

AN ORDINANCE ADOPTING AND ENACTING A CODE OF ORDINANCES FOR THE COUNTY OF LA PORTE, INDIANA; ESTABLISHING THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, EXCEPT AS HEREIN PROVIDED; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE OF ORDINANCES; PROVIDING A PENALTY FOR VIOLATIONS THEREOF; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

WHEREAS, Indiana Code Section 36-1-5-3 mandates that the legislative body of every city, town, and county codify all of their ordinances, which are of a general and permanent nature, into a complete and simplified code; and

WHEREAS, the County of LaPorte has reviewed all of their laws and has identified all laws which should become a part of the LaPorte County Code; and

WHEREAS, the Commissioners of LaPorte County hereby formally adopts the LaPorte County Code as the official Code containing all of the laws which are of a general and permanent nature for the County, and

WHEREAS, the Commissioners of the County believes that this codification and adoption of the LaPorte County Code is in the best interests of the County.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS OF THE COUNTY OF LA PORTE, INDIANA, as follows:

Section I. The following codification and revision of ordinances, consisting of Chapters 1 through 10, inclusive, and which is on file in the office of the County Auditor is hereby adopted and enacted as the LaPorte County Code. It shall be treated and considered as a new and original codification and revision of the ordinances of the County of LaPorte which shall supersede all other general and permanent ordinances passed and adopted by the County Commissioners on or before, July 13, 1987, except those exceptionally saved from repeal or continued which are in force and effect for any purpose.

Section II. All provisions of the LaPorte County Code shall be in full force and effect following publication of this ordinance, and all ordinances of a general and permanent nature of the County of LaPorte, enacted on final passage on or before July 13, 1987, and not incorporated in this Code or recognized and continued in force by reference therein are hereby repealed from and after the effective date of this ordinance, except as herein provided.

Section III. The repeal provided for in Section II shall not affect any offense or act committed or done or any penalty or forfeiture incurred or imposed before the effective date of this ordinance; nor shall such repeal affect any ordinance or resolution promising or guaranteeing the payment of money for the County, or authorizing the issuance of any bonds of the County or any evidence of the County's indebtedness, or any contract or obligation assumed by the County; nor shall such repeal affect the administrative ordinances or resolutions of the County Commissioners, not in conflict or inconsistent with the provisions of such Code; nor shall such

repeal affect any right of franchise granted by any ordinance or resolution of the County Commissioners of any person, firm or corporation; nor shall such repeal affect any ordinance dedicating, naming, establishing, locating, relocating, opening, closing, paving, widening or establishing grades of any street or public way in the County; nor shall such repeal affect any ordinance levying or imposing taxes not included herein; nor shall such repeal affect any ordinance or resolution relating to salaries of County employees; nor shall such repeal affect any ordinance providing for local improvements and levying special assessments therefor; nor shall such repeal affect any ordinance dedicating or accepting any plat or ordinance extending the boundaries of the County; nor shall such repeal affect any ordinance or resolution establishing, re-establishing or modifying the boundaries of zoning districts, or changing the zoning classification of any lot or parcel of land. Each of the above-mentioned ordinances shall in no way be repealed by this ordinance except as the same may be in conflict with the provisions of such Code.

Section IV. Any and all additions or amendments to such Code, when passed in such form as to indicate the intention of the County Commissioners to make the same a part thereof, shall be deemed to be incorporated in such Code, so that reference to the County Code of LaPorte shall be understood and intended to include such additions and amendments.

Section V. Two (2) copies of the LaPorte County Code shall be kept on file in the office of the County Auditor, preserved in looseleaf form. It shall be the express duty of the County Auditor, or someone authorized by her, to insert in their designated places all amendments or ordinances which indicate the intention of the County Commissioners to make the same a part of such Code when the same shall have been printed or reprinted in page form, and to extract from such Code all provisions which may be from time to time repealed by the County Commissioners. These copies of such Code shall be available to all persons desiring to examine the same and shall be considered the official Code of the County of LaPorte.

Section VI. It shall be unlawful for any person, firm or corporation to change or amend by additions or deletions, any part or portion of such code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the Code, any ordinance, or the law of the County of LaPorte to be misrepresented thereby. Any person, firm or corporation violating this section shall be punished as provided in Section 1-9 of such Code.

Section VII. It is hereby declared to be the intention of the County Commissioners that the sections, paragraphs, sentences, clauses and phrases of such Code are severable and if any phrase, clause, sentence, paragraph or section of such Code shall be declared unconstitutional or invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of such Code.

Section VIII. Whenever in this ordinance or in such Code an act is prohibited or is made or declared to be unlawful or an offense, or whenever in this ordinance or in such Code the doing of any act is required or the failure to do any act is declared to be unlawful, the violation of any such provision of this ordinance or of such Code shall be punished by a fine not exceeding two thousand five hundred dollars (\$2,500.00). The fine assessed

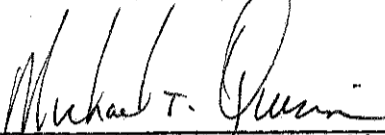
for the violation of any ordinance requiring a license may be a sum equal to the amount required by the ordinance to be paid for such license.

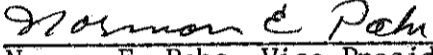
Section IX. In addition to the penalties hereinabove provided, any condition caused or permitted to exist in violation of any of the provisions of such Code shall be deemed a public nuisance and may be by the County abated as provided by law, and each day such condition shall continue to be regarded as a new and separate offense.

Section X. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section XI. This ordinance shall be in full force and effect from and after its passage and approval as provided by law.

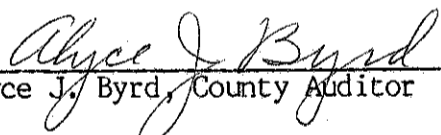
BOARD OF COUNTY COMMISSIONERS
OF LA PORTE COUNTY, INDIANA


Michael T. Quinn, President


Norman E. Pahs, Vice-President


Kenneth W. Swanson, Member

Passed this 28 day of March, 1988


Alyce J. Byrd, County Auditor

Approved as to form:


BOKLUND & YANDT
County Attorneys

Please publish two (2) times in the LaPorte Herald-Argus and Michigan City News-Dispatch on Wednesday, April 6, 1988 and Wednesday, April 13, 1988.