

AMENDMENT TO ORDINANCE NO. 183

INTERFERENCE WITH TRAFFIC

WHEREAS the Town Council of the Town of Middlebury, Indiana has identified certain traffic concerns and safety issues not otherwise specifically regulated but in need of regulation with respect to the roads, streets, highways, alleys, and associated right-of-ways within the Town of Middlebury, Indiana;

NOW, THEREFORE, BE IT ORDAINED that no person shall place, push, move, throw or otherwise deposit or cause to be placed, pushed, moved, thrown, or otherwise deposited any snow, ice, sand, gravel, stones, grass, yard waste, or other foreign objects into any road, street, highway, or alley in the Town of Middlebury;

NOW, THEREFORE, BE IT FURTHER ORDAINED that no person shall install, locate, set, or otherwise place any basketball goal, hockey goal, soccer goal, or other sports equipment on any road, street, highway, or alley or within the associated right-of-way thereof which may obstruct, impede, hamper, or otherwise interfere with vehicular traffic, snow removal, leaf removal, brush removal, or trash removal or which may lead to, contribute toward, cause, or result in children or others playing or engaging in recreational activities on a road, street, highway, or alley within the Town of Middlebury;

NOW, THEREFORE, BE IT FURTHER ORDAINED that any exceptions to this Ordinance Amendment must be pre-approved by the Middlebury Town Manager or Middlebury Town Marshal;

NOW, THEREFORE, BE IT FURTHER ORDAINED that any person found to be in violation of any of the provisions of this Ordinance Amendment, after having received a written warning and not having corrected the violation, may be assessed a civil penalty or fined in an amount not to exceed One Hundred Dollars (\$100.00) for the first offense and Two Hundred Fifty Dollars (\$250.00) for a second and each subsequent offense. Each day that a person remains in violation of any provision of this Ordinance Amendment may be considered a separate offense. In addition, in the event of an imminent public safety hazard, as determined by a regular or reserve officer of the Middlebury Police Department, the Town of Middlebury Public Works Superintendent or his designee may remove any physical objects or

other violations of this Ordinance Amendment, and the person responsible for the violation under this Ordinance Amendment shall be responsible for all costs incurred in such removal and the costs of collection including reasonable attorney fees.

ORDAINED this 2nd day of July, 2007.

TOWN COUNCIL OF THE TOWN OF
MIDDLEBURY, INDIANA

By: Gary L. Dell
Gary L. Dell, President

ATTEST:

Sally A. Nusbaum
Sally A. Nusbaum
Middlebury Clerk-Treasurer