

**TOWN OF GREENVILLE
ORDINANCE NO. 2009-T-004**

**ORDINANCE CONCERNING THE HIRING OR REMOVAL OF DEPUTY
TOWN MARSHALS AND THE APPOINTMENT OF RESERVE
OFFICERS FOR THE TOWN OF GREENVILLE, INDIANA**

WHEREAS, the town council for the Town of Greenville, Indiana, is the entity for establishing legislative authority for the Town of Greenville and the Greenville Town Marshal Department.

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

DEPUTY MARSHAL STAFFING:

- The town council recognizes the need for additional police officers pursuant to State of Indiana Code 36-5-7-6
- The Greenville Marshal Department is to have no more than two paid deputies at any time. The additional deputies for the Greenville Town Marshal Department should be appointed by the Greenville Town Marshal. The deputy shall serve at the pleasure of the Greenville Town Marshal and shall be subject to the orders of said Marshal, who may discharge him at any time. The Greenville Town Marshal is authorized to hire up to two (2) additional deputies with the funding available from annual budget.
- The council will solely be responsible for paying the salaries; the council shall set the monthly wages for each additional deputy with available funding not to exceed budgetary restraints issued by State of Indiana statutes.

RESERVE OFFICER STAFFING:

Section 2: Appointment

- The Town Marshal of Greenville is hereby authorized to appoint or remove as many Reserve Officers as he deems necessary to protect the citizens of Greenville and enforce its ordinances authorized under Indiana Code 36-8-3-20.

Section 3: Duties

- The authority of the Reserve Officer shall at all times be auxiliary to the authority of the Greenville Town Marshal as authorized under Indiana Administrative Code 250 IAC 2-6-1, 250 IAC 2-6-2 and 250 IAC 2-9-1.

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REFERENCED CODES:

1C 36-5-7-6

Deputy marshals; appointment; powers and liabilities; bond, compensation, and term; dismissal; procedure

Sec. 6. (a) The town legislative body shall by ordinance fix the number of deputy marshals. The town legislative body may by ordinance authorize the marshal to appoint deputy marshals. Deputy marshals have the powers and liabilities of the marshal in executing the orders of the legislative body or enforcing laws.

(b) One (1) deputy marshal may be designated as the town humane officer. He has the duties prescribed by 1C 36-8 for city humane officers.

(c) The legislative body shall fix the amount of bond, compensation, and term of service of deputy marshals. The marshal may dismiss a deputy marshal at any time. However, a deputy marshal who has been employed by the town for more than six (6) months after completing the minimum basic training requirements adopted by the law enforcement training board under 1C 5-2-1-9 may be dismissed only if the procedure prescribed by section 3 of this chapter is followed.

As added by Acts 1980, P.L.212, SEC.4. Amended by P.L.51-1999, SEC.1.

1C 36-8-3-20

Police reserve officers

Sec. 20. (a) This section applies to counties and towns as well as cities.

(b) A unit may provide by ordinance for any number of police reserve officers.

(c) Police reserve officers shall be appointed by the same authority that appoints regular members of the department.

(d) Police reserve officers may be designated by another name specified by ordinance.

(e) Police reserve officers may not be members of the regular police department but have all of the same police powers as regular members, except as limited by the rules of the department. Each department may adopt rules to limit the authority of police reserve officers.

(f) To the extent that money is appropriated for a purpose listed in this subsection, police reserve officers may receive any of the following:

(1) A uniform allowance.

(2) Compensation for time lost from other employment because of court appearances.

(3) Insurance for life, accident, and sickness coverage.

(4) In the case of county police reserve officers, compensation for lake patrol duties that the county sheriff assigns and approves for compensation.

(g) Police reserve officers are not eligible to participate in any pension program provided for regular members of the department.

(h) A police reserve officer may not be appointed until he has completed the training and probationary period specified by rules of the department.

(i) A police reserve officer appointed by the department after June 30, 1993, may not:

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- (1) make an arrest;
- (2) conduct a search or a seizure of a person or property; or
- (3) carry a firearm;

unless the police reserve officer successfully completes a pre-basic course under 1C 5-2-1-9(f).

(j) A police reserve officer may be covered by the medical treatment and burial expense provisions of the worker's compensation law (1C 22-3-2 through 1C 22-3-6) and the worker's occupational diseases law (1C 22-3-7). If compensability of the injury is an issue, the administrative procedures of 1C 22-3-2 through 1C 22-3-6 and 1C 22-3-7 shall be used to determine the issue.

(k) A police reserve officer carrying out lake patrol duties under this chapter is immune from liability under 1C 34-30-12, notwithstanding the payment of compensation to the officer. *As added by Acts 1981, P.L.309, SEC.52. Amended by P.L.30-1992, SEC.6; P.L.72-1992, SEC.3; P.L.57-1995, SEC.10; P.L.1-1998, SEC. 212.*

250 IAC 2-1-7 "Duty status" defined

Authority: 1C 5-2-1-9
Affected: 1C 5-2-1-11

Sec. 7. "Duty status" means that an individual is on the department or agency payroll and that any injury or illness that occurs to the individual while at the academy will be covered by the employing department or agency under worker's compensation. The term also applies to any unpaid reserve police officer, special deputy, or special police officer assigned by a department to attend training presented by the board; it shall be the responsibility of the officer's department, not the board, to pay for expenses that result from any injury or illness incurred by a reserve police officer, special deputy, or special police officer during assigned training. *(Law Enforcement Training Board; 250 IAC 2-1-7; filed Dec 23, 2003, 3:00p.m.: 27IR 1552)*

250 IAC 2-1-8 "Inservice training" defined

Authority: 1C 5-2-1-9
Affected: 1C 5-2-1-11

Sec. 8. "Inservice training" means training received by a law enforcement officer or reserve police officer after the calendar year in which the officer successfully completes the basic training mandated for that officer. *(Law Enforcement Training Board; 250 IAC 2-1-8; filed Dec 23, 2003, 3:00p.m.: 27 IR 1552)*

250 IAC 2-1-9 "Instructor" defined

Authority: 1C 5-2-1-9
Affected: 1C 5-2-1-12

Sec. 9. "Instructor" means any person certified or approved by the board to provide prebasic, basic, or inservice instruction to Indiana law enforcement officers and support personnel. *(Law Enforcement Training Board; 250 IAC 2-1-9; filed Dec 23, 2003, 3:00p.m.: 27IR 1553)*

