

# Work Session

The Common Council of New Albany, Indiana, will be having a Work Session to discuss the 2020 Budget on Monday, August 15, 2018 at 5:00 p.m. in the third floor assembly room in the New Albany City/County Building. Should you have any questions regarding this meeting please see the City Clerk in Room 332.

Mindy Milburn  
Deputy City Clerk.

**THE COMMON COUNCIL OF THE CIVIL CITY OF NEW ALBANY, INDIANA, WILL HOLD A REGULAR COUNCIL MEETING IN THE THIRD FLOOR ASSEMBLY ROOM OF THE CITY/COUNTY BUILDING ON THURSDAY, AUGUST 15, 2019 AT 7:00 P.M.**

**INVOCATION: To be given by ministers of different faiths, if present. If none are present, then a moment of reflection.**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:**

Regular Meeting Minutes for August 5, 2019

**COMMUNICATIONS – COUNCIL:**

**COMMUNICATIONS – MAYOR:**

**COMMUNICATIONS – OTHER CITY DEPARTMENTS OR CITY OFFICIALS:**

**REPORTS – COMMITTEES, BOARDS OR OTHER OFFICIALS AS REQUESTED BY A MAJORITY VOTE OF THE COUNCIL:**

REDEVELOPMENT COMMISSION – Mr. Barksdale

**APPROVAL OF CF-1 FORMS:**

**INTRODUCTION OF ORDINANCES:**

**READING**

**INTRODUCTION OF RESOLUTIONS:**

**COMMUNICATIONS – PUBLIC: G-19-01 (Unreasonable Noise)**

**COMMUNICATIONS – PETITIONER: G-19-01 (Unreasonable Noise)**

G-19-01      Ordinance to Amend Ordinance 96.01-96.02      Barksdale/Knable 3  
                  Regarding Unreasonable Noise

**BOARD APPOINTMENTS:**

**COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):**

**ADJOURN:**

**THE COMMON COUNCIL OF THE CIVIL CITY OF NEW ALBANY,  
INDIANA, HELD A REGULAR COUNCIL MEETING IN THE THIRD FLOOR  
ASSEMBLY ROOM OF THE CITY/COUNTY BUILDING ON MONDAY,  
AUGUST 5, 2019 AT 7:00 P.M.**

**MEMBERS PRESENT:** Council Members: Mr. Phipps, Mr. McLaughlin, Mr. Nash, Mr. Aebersold, Mr. Barksdale, Dr. Knable and President Blair. Mr. Caesar and Mr. Coffey were absent.

**ALSO PRESENT:** Ms. Stein, Police Chief Bailey. Major Popp, Officer Humphries, Mike Hall, Mr. Thompson, Mr. Wood, Warren Nash. Ms. Moeller, Mr. Gibson and Ms. Milburn

**President Blair** called the meeting to order at 7:00 p.m.

**MOMENT OF REFLECTION:**

**Mr. McLaughlin** asked that they take a moment to remember the victims of the two shootings that took place this week.

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**Mr. Blair** stated that Mr. Caesar couldn't arrange travel plans tonight and Mr. Coffey felt ill after the budget session so he excused himself from the meeting.

**APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:**

**Mr. Barksdale** moved to approve Regular Meeting Minutes for July 18, 2019 as corrected, Mr. Phipps second, all voted in favor. Mr. McLaughlin abstained, Mr. Coffey and Mr. Caesar were absent.

**COMMUNICATIONS – COUNCIL:**

**Mr. McLaughlin** stated that they he and Mr. Barksdale were at a meeting where they were talking about issues with debris in the alleyways and hopefully things will be resolved soon. He explained that he thinks there was some breakdown in communication since the city has gone to contractual services and they want to encourage everyone not to just sit items out, but to call to have them picked up.

**Mr. Barksdale** stated that the drivers are going to start carrying stickers to tag non-compliant items that they see and they will document the items as well.

**Mr. Nash** asked if it will be the city drivers or Ecotech.

**Mr. Barksdale** replied Ecotech.

**Mr. Blair** asked if there are other ways to communicate this to the public.

**Mike Hall** stated that they put this information into the sewer bills that went out to everyone last year.

**Mr. Barksdale** asked if they could do this again this year.

**Mr. Hall** replied yes.

**Mr. McLaughlin** suggested making it a seasonal announcement.

**COMMUNICATIONS – MAYOR:**

**Mike Hall** stated that the Mayor wanted to invite them to the movie series starting in September and explained that it will run for 4 Saturdays at the amphitheater. He added that this is put on by the Horseshoe Foundation of Floyd County and wanted to thank them for their support.

