the fee increase for ninety (90) days after the date the ordinance is published under subdivision (1).

As added by Acts 1980, P.L.212, SEC.4. Amended by Acts 1980, P.L.73, SEC.18; P.L.335-1985, SEC.38; P.L.7-1990, SEC.64; P.L.100-2003, SEC.3.

IC 36-5-2-10.2

Recording of adopted ordinance; presumptive evidence

Sec. 10.2. Within a reasonable time after an ordinance of the legislative body is adopted, the clerk-treasurer shall record it in a book kept for that purpose. The record must include:

(1) the signature of the executive;

(2) the attestation of the clerk-treasurer; and

(3) the date of each recorded item.

The record or a certified copy of it constitutes presumptive evidence of the adoption of the ordinance.

As added by Acts 1980, P.L.73, SEC.19.

Ordinance No. 2005-T-046
An Ordinance for Public Records

Be it ordained by the town council of the Town of Greenville, that,
Whereas, the council of the Town of Greenville, Indiana is the entity for establishing legislative authority of the Town of Greenville.

Whereas, the public shall have the right to inspect and copy public agency records, all requests shall be in written form as pursuant State of Indiana Code 5-14-3-3.2

Whereas, the cost of making any public record shall be at the requesting party's expense; **Therefore**, a standard fee shall be assessed and paid in advance before production of those requested records as pursuant to State of Indiana Code 5-14-3-8c-e.

Fees:

The fee for document copies shall be \$.10

The fee for non-standard copies shall be 105% of the cost of reproduction.

Whereas, requests shall be recorded into a journal which shall stay at site and be available for viewing upon request. The person recording shall note all required information into the journal and be responsible for notifying the appropriate responder.

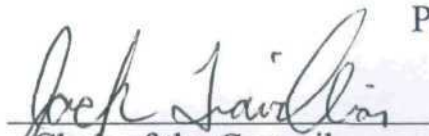
Now therefore be it ordained, that the Greenville Town Council has deliberated and discussed the above ordinance, and each town employee shall within normal circumstances to best of their abilities carry out this duty.

Adopted by the Town Council of the Town of Greenville, Indiana this 13 (thirteenth) day of June, 2005.



Presiding Officer

ATTEST:



Clerk of the Council