250 IAC 2-1-10 "Law enforcement officer" defined

Authority: 1C 5-2-1-9
Affected: 1C 5-2-1-2; 1C 5-2-1-11

Sec. 10. "Law enforcement officer" means any person hired by and on the payroll of the state or one (1) of its political subdivisions, whether part-time or full-time, to enforce all or some of the penal laws of the state and who has the power to effect arrests of persons who violate those laws. *(Law Enforcement Training Board; 250 IAC 2-1-10; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1553)*

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250 IAC 2-1-11 "Learning objective" defined

Authority: 1C 5-2-1-9
Affected: 1C 5-2-1-11

Sec. 11. "Learning objective" means a precise statement that describes what the learner must know and be able to do following successful completion of a training program. (*Law Enforcement Training Board; 250IAC 2-1-11; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1553*)

250 IAC 2-1-12 "Prebasic course" defined

Authority: 1C 5-2-1-9
Affected: 1C 36-8-3-20

Sec. 12. "Prebasic course" means any course developed or certified by the board under 1C 5-2-1-9(f). (*Law Enforcement Training Board; 250 IAC 2-1-12; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1553*)

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250 IAC 2-1-13 "Reserve police officer" defined

Authority: 1C 5-2-1-9
Affected: 1C 36-8-3-7; 1C 36-8-3-20; 1C 36-8-10-6; 1C 36-8-10-10.6

Sec. 13. "Reserve police officer" means any member of a police reserve unit created under 1C 36-8-3-20, whether called reserve police officer, reserve officer, or by another name. Not included in this definition are the following:

- (1) Additional deputies or assistants appointed by a sheriff in an emergency under 1C 36-8-10-6.
- (2) Special deputies or legal deputies appointed by a sheriff under 1C 36-8-10-10.6.
- (3) Special police officers, who are not regular police officers, who are appointed by a municipal safety board under 1C 36-8-3-7 to do special duty within the city.

(*Law Enforcement Training Board; 250 IAC 2-1-13; filed Dec 23, 2003, 3:00 p.m.: 27IR 1553*)

250 IAC 2-1-14 "Safety hazard" defined

Authority: 1C 5-2-1-9
Affected: 1C 5-2-1-9

Sec. 14. "Safety hazard" means a risk of injury or death that is greater than the risk of injury or death that an experienced instructor might expect during a routine training exercise. (*Law Enforcement Training Board; 250 IAC 2-1-14; filed Dec 23, 2003, 3:00p.m.: 27IR 1553*)

Rule 2. Basic Training Mandated for Law Enforcement Officers Appointed on or after July 6,1972

250 IAC 2-2-1 Mandatory basic training; waiver

Authority: 1C 5-2-1-9
Affected: 1C 5-2-1-11

Sec. 1. All law enforcement officers appointed by the state or any of its political subdivisions on or after July 6,1972, whether the appointment is on a probationary, permanent, or other than probationary or permanent basis, shall, within one (1) year of the date of the officer's first or original appointment, whether on a full-time or part-time basis, successfully complete the appropriate minimum basic training course prescribed by the board and described in 2501 AC 2-4. Provided, however, that any such officer who

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has had previous law enforcement experience, including basic law enforcement training meeting or exceeding the standards enumerated in 250 IAC 2-4, may, upon proof of such previous experience and training and upon recommendation by the executive director and approval by the board, obtain a waiver of the training mandated herein or be allowed to test out on any or all phases of the basic course; however, this waiver provision is not applicable to persons certified by the board solely upon successful completion of the town marshal basic training program prescribed in 250IAC 2-4. (*Law Enforcement Training Board; 250IAC 2-2-1; filed Dec 23, 2003. 3:00 p.m.: 27 IR 1553*)

250 IAC 2-2-2 Location of training course

Authority: 1C 5-
2-1-9 Affected:
1C 5-2-1-9

Sec. 2. The minimum basic training course shall be taken at the Indiana law enforcement academy operated by the board at Plainfield or at any board-approved school or academy utilizing board-approved instructors, curriculum, attendance requirements, equipment, and facilities. Attendance at schools other than the Indiana law enforcement academy shall, except in exceptional cases recognized by the board, be limited to officers and recruits of the agency conducting the school. (*Law Enforcement Training Board; 250 IAC 2-2-2; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1553*)

250 IAC 2-2-3 Failure to timely complete course

Authority: 1C 5-
2-1-9 Affected:
1C 5-2-1-9

examination by a physician of the board's choice and may reject the applicant if the applicant does not meet the physical requirements of this section. (*Law Enforcement Training Board; 250IAC 2-3-9; filed Dec 23, 2003, 3:00 p.m.: 27 IK 1555*)

250 IAC 2-3-10 Trainees not yet hired by a law enforcement agency

Authority: 1C 5-2-1-9
Affected: 1C 5-2-1-12; 1C 5-2-1-15

Sec. 10. Preservice tuition trainees who have been investigated and recommended for enrollment in a board-approved basic training course, but have not yet been hired by any law enforcement agency, must meet all of the requirements in this rule before being accepted for law enforcement basic training. In addition, each preservice tuition trainee must do the following:

(1) Obtain a permit from the state that authorizes the trainee to carry a handgun back and forth between home and the Indiana law enforcement academy. The permit must remain valid throughout the period of time that the preservice tuition trainee is attending basic law enforcement training.

(2) Provide proof of full coverage automobile insurance and health and accident insurance, the proof to be accompanied by endorsements stating no exclusions are present that would prohibit payment because the insured is participating in law enforcement basic training. All such insurance must remain valid throughout the period of time that the preservice tuition trainee is attending basic law enforcement training.

(*Law Enforcement Training Board; 250 IAC 2-3-10; filed Dec 23, 2003, 3:00p.m.: 27IR 1555*)

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Rule 4. Minimum Curriculum, Attendance, Equipment, and Facility Requirements

250 IAC 2-4-1 Minimum basic training course; town marshal basic training program

Authority: 1C
5-2-1-9
Affected: 1C
5-2-1-11

Sec. 1. Requirements for the minimum basic training course necessary to satisfy the mandate contained in 250IAC 2-2 shall be as follows:

- (1) For all jurisdictions except towns having no more than one (1) town marshal and two (2) deputies, whether employed on a part-time or full-time basis, shall consist of not less than four hundred eighty (480) hours of classroom and practical training, and the subject matter covered shall be approved by the board prior to the beginning date of each basic training course.
- (2) The town marshal basic training program shall consist of not less than three hundred twenty (320) hours in residence at the Indiana law enforcement academy to which may be added home study assignments. The subject matter covered shall be approved by the board prior to the beginning date of each town marshal basic training program.
- (3) Persons successfully completing the town marshal program are eligible for employment as a law enforcement officer only in towns employing the town marshal system and having no more than one (1) marshal and two (2) deputies.
- (4) Town marshal program graduates who are subsequently hired by a department that is not authorized to enroll officers in the town marshal basic training program shall, within one (1) year of their new appointment date, successfully complete the four hundred eighty (480) hour minimum basic training course described in this section. Town marshal program graduates who fail to successfully complete the minimum basic training course within one (1) year of their new appointment date shall not perform any of the duties of a law enforcement officer or exercise the power of arrest until they have successfully completed the basic training program described in this section.