**COMMUNICATIONS – OTHER CITY DEPARTMENTS OR CITY OFFICIALS:**

**Ms. Stein** stated that she was asked to look into whether the City could do anything to prohibit events such as the extreme wrestling match that took place recently. She explained that after doing some research she learned that it is either prohibited under the Indiana criminal code or it is permitted and falls under the jurisdiction of the Indiana Gaming Commission (IGC). She read the definition of combative fighting follows

Sec. 1. (a) As used in this chapter, "combative fighting" (also known as "toughman fighting", "badman fighting", and "extreme fighting") means a match, contest, or exhibition that involves at least (2) contestants, with or without gloves or protective headgear, in which the contestants:

(1) use their:

(A) hands;

(B) feet; or

(C) both hands and feet;

to strike each other; and

(2) compete for a financial prize or any item of pecuniary value.

(b) The term does not include:

(1) a boxing, sparring, or unarmed combat match regulated under IC 4-33-22;

(2) mixed martial arts (as defined by IC 4-33-22-2);

(3) martial arts, as regulated by the gaming commission in rules adopted under IC 4-33-22;

(4) professional wrestling, as regulated by the gaming commission in rules adopted under IC 4-33-22; or

(5) a match, contest, or game in which a fight breaks out among the participants as an unplanned, spontaneous event and not as an intended part of the match, contest, or game.

She stated that she doesn't think the City Council can regulate something that is already regulated by another government agency so they cannot enact a law to prohibit this type of match, because it is already prohibited by the IGC. She added that there are criminal penalties for violation of the criminal code as well as for not having a license or engaging in unlicensed fighting.

**Mr. Phipps** asked if there was anything prohibiting them from restricting it to certain locations.

**Ms. Stein** replied no and stated that she thinks they could work with the zoning code to specify this. She added that she believes it falls under indoor recreation or indoor entertainment.

**Mr. Phipps** asked if this could be a separate category because if they start regulating indoor entertainment that could even pertain to things like a wedding reception.

**Ms. Stein** explained that they could deal with that in the definition section of the zoning code or as a special use.

**Dr. Knable** asked if they could require them to notify the county health officer if they obtain a license.

**Ms. Stein** stated that the IGC already has a set of requirements and she doesn't think they can add on to them. She added that she wishes the IGC would be more responsive when inquiries are made regarding issues like this.

**Dr. Knable** stated that what happened clearly wasn't sanctioned and asked what they should recommend to their constituents. He asked if they should be advised to call the police department in real time.

**Ms. Stein** replied yes and stated that the combative fighting also falls under the criminal code so that would also be something to notify the authorities about.

**Mr. Blair** stated that they are marketing and advertising these events beforehand and asked what could be done at that point.

**Ms. Stein** stated that they could contact the police and zoning in this instance to let them know they are in violation if they don't have a license.

**Dr. Knable** asked if the county prosecutor should be notified instead.

**Ms. Stein** explained that all of the above could be notified because the police somewhat get their direction from the prosecutor regarding whether or not they will stand behind the charges that are filed, and prosecute.

**Mr. Barksdale** asked if anyone knows if the second match went on as scheduled.

**Dr. Knable** stated that he believes it is later this month.

**Mr. Nash** stated that the way they acted at the meeting was that it is a sanctioned event.

**Mr. Phipps** stated that he doesn't think the gentleman speaking was part of the event.

**Mr. McLaughlin** asked if there is any place that would be zoned for entertainment.

**Ms. Stein** asked Mr. Wood to speak to this.

**Mr. Wood** stated that his thought would be to include something like this in the zoning ordinance as both indoor and outdoor recreation. He added that he would be happy to work with Ms. Stein on the best way to integrate it.

**Ms. Stein** stated that she thinks they will be handcuffed a little bit because the statute says that these mixed martial arts events are permissible in Indiana and they can't be prohibited. She explained that they will need to find a reasonable way to regulate it through licensing.

**Mr. Wood** stated that it could be licensing, a permit from the Health Department and other development standards to limit the types of places that these events could be held.

**Mr. Blair** stated that he thought this was already a non-permitted use in the zoning code in all districts.

**Mr. Wood** stated that they pretty much have to permit every use. He explained that under the constitution they can't use zoning to keep out protected speech and that is what this would ultimately come down to.

