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TOWN OF EATON

ORDINANCE NO. 2016-10-9

**ORDINANCE REGULATING VISIBILITY
AT STREET INTERSECTIONS**

WHEREAS, The Town of Eaton has several street intersections within its residential areas where visibility may be diminished when objects are placed at or near a street intersection on corner lots; and

WHEREAS, The Town Council of the Town of Eaton recognizes that these street intersections can be hazardous to drivers and pedestrians when visibility is diminished due to obstructions found on corner lots; and

WHEREAS, The Town Marshal of the Town of Eaton has requested that the Town Council of the Town of Eaton enact an ordinance that will regulate the building and/or placing of obstructions on corner lots in residential areas that may affect visibility for drivers and pedestrians approaching street intersections; and

WHEREAS, The Town Council of the Town of Eaton recognizes a need to improve public safety at and around street intersections in residential areas within the Town; and

WHEREAS, The Town Council of the Town of Eaton has determined that it is in the Town's best interest to adopt a policy to increase visibility at street intersections on corner lots in any residential zone within the Town; and

WHEREAS, The Town Council of the Town of Eaton has determined that it is in the Town's best interest to adopt a policy prohibiting any person or entity from placing, building, growing, or parking objects on or around a street intersection that would impede visibility for drivers and/or pedestrians; and

WHEREAS, The Town Council of the Town of Eaton has determined that it is in the Town's best interest to assess a fine and costs to any person or entity for violations of this policy.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EATON,
INDIANA:

Section 1. Section 150.55 shall be added to the Town of Eaton, Indiana Code of Ordinances as follows:

“§ 150.55 VISIBILITY AT INTERSECTIONS.

(A) On a corner lot in any residential zone, nothing shall be erected, placed, planted, or allowed to grow, or vehicle parked in a manner as to impede vision between a height of three (3) feet and ten (10) feet of the centerline of the intersection of any streets in the area bound by the street lines of any corner lot and a line adjoining points along said street lines within fifty (50) feet from the point of the street intersection.

(B) Written notice of a violation of this Ordinance shall be posted on the residence and mailed to the property owner of record and the violation must be corrected within seventy-two (72) hours after such notice is posted on the residence.

(C) Upon expiration of the time for abatement provided in Subsection (B) above, the Town may enter the property for the purpose of abating the violation, any costs of which shall be charged to, and incurred by, the property owner of record.

(D) Violations of this Ordinance are subject to the following fine schedule:

(1) First Offense – Written warning of the violation and a notice giving seventy-two (72) hours to correct the violation.

(2) Second Offense – A fine of \$25 imposed on the property owner of record and a notice giving seventy-two (72) hours to correct the violation.

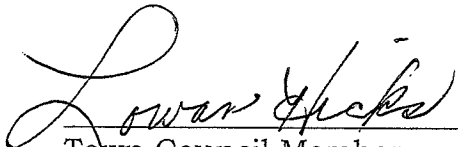
(3) Third Offense – A fine of \$100 imposed on the property owner of record and a notice giving seventy-two (72) hours to correct the violation.

Any and all warnings and/or fines issued under sub-subsections (1)-(3) above will be posted on the residence and mailed to the property owner of record as provided in Subsection (B) above.”

Section 2. All remaining sections of the Town of Eaton, Indiana Code of Ordinances shall remain in full force, except, any ordinance in conflict with the provisions stated herein shall be superseded and of no effect.

Section 3. This Ordinance shall be effective ten (10) days after publication of the same.

Passed and adopted by the Town Council of the Town of Eaton, Indiana
this 11th day of October, 2016.


Town Council Member
LOWAN HICKS

Town Council Member
BRUCE DEWEESS


Town Council Member
Daniel Blankenship

Town Council Member
Teresa Welsh


Town Council Member
Mike Foster

ATTEST:


Clerk Treasurer