(5) The minimum hours and subject matter prescribed in subdivisions (1) and (2) may be increased by the board.

(Law Enforcement Training Board; 250 IAC 2-4-1; filed Dec 23, 2003, 3:00p.m.: 27 IR 1555)

250 IAC 2-4-2 Approval of learning objectives, lecture outlines, examinations, and other instructional material

Authority: 1C
5-2-1-9
Affected: 1C
5-2-1-11

Sec. 2. Copies of learning objectives, lecture outlines, examinations, and other course material used to satisfy the basic training requirements in section 1 of this rule shall, upon written request by the executive director, be provided to the board prior to the

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250 IAC 2-6-1 Prebasic training course

Authority: 1C

5-2-1-9

Affected: 1C

5-2-1-15

Sec. 1. (a) Every law enforcement officer and every reserve police officer appointed after June 30, 1993, who has not successfully completed basic training as prescribed in 250 IAC 2-3 must successfully complete the prebasic training course prescribed in this section before that officer can make an arrest, conduct a search or seizure of persons or property, or carry a firearm as part of the duties of a law enforcement officer or reserve police officer.

(b) The prebasic course:

(1) shall consist of forty (40) hours of instruction;

(2) must include the subjects of arrest, search and seizure, use of force, and firearms qualification; and

(3) must be offered periodically at regional sites throughout the state.

(c) Course materials, instructors, and sites for the prebasic course are to be provided by the board.

(d) In addition, the board may certify prebasic courses that may be conducted by other public or private entities, including colleges and universities. (*Law Enforcement Training Board; 250 IAC 2-6-1; filed Dec 23, 2003, 3:00 p.m.: 27IR 1557*)

250 IAC 2-6-2 Successful completion permits temporary exercise of police powers Authority: 1C 5-2-1-9 Affected: 1C 5-2-1-9

Sec. 2. Successful completion of the prebasic course authorizes a law enforcement officer to:

(1) make arrests;

(2) conduct searches and seizures of persons and property; and

(3) carry a firearm;

for one (1) year after the date the law enforcement officer is appointed. (*Law Enforcement Training Board; 250 IAC 2-6-2; filed Dec 23, 2003, 3:00p.m.: 27IR 1557*)

Rule 7. Inservice Training

250 IAC 2-7-1 Mandatory inservice training

Authority: 1C

5-2-1-9

Affected: 1C

5-2-1-9

Sec. 1. Any person who has successfully completed basic training and has been appointed to a law enforcement department or agency as a law enforcement officer, whether on a part-time or full-time basis, is not eligible for continued employment unless the officer successfully completes the minimum required inservice training each year. Subject matter for this training must meet the following requirements:

(1) The subject must be included within the minimum basic training curriculum approved by the board or must be approved

by the board based upon a need expressed by the law enforcement agency or department employing the officer.

(2) The subject must be presented under one (1) of the following conditions:

(A) By a law enforcement training board-certified instructor.

(B) At a law enforcement training board-certified school or academy.

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(C)At a school or academy in another state that has been certified by that state's equivalent to the board, at the federal level, or at an accredited college, university, or vocational school when the subject is determined by the board to be law enforcement related.

(D)By an agency or entity, public or private, that has received written approval by the board, through its executive director, to provide inservice training for Indiana law enforcement officers and has agreed to comply and does comply with the board's rules and guidelines for presenting, evaluating, and reporting the training.

(Law Enforcement Training Board; 250 IAC 2-7-1; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1557)

250 IAC 2-8-5 Cover letter and opinion required if inservice training not completed

Authority: 1C
5-2-1-9
Affected: 1C
5-2-1-1

Sec. 5. When a law enforcement officer or reserve police officer fails to comply with a training mandate, the chief executive officer of the department or agency shall call the deficiency to the attention of the executive director through a cover letter attached to the department's annual training status report. The chief executive officer shall also state his opinion as to the reason the officer failed to complete the required training. *(Law Enforcement Training Board; 250 IAC 2-8-5; filed Dec 23, 2003, 3.00p.m.: 271R 1559)*

Rule 9. Reserve Police Officers

250 IAC 2-9-1 Reserve police officer training

Authority: 1C 5-2-
1-9 Affected: 1C
36-8-3-20

Sec. 1. (a) All reserve police officers defined in 1C 36-8-3-20 appointed after June 30,1993, whether called reserve police officers or by another title, shall successfully complete the prebasic training course prescribed by the board before the reserve police officer may:

- (1)exercise any power of arrest;
- (2)conduct any search or seizure of a person or property; or
- (3)carry a firearm.

(b)The chief executive officer of a department may not adopt the prescribed prebasic training course as the only curriculum for satisfying the department training requirement prescribed in 1C 36-8-3-20.

(c)In addition to the department training program required by 1C 36-8-3-20, each reserve police officer is encouraged to do the following:

- (1)Complete a board-approved reserve police officer academy program within one (1) year of the date of appointment as a reserve police officer.
- (2)Complete, each year thereafter, the same amount of inservice training that paid law enforcement officers are mandated to complete.

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(d) Reserve police officers who voluntarily and successfully complete a reserve police officer academy program certified by the board shall be eligible for consideration for a waiver of basic training by the board should the reserve police officer academy program graduate subsequently accept employment with a department that participates in the town marshal basic training program. However, as a condition of the waiver, the board may require the reserve police officer academy program graduate, hired by a small town department, to test out on all or any part of the town marshal basic training program. Further, persons who are granted a waiver of training through this process are limited to service in a department having no more than one (1) marshal and two (2) deputy marshals. *(Law Enforcement Training Board; 250 IAC 2-9-1; filed Dec 23, 2003, 3:00p.m.: 27IR 1559)*

250 IAC 2-9-2 Reserve police officer academy certification

Authority: 1C
5-2-1-9
Affected: 1C
5-2-1-9

Sec. 2. (a) A department acting alone, or two (2) or more departments acting together, may develop a reserve police officer academy and apply to the board for certification of the academy. An academy certified by the board as a reserve police officer academy must use board-certified instructors and a board-approved curriculum.