**Mr. Nash** asked if they could do it by special exception only.

**Mr. Wood** replied yes. He explained that they can also restrict the zoning districts that this would be permitted in. He added that at some point they could look into having a sports authority that looks at all types of sporting activities. He stated that Indianapolis made a name for themselves on the world stage as being an amateur sporting capital and maybe they could make a regional name for themselves with a sports authority.

**Ms. Stein** stated that the bottom line is that the IGC requires a lot and if they aren't licensed with them it is illegal.

**Mr. Phipps** asked if they could add a stipulation that they post their license on the venue.

**Ms. Stein** stated that there might already be something in the statute that address this.

**Mr. Blair** asked what Ms. Stein is recommending going forward.

**Ms. Stein** stated that she doesn't know that there is anything to be done by the City Council.

**Mr. Aebersold** stated that unless they know where these things happen ahead of time it would have to be shut down on the night of the event.

**Ms. Stein** stated that she believes that they have to have the license 30 days in advance so if they are promoting it they should already have that available upon request.

**Mr. Blair** thanked Ms. Stein for her work on this issue.

**REPORTS – COMMITTEES, BOARDS OR OTHER OFFICIALS AS REQUESTED BY A MAJORITY VOTE OF THE COUNCIL:**

HORSESHOE BOARD – Mr. Caesar and Mr. Aebersold

**Mr. Aebersold** stated that they didn't meet in July.

REDEVELOPMENT COMMISSION – Mr. Barksdale

**Mr. Barksdale** presented the following report:

- Tabled the low bid for the green space at East 15<sup>th</sup> & Main streets because it was above the budgeted price of \$107,569 (\$43,000 over the lowest bid)
- Disposed of two NARC properties: a lot at 502 Culbertson to New Directions Housing Corp. for the Neighborhood Stabilization Program (no charge) and a house at 2402 Jollisant Avenue to be rehabbed for Aletha Goodman, the owner occupant (\$10,000)
- Released the retainage fee for the Griffin Recreational Center Project, Phase 2 (\$8,059)
- Approved issuing a RFP for commission-owned properties at 802-810 Vincennes Street (proposals due at the August 13 NARC Meeting)
- Approved issuing RFP for commission-owned properties at 702-706 West Market Street (proposals due at the August 27 NARC meeting)
- Approved issuing RFP for commission-owned properties at 717 and 719 Cherry Street and 624 Vincennes Street (sealed offers due at the August 13 NARC meeting)
- Approved two change orders for the Slate Run Road project due to having the road open during construction, instead of being closed to through traffic as originally bid, and also the inclusion of additional piping, etc. to address drainage concerns (change orders total \$317,470 of a \$2,000,000 project)

**APPROVAL OF CF-1 FORMS:**

**INTRODUCTION OF ORDINANCES:**

**READING**

**INTRODUCTION OF RESOLUTIONS:**

**COMMUNICATIONS – PUBLIC: G-19-01 (Unreasonable Noise)**

**Police Chief Bailey** stated that he had a couple of thoughts after reviewing the ordinance that is on the agenda for consideration tonight. He explained that the calls for service regarding fireworks appeared to be less this year than what they were last year and the impact of fireworks in general was less than previous years. He added that he can't

account for why but he did want to add some clarification when looking at the statistics because they didn't find that they were inundated this year as compared to other years. He stated that with regards to the enforcement piece moving forward, he isn't sure combining the noise ordinance with the prohibition of fireworks is the best idea. He added that for him, when he looks at the officers that enforce these items it seems to be two separate things. He stated that the new ordinance lays out 7 specific days that fireworks are allowed and typically the impact of fireworks are New Years Day and the two weeks around the 4<sup>th</sup> of July.

**COMMUNICATIONS – PETITIONER: G-19-01 (Unreasonable Noise)**

G-19-01            Ordinance to Amend Ordinance 96.01-96.02            Barksdale/Knable 1&2  
                         Regarding Unreasonable Noise

**Dr. Knable introduced Bill No. G-19-01 for first and second readings, Mr. Barksdale second, all voted in favor with the exception of Mr. McLaughlin who voted no. Mr. Coffey and Mr. Caesar were absent.**

**Mr. Barksdale moved to amend the ordinance to read 10:00 a.m. July 4<sup>th</sup> to 12:01 a.m. July 5<sup>th</sup> Dr. Knable second, between, all voted in favor by a show of hands. Mr. Coffey and Mr. Caesar were absent.**

**Mr. Barksdale** stated that they had Ms. Stein work on this ordinance for them and it pretty much follows the Indiana Statute, and they aren't changing anything that the state doesn't already encompass.