(b) Equipment and training facilities, including classrooms used by towns, cities, counties, or agencies or departments of the state to conduct a reserve police officer academy, shall be subject to inspection and approval by the board through its executive director or a designee.

(c) The minimum curriculum, attendance requirements, learning objectives, lecture outlines, examinations, and other instructional materials used for reserve police officer training in the reserve police officer academy are subject to inspection and

1C-5-2-1-9

Rules; basic training; pre-basic training; inservice training; town marshal and executive training programs; fire investigators; handgun safety; refresher course; gaming agents; securities enforcement

Sec. 9. (a) The board shall adopt in accordance with 1C 4-22-2 all necessary rules to carry out the provisions of this chapter. The rules, which shall be adopted only after necessary and proper investigation and inquiry by the board, shall include the establishment of the following:

(1) Minimum standards of physical, educational, mental, and moral fitness which shall govern the acceptance of any person for training by any law enforcement training school or academy meeting or exceeding the minimum standards established pursuant to this chapter.

(2) Minimum standards for law enforcement training schools administered by towns, cities, counties, law enforcement training centers, agencies, or departments of the state.

(3) Minimum standards for courses of study, attendance requirements, equipment, and facilities for approved town, city, county, and state law enforcement officer, police reserve officer, and conservation reserve officer training schools.

(4) Minimum standards for a course of study on cultural diversity awareness that must be required for each person accepted for training at a law enforcement training school or academy.

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(5) Minimum qualifications for instructors at approved law enforcement training schools.

(6) Minimum basic training requirements which law enforcement officers appointed to probationary terms shall complete before being eligible for continued or permanent employment.

(7) Minimum basic training requirements which law enforcement officers appointed on other than a permanent basis shall complete in order to be eligible for continued employment or permanent appointment.

(8) Minimum basic training requirements which law enforcement officers appointed on a permanent basis shall complete in order to be eligible for continued employment.

(9) Minimum basic training requirements for each person accepted for training at a law enforcement training school or academy that include six (6) hours of training in interacting with persons with mental illness, addictive disorders, mental retardation, and developmental disabilities, to be provided by persons approved by the secretary of family and social services and the board.

(10) Minimum standards for a course of study on human and sexual trafficking that must be required for each person accepted for training at a law enforcement training school or academy and for inservice training programs for law enforcement officers. The course must cover the following topics:

(A) Examination of the human and sexual trafficking laws (1C 35-42-3.5).

(B) Identification of human and sexual trafficking.

(C) Communicating with traumatized persons.

(D) Therapeutically appropriate investigative techniques.

(E) Collaboration with federal law enforcement officials.

(F) Rights of and protections afforded to victims.

(G) Providing documentation that satisfies the Declaration of Law Enforcement Officer for Victim of Trafficking in Persons (Form 1-914, Supplement B) requirements established under federal law.

(H) The availability of community resources to assist human and sexual trafficking victims.

(b) Except as provided in subsection (1), a law enforcement officer appointed after July 5, 1972, and before July 1, 1993, may not enforce the laws or ordinances of the state or any political subdivision unless the officer has, within one (1) year from the date of appointment, successfully completed the minimum basic training requirements established under this chapter by the board. If a person

fails to successfully complete the basic training requirements within one (1) year from the date of employment, the officer may not perform any of the duties of a law enforcement officer involving control or direction of members of the public or exercising the power of arrest until the officer has successfully completed the training requirements. This subsection does not apply to any law enforcement officer appointed before July 6, 1972, or after June 30, 1993.

(c) Military leave or other authorized leave of absence from law enforcement duty during the first year of employment after July 6, 1972, shall toll the running of the first year, which shall be calculated by the aggregate of the time before and after the leave, for the purposes of this chapter.

(d) Except as provided in subsections (e), (1), (r), and (s), a law enforcement officer appointed to a law enforcement department or agency after June 30, 1993, may not:

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- (1) make an arrest;
- (2) conduct a search or a seizure of a person or property; or
- (3) carry a firearm;

unless the law enforcement officer successfully completes, at a board certified law enforcement academy or at a law enforcement training center under section 10.5 or 15.2 of this chapter, the basic training requirements established by the board under this chapter.

(e) This subsection does not apply to:

- (1) a gaming agent employed as a law enforcement officer by the Indiana gaming commission; or
- (2) an:
 - (A) attorney; or
 - (B) investigator;

designated by the securities commissioner as a police officer of the state under IC 23-2-1-15(i).

Before a law enforcement officer appointed after June 30, 1993, completes the basic training requirements, the law enforcement officer may exercise the police powers described in subsection (d) if the officer successfully completes the pre-basic course established in subsection (f). Successful completion of the pre-basic course authorizes a law enforcement officer to exercise the police powers described in subsection (d) for one (1) year after the date the law enforcement officer is appointed.

(f) The board shall adopt rules under IC 4-22-2 to establish a pre-basic course for the purpose of training:

- (1) law enforcement officers;
- (2) police reserve officers (as described in IC 36-8-3-20); and
- (3) conservation reserve officers (as described in IC 14-9-8-27);

regarding the subjects of arrest, search and seizure, the lawful use of force, and the operation of an emergency vehicle. The pre-basic course must be offered on a periodic basis throughout the year at regional sites statewide. The pre-basic course must consist of at least forty (40) hours of course work. The board may prepare the classroom part of the pre-basic course using available technology in conjunction with live instruction. The board shall provide the course material, the instructors, and the facilities at the regional sites throughout the state that are used for the pre-basic course. In addition, the board may certify pre-basic courses that may be conducted by other public or private training entities, including postsecondary educational institutions.

(g) The board shall adopt rules under IC 4-22-2 to establish a mandatory inservice training program for police officers. After June 30, 1993, a law enforcement officer who has satisfactorily completed basic training and has been appointed to a law enforcement department or agency on either a full-time or part-time basis is not eligible for continued employment unless the officer satisfactorily completes the mandatory inservice training requirements established by rules adopted by the board. Inservice training

must include training in interacting with persons with mental illness, addictive disorders, mental retardation, and developmental disabilities, to be provided by persons approved by the secretary of family and social services and the board, and training concerning human and sexual trafficking. The board may approve courses offered by other public or private training entities, including postsecondary

educational institutions, as necessary in order to ensure the availability of an adequate number of inservice training programs. The board may waive an officer's inservice training requirements if the board determines that the officer's reason for lacking the required amount of inservice training hours is due to either of the following:

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- (1) An emergency situation.
- (2) The unavailability of courses.

(h) The board shall also adopt rules establishing a town marshal basic training program, subject to the following:

- (1) The program must require fewer hours of instruction and class attendance and fewer courses of study than are required for the mandated basic training program.
- (2) Certain parts of the course materials may be studied by a candidate at the candidate's home in order to fulfill requirements of the program.
- (3) Law enforcement officers successfully completing the requirements of the program are eligible for appointment only in towns employing the town marshal system (1C 36-5-7) and having not more than one (1) marshal and two (2) deputies.
- (4) The limitation imposed by subdivision (3) does not apply to an officer who has successfully completed the mandated basic training program.
- (5) The time limitations imposed by subsections (b) and (c) for completing the training are also applicable to the town marshal basic training program.

(i) The board shall adopt rules under 1C 4-22-2 to establish an executive training program. The executive training program must include training in the following areas:

- (1) Liability.
- (2) Media relations.
- (3) Accounting and administration.
- (4) Discipline.
- (5) Department policy making.
- (6) Lawful use of force.
- (7) Department programs.
- (8) Emergency vehicle operation.
- (9) Cultural diversity.

(j) A police chief shall apply for admission to the executive training program within two (2) months of the date the police chief initially takes office. A police chief must successfully complete the executive training program within six (6) months of the date the police chief initially takes office. However, if space in the executive training program is not available at a time that will allow completion of the executive training program within six (6) months of the date the police chief initially takes office, the police chief must successfully complete the next available executive training program that is offered after the police chief initially takes office.

(k) A police chief who fails to comply with subsection (j) may not continue to serve as the police chief until completion of the executive training program. For the purposes of this subsection and subsection (j), "police chief refers to:

- (1) the police chief of any city;
- (2) the police chief of any town having a metropolitan police department; and
- (3) the chief of a consolidated law enforcement department established under 1C 36-3-1-5.1.

A town marshal is not considered to be a police chief for these purposes, but a town marshal may enroll in the executive training program.

(1) A fire investigator in the division of fire and building safety appointed after December 31, 1993, is required to comply with the basic training standards established under this chapter.

(m) The board shall adopt rules under 1C 4-22-2 to establish a program to certify handgun safety courses, including courses offered in the private sector, that meet standards approved by the board for training probation officers in handgun safety as required by 1C 11-13-1-3.5(3).

**TOWN OF GREENVILLE
ORDINANCE NO. 2009-T-004**

(n) The board shall adopt rules under IC 4-22-2 to establish a refresher course for an officer who:

- (1) is hired by an Indiana law enforcement department or agency as a law enforcement officer;
- (2) has not been employed as a law enforcement officer for at least two (2) years and less than six (6) years before the officer is hired under subdivision (1) due to the officer's resignation or retirement; and
- (3) completed at any time a basic training course certified by the board before the officer is hired under subdivision (1).

(o) The board shall adopt rules under IC 4-22-2 to establish a refresher course for an officer who:

- (1) is hired by an Indiana law enforcement department or agency as a law enforcement officer;
- (2) has not been employed as a law enforcement officer for at least six (6) years and less than ten (10) years before the officer is hired under subdivision (1) due to the officer's resignation or retirement;
- (3) is hired under subdivision (1) in an upper level policymaking position; and
- (4) completed at any time a basic training course certified by the board before the officer is hired under subdivision (1).

A refresher course established under this subsection may not exceed one hundred twenty (120) hours of course work. All credit hours received for successfully completing the police chief executive training program under subsection (i) shall be applied toward the refresher course credit hour requirements, (p) Subject to subsection (q), an officer to whom subsection (n) or (o) applies must successfully complete the refresher course described in subsection (n) or (o) not later than six (6) months after the officer's date of hire, or the officer loses the officer's powers of:

- (1) arrest;
- (2) search; and
- (3) seizure.

(q) A law enforcement officer who has worked as a law enforcement officer for less than twenty-five (25) years before being hired under subsection (n)(1) or (o)(1) is not eligible to attend the refresher course described in subsection (n) or (o) and must repeat the full basic training course to regain law enforcement powers. However, a law enforcement officer who has worked as a law enforcement officer for at least twenty-five (25) years before being hired under subsection (n)(1) or (o)(1) and who otherwise satisfies the requirements of subsection (n) or (o) is not required to repeat the full basic training course to regain law enforcement power but shall attend the refresher course described in subsection (n) or (o) and the pre-basic training course established under subsection (f).

(r) This subsection applies only to a gaming agent employed as a law enforcement officer by the Indiana gaming commission. A gaming agent appointed after June 30, 2005, may exercise the police powers described in subsection (d) if:

- (1) the agent successfully completes the pre-basic course established in subsection (f); and
- (2) the agent successfully completes any other training courses established by the Indiana gaming commission in conjunction with the board.

(s) This subsection applies only to a securities enforcement officer designated as a law enforcement officer by the securities commissioner. A securities enforcement officer may exercise the police powers described in subsection (d) if:

- (1) the securities enforcement officer successfully completes the pre-basic course established in subsection (f); and
- (2) the securities enforcement officer successfully completes any other training courses established by the securities commissioner in conjunction with the board.

**TOWN OF GREENVILLE
ORDINANCE NO. 2009-T-004**

(t) As used in this section, "upper level policymaking position" refers to the following:

(1) If the authorized size of the department or town marshal system is not more than ten (10) members, the term refers to the position held by the police chief or town marshal.

(2) If the authorized size of the department or town marshal system is more than ten (10) members but less than fifty-one (51) members, the term refers to:

(A) the position held by the police chief or town marshal; and

(B) each position held by the members of the police department or town marshal system in the next rank and pay grade immediately below the police chief or town marshal.

(3) If the authorized size of the department or town marshal system is more than fifty (50) members, the term refers to:

{A} the position held by the police chief or town marshal; and

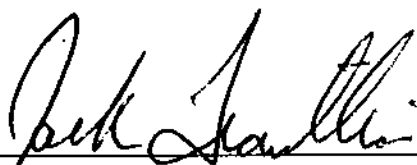
{B} each position held by the members of the police department or town marshal.

➤ This ordinance replaces ordinances: Ordinance 2006-T-060 and Ordinance 2007-T-82.
These ordinances are to be placed in the inactive or voided ordinance file.

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

PRESIDENT OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA


TALBOTTE RICHARDSON,


JACK TRAVILLIAN,
CLERK/TREASURER

PREPARED BY:
RANDAL JOHNES

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

This document is a partial transcript from a taped conversation between Greenville Town Officials and Indiana State Police Representatives. Conversation was held at the Indiana Law Enforcement Academy located in Plainfield, Indiana on December 4th, 2008.