**Ms. Stein** stated that state statute says that unless it is an outlined holiday fireworks are prohibited after 11:00 p.m. and before 9:00 a.m. but also gives a city a right to adopt an ordinance concerning the use of fireworks. She added that a city cannot adopt an ordinance that regulates fireworks between the hours of 5:00p.m. and 2 hours after sunset on June 28-30 and July 1-3, 5-9, between the hours of 10:00 a.m. and 12:00 p.m. midnight on July 4 and between the hours of 10:00 a.m. December 31-1:00 a.m. on January 1. She explained that when she drafted this ordinance, she added 11:00 p.m. because she didn't want police officers to have to argue with residents about when 2 hours after sunset was, but recommended amended it to 11:15-11:30. She stated that they also included a section that states that an individual or group may apply to the Board of Works during a day and time not listed so that it can free up anyone that wanted to do a fireworks display, but it would prevent those that want to do them on random dates and times.

**Mr. Barksdale** stated that Mr. Jacobi brought that to their attention at the last meeting and it stuck in his mind that his community/neighborhood event could be affected by the weather, and that is why they have added this special exception in the ordinance.

**Dr. Knable** stated that he thinks this brings them a bit of clarity because fireworks were excluded from the noise ordinance previously. He thanked Chief Bailey for being here tonight and giving his input. He added that his personal number of phone calls regarding fireworks was up about threefold this year over last year. He stated that he wasn't really gung-ho about it until he set down and talked with those neighbors that were affected. He stated that he works with a lot of veterans and if by setting some sort of parameters and it helps individuals dealing with PTSD, then he wants to do it. He added that the days laid out in this ordinance pretty much coincide with what they already experience.

**Mr. Phipps** stated that he would concur with what is being said about the veterans because he knows of one individual who goes to bed early after taking a sleeping pill because he is so affected by the noise. He added that his calls this year had gone up and in his neighborhood this weekend they still had fireworks going on. He stated that he thinks that people don't call because they don't think it is illegal. He stated that they have found the bottle rockets on their roof which is a fire hazard and if they limit when fireworks are being used they can limit the exposure.

**Mr. McLaughlin** stated that he received several phone calls from residents that weren't happy about them trying to regulate their use of fireworks. He explained that part of the issue with it being in with the noise ordinance is the issues not being addressed with such things as car mufflers and loud motorcycles. He stated that attaching this with the noise ordinance because he already had issues with the noise ordinance being enforced and they can't really have issues with loud cars addressed without having proper equipment.

**Mr. Aebersold** stated that he thinks the enforcement is going to be close to nonexistent. He added that the noise with automobiles is such a fast moving issue that unless you get the license they would be gone before it could be reported. He stated when people call in about the fireworks where are they going to tell them to go because most of the time you can hear them from 2 blocks over.

**Mr. Phipps** stated that it is going to be difficult to enforce but sometimes just having a law will have an effect on some people.

**Mr. Barksdale** stated that he thinks the ordinance in front of them is very concise with days and times and if something is going on out of compliance they should call the police.

**Mr. Phipps** stated that he does see the issues brought up with combining this with the noise ordinance and maybe in hindsight it should have been a separate ordinance.

**Mr. Nash** stated that a lot of the complaints he heard was the hours. He asked what they decided as far as the cutoff time goes.

**Ms. Stein** stated that the cutoff can be no earlier than 11:10 p.m.

**BOARD APPOINTMENTS:**

**COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):**

**ADJOURN:**

There being no further business before the board, the meeting adjourned at 7:45 p.m.

\_\_\_\_\_  
Scott Blair, President

\_\_\_\_\_  
Mindy Milburn, Deputy City Clerk



Bill No. G-19-01

Ordinance No. \_\_\_\_\_

**ORDINANCE TO AMEND ORDINANCE 96.01-96.02 REGARDING  
UNREASONABLE NOISE**

WHEREAS, the City's legislative and fiscal body, the New Albany City Common Council (hereinafter "City Council") has the ability to review current ordinances and amend ordinances to provide for public health, safety, and welfare.

WHEREAS, the City Council is aware that the sounds emitted by consumer fireworks can be harmful and distressing to certain people, including people with post-traumatic stress disorder (PTSD), and said sounds can also be disruptive for individuals of all ages trying to sleep, and are distressing for pets and other animals.