Those present were as follows:

Town of Greenville;

Talbotte Richardson, Town of Greenville Board President
Bob Wright, Town of Greenville Police Commissioner
William Burkhart, Town of Greenville Marshal
David Moore, Town of Greenville Deputy Marshal

Indiana State Police Academy Representatives;

Lt. Norman Camere
Attorney Charles Braun

Subject: OFFICER RE-INSTATEMENT, CONTINUING EDUCATION REQUIREMENTS, POLICE DEPARTMENT STAFFING AND RESERVE OFFICERS:

OFFICER RE-INSTATEMENT:

The conversation began with David Moore talking about the statue on arrest powers. He stated that if you are away from Law Enforcement for two years or less you can be rehired as an officer, put on a badge and gun and perform your duties. If it is four years to six years you have to do the pre-basic again.

David Moore continued; I went through the Academy in 1995. I left the Marshal's Department in 2004. I was hired back into the Marshal's Department in 2006. I was within two weeks but with my discussions with you we decided it was prudent for me to go ahead and do the 40 hour basic. I was doing the on-line courses and Marshal Cameron at that time came up here for two months for his training. When he returned for some reason he decided he no longer wanted me as a Deputy Marshal. Marshal Cameron left in 2007 and William Burkhart was hired as Marshal at that time. At that time Marshal Burkhart wanted me to be his Deputy Marshal. I started in October of 2008. Less than the six years, but more than the two years we have discussed. As I see it statutorily I should take the 40 hour pre-basic. I am doing that now, I am doing the modules.

What our questions are:

{A} According to the statue we believe I still have my police powers.

{B} We believe I have to finish the basic between now and October 2009 because I only have six months to complete the basic.

Mr. Braun began by asking what is the last date that you worked in any capacity and I don't care for whom as a police officer? Just going back from today's date. Okay, it says here left in January 2007, who left in January 2007?

David responded I did.

Mr. Braun continued, and then the last time you worked as a Police Officer was January of 2007.

David responded that is correct.

Mr. Braun asked David; have you been reappointed by the town at this time?

David responded; yes I have, that was in October of 2008.

Mr. Braun stated we don't have to go back to your earlier coming and going. We just have to go back to when you were appointed on October 2008. When was the last time you worked as an active police officer and that would have been January 2007 and that would have been in the capacity of a Marshal, or Deputy Marshal for the town?

David responded a Deputy Marshal.

Mr. Braun continued; then that would be under two years. When you re-enter the police force you go back to the last active day you were a police officer in calculating the two year, four year, six year period. It looks like you are under the two year rule if you worked in the capacity of a police officer in January 2007 {see **minutes of Town of Greenville February 12th, 2007**}. So your reappointment was under two years from the January 2007 last worked period. You do not have to take the pre-basic because you re-entered the police force less than two years and you were ready to go automatically.

David stated; then I have all my powers as a police officer including arrest powers.

Mr. Braun stated normally you have six months to complete your re-entry requirements. But you don't have any re-entry requirements because you came in under the two year rule.

CONTINUING EDUCATION REQUIREMENTS:

Marshal Burkhardt began by stating; right now we have three officers: Myself, David Moore and James Wisman. I have a question for myself and James. On the in-service hours for 2008, that is 16 hours correct?

Mr. Braun stated; yes, just so you know for any year when a police officer works one day or more the full 16 hours is required for that calendar year. The continuing education is on a calendar year basis. If an officer is on December 31st, 2007 is deployed to Afghanistan and is in the military for a full year and doesn't come back to his department until a year later January 1st of 2009. Since he did not work even one day in that year there would not be any continuing education required. But if he came back on December 31st of 2008 he would have to do the full 16 hours. So in any year if a police officer works one day or more they must meet the 16 hour requirement to be legal and there is no prorating of it.

David Moore stated; I have a question, I was hired in October and I have to have 16 hours by December 31st?

Mr. Braun stated; that is correct. It can be any subject taught here at the Academy or any subject the local police administrator deems appropriate for that officer.

Mr. Braun continued; effective January 1st, 2009 we are raising the continuing education requirements to 24 hours a year, not 16 hours. There will be subjects that will be required to be addressed. Minimum hours in three subjects, two hours fire arms, two hours emergency vehicle operation and two hours physical tactics. As long as those are met the remaining hours can be in any subject that is taught at the Academy or what your department deems appropriate. But that does not start until January 1st, 2009. So for this year the 16 hours is in any subject.

David Moore stated; that could be a problem.

Lt. Camere stated; I may be able to help you out there. Do you have a person who is an instructor down there from another Marshal's Agency, another law enforcement agency like the Sheriff's Department or something like that? That is currently certified that can give you some instructions.

David Moore stated; yes we have Rick Denny from New Albany. But they are all geared up for January to give week long classes to get everybody certified for 2009. I need to call him and see what he can do.

Lt. Camere stated; you may want to talk to him and Rick may say we don't have anything going on, but under my umbrella you could go in and review rules and regulations. All types of different things you could do such as SOP's to gain some hours that way. I know we are talking that we have less than four weeks until the end of the year. I am sure you can find them somewhere. Do you have a training council that you are part of? You could contact the training council and find an instructor that would be willing to work with you.

David Moore stated; I will give Rick a call when I get back and see what we can do.

Lt. Camere stated; contact him, contact your training council, contact your EMS. You could do CPR, AED all kinds of different things to get those out of the way.

David Moore asked; does the Red Cross do CPR?

Lt. Camere stated; to do that, you will want to write this down. You can do CPR, AED that would qualify for some of the requirements that our Marshals have to meet. It has to be child, infant and adult. You could do a standard first aid class for eight hours from the American Heart Association or the American Red Cross. There are two or three of these places that are recognized to help you out. You could get a fire arms instructor and go on the range. It doesn't say how many hours you must have. You could go out for two hours or maybe Rick provides you and the rest of the people in the Marshal's Department the fire arms, the physical tactics and a number of things he could teach. Maybe he can't teach all of them, but maybe he has someone who is certified to teach those.

Mr. Braun stated; now if you get past the end of the year the statue states that person who has not complied with the continuing education requirements is to be removed from the public payroll. This is an issue that could come up if you do not get the training by the end of the year. I have found departments that have had employees in the situation. One approach would be to give that person civilian duties until they do come into compliance with the continuing education requirements, rather than remove them from the public payroll as a police officer. They just continue their salary and give them civilian duties on a temporary basis until they comply.

The critical issue is that at the end of the year if the 16 hours are not met that person should not be carrying a gun, should not be directing traffic, should not be in a squad car, should not be arresting people or ticketing people, because you would be subjecting your town to some really bad civil liability exposure. But if a person is answering the phone at the department headquarters, or is interviewing crime victims, or is doing evidence scene investigation, or is working in terms of animal shelter issues, or doing civilian duties they are not acting as police officers. Hopefully that will eliminate civil liability exposure. But as we look at it I don't believe you will have a problem getting your remaining hours needed.

David Moore stated; that basically covers it. We wanted to know everything we need to do to stay compliant.

Marshal Burkhart asked if there were any difference in-service requirements for a Marshal than a Deputy Marshal.

Mr. Braun stated; the in-service requirements are the same for all officers no matter what the position is. Town Marshals do not have any special requirements for in-service training.

POLICE DEPARTMENT STAFFING:

Marshal Burkhardt began by stating; what we have now is a three man police department. Our second deputy has a full time job so he will not be able to take off and come up here. In March he is going to become a reserve officer. We are considering hiring another deputy to replace him. We are trying to work this out because we don't want to have four officers and for that fourth officer to have to come up here for 15 weeks. So if you will please explain the rule of a three person versus a four person police department.

Mr. Braun stated; there are two basic training courses. One is for any town Marshal or police department that employs three or fewer full or part time paid regular officers, reserve officers do not count because they are volunteers. So if you have three or fewer paid career full or part time officers when they have to get their basic training, they can either go to the shortened town marshal basic training program, or they have the right to be sent to the full basic training program. The full basic training program is presently 15 weeks and the town marshal program is 8 weeks. That is how a three or fewer person department works for basic training requirements.

When you get to the fourth person as a paid career full or part time officer, not again as a reserve, that fourth person has to go through the 15 week basic training. The first three are grandfathered, as long as they stay in that department. They can continue to go into other departments that have three or fewer. A town marshal basic training course graduate can only work for a town marshal police department that employs three or fewer. If you are a basic training 15 week graduate you can work for any department. So the fourth person would have to go through the 15 week basic training course, the fifth person would have to, the sixth person would have to and so on. But the first three are grandfathered.

In-service hours don't make any difference whether it is a three person or it is a five person department. The only difference is what basic training at the Academy you need to go to. Just so you know there is another potential legal issue that comes up when you get to a larger department beyond three. Under federal law, the Federal Labor Standards Act if a local governmental unit employs five or more police officers, full or part time paid in any payroll, those officers are entitled to overtime. But if you are four or less, there are no overtime requirements. Now the town could be benevolent and provide it. So if you are talking about increasing the size of your department when you hit five there is no way out. Those are the only two legal issues I can think of that are tied to how many police officers are on the department.

President Richardson stated; we have been told that our marshals can only work 40 hours period. We have been told that if we worked them more than 40 hours we had to pay them time and a half. But that isn't correct; we only have to pay them straight time for any hours over 40 hours a week.

Mr. Braun stated; that is correct. Most small departments do not realize they are excluded the way you people are. Now you can give the pay for over 40 hours in money or comp time. But the federal law says an officer's comp time bank can not exceed more than 480 hours at any one time.

With respect to the town marshal the law supports having an annual salary contract with out any references to hours worked. It would be difficult to do that with a deputy marshal because they would have the argument that they are hourly employees. Most employees in the United States are hourly employees, but agency heads can go by contract.

Marshal Burkhardt stated; another question is Deputy Wisman. He was sworn in on March 17th, 2008. He took his pre-basic test on March 24th, 2008. He was qualified with fire arms June 26th, 2008. That was the first time we could get a qualified instructor to go over it with him. We have not been able to get his physical tactics done. So he has not been able to sign off on his pre-basic. We have contacted the different counties in the area and have not been able to get that done. When I turn in his training for 2008 he will be lacking because we have not been able to get that done.

Mr. Braun stated; under 5219 a newly appointed police officer has one year to complete basic training or they lose their police powers. Since this was a newly appointed police officer they have until March of 2009 to complete their basic training. The only time that pre-basic becomes an issue if you want to use this new recruit as an active law enforcement officer during that year they have to complete basic training. That is the only way you can use one of these new recruits that have not yet completed basis training is sending them through the pre-basic course. That has not been done yet?

Marshal Burkhardt stated; he has completed everything except his physical tactics. So no he has not completed his pre-basic.

Mr. Braun stated; this would not be a good time to use that person for law enforcement duties. Because they haven't any law enforcement powers until they complete pre-basic training.

Marshal Burkhardt stated; he has never arrested anybody. He will ride with me and fill out a citation but I will sign it. What about driving the police vehicle?

Mr. Braun stated; I would not do that. If he was to get into a fatal accident they are going to say this person was not a legal police officer driving an emergency police vehicle. I would not risk that. I would not even have him wear a badge or carry a weapon because until he completes pre-basic he does not have any police powers. Now the pre-basic has to be completed within a year so he is still in the time frame to complete it because he has until March. Is he going to come here to take basic training next year?

Marshal Burkhardt stated; no, he is going to go into reserve status and we have another recruit that will be attending the Academy next year.

RESERVE OFFICERS:

Mr. Braun stated; reserve officers are not subject to mandatory continuing education requirements. Only career paid full or part time officers are required to take the continuing education classes. Pre-basic is the minimal requirements for a reserve officers and they need the pre-basic for their first year in order to be able to use police powers.

President Richardson asked; let me make sure I have this correct. A reserve officer has to have all the pre-basic training. Where does he get his arrest powers from?

Mr. Braun stated; from being appointed as a reserve under 368320. That would require your town to have a local ordinance creating a reserve unit. If you have it or when you have it, normally the town marshal organizes the reserve unit. The marshal makes the appointments. The reserve officer receives authority under the town marshal like special deputies do under the county sheriff. The same party who appoints the regular officers also appoints the reserve officers. Under state law the council appoints the marshal and the marshal appoints the deputies. But either the council or the marshal can appoint the reserve officers.

President Richardson asked; What I understand is we can have a marshal, two deputy marshals and reserve officers and as long as they take the pre-basis they will all have arrest powers.

Mr. Braun stated; that is correct. Reserve officers have the same powers as regular career officers have unless the town limits it under home rule.

Marshal Burkhardt asked; was there a bill introduced this year concerning if you hired a reserve and they did not complete their training by July 30th of 2008 and they did not go to the Academy within that year by August 1st, 2009 they would not have any arrest powers?

Mr. Braun stated; you are correct, but it was a bill that never passed.

Mr. Braun stated; I want the four of you to understand I am not trying to be your town attorney here. You want to affirm and re-affirm with your town attorney these issues.