WHEREAS, the City Council also acknowledges the history of using consumer fireworks to celebrate our country's independence and acknowledges the enjoyment consumer fireworks bring to many people and, further, applauds people celebrating our country with consumer fireworks.

WHEREAS, the City Council believes a balance can be achieved between meeting the needs of those citizens negatively affected by the noise created by consumer fireworks and the tradition and enjoyment surrounding consumer fireworks, and the proper way to achieve that balance is through an amendment to the City's noise ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THIS COMMON COUNCIL OF THE CITY OF NEW ALBANY, INDIANA, that Sections 96.01 and 96.02 of the City's Code of Ordinances shall be amended as indicated below in bold:

**§ 96.01 REGULATING NUISANCES CREATED BY NOISE.**

(A) It shall be unlawful for any person within the city's corporate limits, to continue, or cause to be made or continued, any unreasonably loud, harsh or excessive noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others, unless the making and continuing of the noise is necessary for the protection or preservation of property or the life, health, or safety of a person or persons. Any person who violates this chapter shall be subject to the penalties set forth in **§ 96.99.**

(B) The following acts are hereby declared to be unreasonably loud, harsh or excessive noises in violation of this chapter, but the enumeration shall not be deemed to be exclusive:

(1) The sounding of any horn or other such audible signaling device on any automobile, motorcycle or other vehicle on any right-of-way, parking lot or other public place, except as a danger warning, for an unreasonable period of time;

(2) The use or operation of any radio, stereo, or other machine or device for the producing, reproducing or amplification of sound in any vehicle in such a manner as to

create an unreasonably loud, harsh, or excessive noise, that disturbs the peace, quiet or comfort of others;

(3) The use or operation of, or allowing the use or operation of, any radio, stereo, musical instrument, or other machine or device for the producing or reproducing of sound in such a manner as to create an unreasonably loud, harsh or excessive noise which disturbs the peace, quiet, and comfort of others by creating or allowing a louder volume than is necessary for the convenient hearing of the person or persons who are voluntarily in the room, chamber, or vehicle in which any machine, device, or musical instrument described above is located;

(4) The use or operation of any vehicle in such manner as to produce any unreasonably loud, harsh or excessive noise, or to discharge into the open air the exhaust of any vehicle, except through a muffler or other device which will effectively prevent any unreasonably loud, harsh or excessive noises therefrom;

(5) The creation of any unreasonably loud, harsh, or excessive noise in connection with the loading or unloading of any vehicle, or by the operation of any such vehicle;

(6) The use of any mechanical loud speaker, amplifier, sound system, stereo or radio on any moving or standing vehicle for advertising, entertainment or any other purpose, in such a manner as to create an unreasonably loud, harsh or excessive noise; and

(7) The unreasonably prolonged continuation of animal noises, as provided in § 91.07.

**(8) The use of consumer fireworks (as defined in Ind. Code 22-11-14-1) except as permitted in 96.02(G).**

(C) The standards which shall be considered in determining whether a violation of this section exists shall include, but not be limited to, the following:

- (1) The volume of the noise;
- (2) The intensity of the noise;
- (3) The volume and intensity of background noise, if any;
- (4) The proximity of the noise to a residential area, place of public accommodation, such as a hotel, motel, inn, campground and the like, health care facilities, churches or schools;
- (5) The nature and zoning of the area within which the noise emanates;
- (6) The density of inhabitation of the area within which the noise emanates;
- (7) The time of day or night the noise occurs;
- (8) The duration of the noise;
- (9) Whether the noise is recurrent, intermittent or constant; and
- (10) Whether any applicable exemptions apply.

(Ord. A-03-53, passed 8-21-2003; Am. Ord. G-11-42, passed 12-15-2011; Ord. G-16-08, passed 9-1-2016) Penalty, see § 96.99

#### § 96.02 EXEMPTIONS.

The following are exempted from the provisions of this chapter:

- (A) Sounds emitted from authorized emergency vehicles;
- (B) Lawn mowers, weed blowers, garden tractors, construction and repair equipment, go-carts, power tools, when properly muffled, between the hours of 7:00 a.m. and 9:00 p.m. only;
- (C) Burglar alarms and other warning devices when properly installed, providing the cause for the alarm or warning device sound is investigated and turned off within a reasonable period of time;
- (D) Events authorized by the Board of Public Works and Safety. However, there shall not be more than three events, totaling six days, in a calendar year authorized by Board

of Public Works and Safety, granted to any individual or entity in a calendar year. Any additional annual exemptions will require Council approval;