This transcript of the conversation between the Indiana Police Academy and Officials of the Town of Greenville was transcribed to the best of my ability. This transcript does not include all conversations recorded. It contains only those items considered to be relevant to the topics listed.

Randal Johnes Vice President Greenville Town Board

**CC: Talbotte Richardson, President Greenville Town Board
Bob Wright, Council Member Greenville Town Board and Police Commissioner
William Burkhart, Marshal Town of Greenville
David Moore, Deputy Marshal Town of Greenville
James Wisman, Deputy Marshal Town of Greenville
Hanzel Barclay, Council Member Greenville Town Board
Patti Hayes, Council Member Greenville Town Board
Rick Fox, Town of Greenville Attorney
Jack Travillian, Greenville Town Clerk {for town record}**

Ordinance No. 2006-T-060
An Ordinance for Additional Deputies for
Greenville Police Department

Be it ordained, by the town council of the Town of Greenville, of the State of Indiana that:

Whereas, the council of the Town of Greenville, State of Indiana is the entity for establishing legislative authority of the Town of Greenville and the Greenville Town Police Department.

Whereas, the town council recognizes the need for additional police officers pursuant State of Indiana Code 35-5-7.4

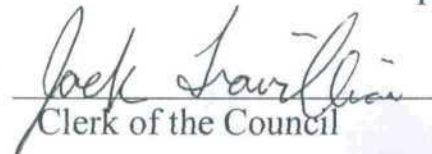
Whereas, the additional deputies for the Greenville Town Police Department should be appointed by the marshal with approval of the Town of Greenville Town Council. The deputy shall serve at the pleasure of the Greenville Marshal and shall be subject to the orders of said Marshal, who may discharge him at any time. **Therefore**, the town marshal shall be authorized to hire up to two (2) additional deputies with the funding available from annual budget.

Whereas, the council will solely be responsible for paying the salary, the council shall set the monthly wages for each additional deputy with available funding not to exceed budgetary restraints issued by State of Indiana statutes.

Now therefore be it ordained, that the Greenville Town Council has deliberated and discussed the above ordinance and trust that it is in the best interest for public safety of the citizens of the Town of Greenville.

Adopted by the Town Council of the Town of Greenville, Indiana this 10 (tenth) day of July 2006.


Presiding Officer

ATTEST: 
Clerk of the Council

3-3

Ordinance 2007-T-82

An ordinance to establish the office of Reserve Officer; to prescribe the duties of said office; to authorize the Town Marshal to appoint any person or persons to said office;

THE TOWN OF GREENVILLE, FLOYD COUNTY, INDIANA, ORDAINS:

Section 1: Reserve Officer

Whereas, hereby established the position of "Reserve Officer" within the Town of Greenville, Floyd County, Indiana.

Section 2: Appointment

The Town Marshal of Greenville is hereby authorized to appoint a Reserve Officer, who will be confirmed by resolution at any regular meeting of Greenville Town Council, or special meeting called for the purpose of any person or persons to the position of Reserve Officer under such conditions and limitations as may be designated in said resolution. Said Council may similarly by resolution remove any person from said position at any time said Council deems such removal appropriate.

Section 3: Duties

The Reserve Officer, upon appointment, is hereby authorized to temporarily, during the period of his/her appointment and while under the direction of the Greenville Town Marshal or the Floyd County Sheriff to enforce all ordinances of the Town of Greenville whether heretofore or hereafter enacted and regardless of whether such ordinances specifically designate a different official to enforce the same or do not designate any particular enforcing officer.

The authority of the Reserve Officer shall at all times be auxiliary to the authority of the Greenville Town Marshal and/or any ordinance enforcing officer of the Town. Any ordinance-enforcing authority of Police Officers and other officers specifically designated in any Town ordinance as enforcing officers shall continue in full force and effect and shall in no way be diminished or impaired by the terms of the within ordinance.

Section 4: Definitions

The Reserve Officer's authority herein specified shall include investigation of ordinance violations and other suspected criminal activity; serving notice of violations; serving appearance tickets as authorized under Indiana Code 36-5-7-6; appearance in court or other judicial or quasi-judicial proceedings to assist in the prosecution of violators; assisting Police Officers or Deputy Sheriffs in making arrests and such other specific authority or duties as may be delegated to such Reserve Officer by a Greenville Town Marshal or Floyd County Sheriff directing said Reserve Officer.

Section 5: Statutory Reference

The Reserve Officer is hereby declared to be a member of the Greenville Town Marshal Auxiliary under the provisions of Indiana Code 36-5-7-6.

Section 6: Saving Clause

The provisions of the within ordinance are hereby declared to be severable and the invalidation of any one or more of the same for any cause shall not invalidate the remainder of said provisions or of said ordinance.

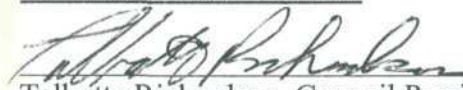

Section 7: Effective Date

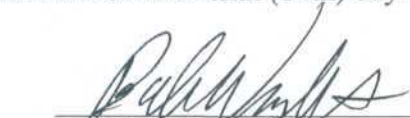
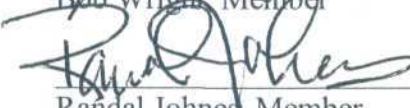
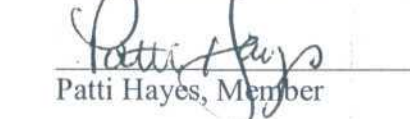
This ordinance shall take immediate effect. All ordinances of the Township heretofore or hereafter adopted shall hereafter be supplemented by the terms of the within ordinance.

NOW BE IT FURTHER ORDAINED that all Ordinances of the Town of Greenville, Indiana that are in conflict with this Ordinance are hereby repealed to the extent of such conflict and any ordinances not in conflict with this Ordinance shall remain in full force and effect.

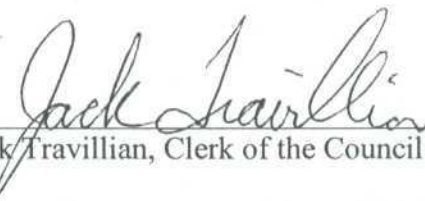
Adopted by the Town of Greenville, Indiana on this tenth (14th) day of January 2008.

Greenville Town Council


Talbotte Richardson, Council President

Hanzel Barclay, Member


Bob Wright, Member

Randal Johnes, Member

Patti Hayes, Member

ATTEST:


Jack Travillian, Clerk of the Council

This Ordinance prepared by Jack Travillian, Clerk/Treasurer.
Subscribed and sworn to before me this tenth (14th) day of ~~December~~ 2007.