(E) Noise associated with scholastic or athletic events;

(F) Sounds emitted for emergency purposes;

(G) Sounds associated with consumer fireworks ~~permitted by state law under I.C. 22-11-14 et seq.~~; during the following dates and times:

**1) Between the hours of 5:00 p.m. and 11:30 p.m. on June 29, June 30, July 1, July 2, July 3, July 5, July 6, July 7, July 8, and July 9;**

**2) Between the hours of 10:00 a.m. of July 4th and 12:01 a.m. on July 5<sup>th</sup>;**

**3) Between the hours of 10:00 a.m. on December 31 and 1:00 am on January 1<sup>st</sup>.**

**Additionally, an individual or group may apply to the Board of Public Works and Safety for a permit to use consumer fireworks during a day and time not listed here. Said permit shall be subject to the conditions outlined in Section D above.**

(H) Sounds associated with the normal conduct of legally established non-transient businesses, organizations and governmental entities, when the sounds are customary, incidental and within the normal range appropriate for the use; provided, however, that, commercial enterprises shall not be entitled to this exemption between the hours of 10:30 p.m. and 6:30 a.m. on weekdays, and 11:00 p.m. and 6:00 a.m. on Fridays and Saturdays. However, it is noted that §§ 156.078(B)(7) and 156.078(C)(7) are applicable for light industrial use and heavy industrial use, respectively;

(I) Garbage collection between the hours of 6:00 a.m. and 9:00 p.m.;

(J) Sounds associated with equipment or animals lawfully utilized by disabled persons to accommodate their disability;

(K) Noise associated with an auction conducted by a licensed auctioneer;

(L) Noises resulting from any and all transportation, flood control, utility company maintenance and construction operations at any time on rights-of-way, and noises from situations which may occur on private real property, including in parking lots, deemed necessary to serve the best interest of the public and to protect the public's health and well being, including but not limited to, street or hard surface sweeping or cleaning, debris and limb removal, removal of downed wires, restoring electrical service, repairing traffic signals, unplugging sewers, snow removal, house moving, vacuuming catch-basins, removal of damaged poles and vehicles, repair of water hydrants and mains, gas lines, oil lines, and sewers; and

(M) Noises from activities conducted on public parks or playgrounds and public or private school grounds, including but not limited to, school athletic and school entertainment events.

#### **§ 96.99 PENALTY.**

(A) A first violation of any section of this chapter shall, upon conviction, be subject to a fine of \$150 for the first offense. The date of the citation is the date for use to determine whether divisions (B) and (C) herein should apply.

(B) A second violation of any section this chapter by the same person or entity within a six-month period from the first violation shall, upon conviction, be subject to a fine of \$300.

(C) A third or more subsequent violations of this chapter by the same person or entity within a six- month period from the first violation shall, upon conviction, be subject to a fine of \$500 per violation thereafter;

(Ord. A-03-53, passed 8-21-2003; Ord. G-11-42, passed 12-15-2011; Am. Ord. G-16-08, passed 9-1-2016)

SO ORDAINED by this Common Council of the City of New Albany, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**COMMON COUNCIL OF THE  
CITY OF NEW ALBANY, INDIANA**

\_\_\_\_\_  
**SCOTT BLAIR, President**

*Attested by:*

\_\_\_\_\_  
**Vicki Glotzbach,  
New Albany City Clerk**

**CERTIFICATE OF PRESENTATION TO MAYOR**

The undersigned hereby certifies that on the \_\_\_\_ day of \_\_\_\_\_, 2019, the above Ordinance was PRESENTED by me, as the duly elected Clerk of the City of New Albany, Indiana, to the Mayor of the City of New Albany, Indiana.

\_\_\_\_\_  
**VICKI GLOTZBACH,  
New Albany City Clerk**

**APPROVAL BY MAYOR**

The undersigned, as of this \_\_\_\_\_ day of \_\_\_\_\_, 2019,  
and as the duly elected Mayor of the City of New Albany, Indiana, hereby APPROVES  
the above Ordinance as authorized by the provisions of IC 36-4-6-16 and as evidenced  
by my signature affixed below.

\_\_\_\_\_  
**JEFF GAHAN, Mayor of the City of  
New Albany, Indiana**

*Attested by:*

\_\_\_\_\_  
**Vicki Glotzbach,  
New Albany City Clerk**