

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-067

**ORDINANCE CONCERNING THE ADOPTION OF THE STATE OF
INDIANA BUILDING CODES FOR ENFORCEMENT WITHIN THE
CORPORATE LIMITS OF THE TOWN OF GREENVILLE, INDIANA**

WHEREAS, the Town Council for the Town of Greenville, Indiana, in the interest of public health, safety and welfare, has deemed it necessary that the Town of Greenville adopts the State of Indiana Building Codes within the Corporate Limits of the Town of Greenville, Indiana

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

1. The State of Indiana Building Codes are adopted as of the effective date of this Ordinance, codifies in 675 of Indiana Administrative Code and any future amendments or revisions to I. A. C. 675 is hereby incorporated by reference and adopted by the Town of Greenville, Indiana Building Codes.
2. Appendices and other technical matters incorporated into the State of Indiana Administrative Code 675 shall also become part of this Ordinance by reference. Standards referenced in the text of the State of Indiana Administrative Code 675 shall be considered an integral part of the codes and are also incorporated herein by reference.
3. At the time the State of Indiana adopts a new code or a supplement, revision or amendment to an existing code, the Town of Greenville Building Code Ordinance shall be deemed automatically amended to include the latest provision of such codes. These new codes shall continue to be in effect even if the State of Indiana codifies the new codes under a new title number or numbers. This amendment shall take place by operation of law , without necessity or amending this Ordinance., it being the intent of the Greenville Town Council to require compliance with the latest editions of the codes as they are amended from time to time.
4. The owner or builder of any improvements to real property shall bear the expense of any inspections mandated for compliance with the State of Indiana Building Codes I.A.C 675.
5. Upon written stop work notice from the Town of Greenville Council President or his designee work on any building, structure, electrical, gas, mechanical, plumbing that is being done contrary to provisions of State of Indiana Administrative Codes I.A.C. 675 or Town of Greenville Ordinance and Resolutions, or in a dangerous or unsafe manner, shall immediately cease. Such Stop Work Notice shall be given to the owner of the property, or his agent, or person doing the work by a Member of the Greenville Marshal Department or placed in a conspicuous location on the property and shall state the conditions under which work may be resumed.

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Where an emergency exists, the Greenville Town Council shall not be required to give a written stop work notice prior to stopping work. Stop work under emergency situation shall be issued verbally by the Greenville Town Council President, his/her designee or a member of the Greenville Marshal Department.

6. All plans for construction for new or addition to existing structures must be approved by the Greenville Town Council. Property owner or builder shall submit all plans, permit from the Floyd County Health Department if a septic system for waste removal is being used in place of sewer system tie-in, including plot plan layout showing location of structure to be in compliance with Town of Greenville set back requirements {see 2010-T-050 or a successor Ordinance if said Ordinance is repealed}. The Town of Greenville Council by a majority vote pass a Verbal Building Permit Resolution approving construction. Verbal Building Permit Resolution shall be followed by a written Confirming Resolution at the next scheduled Monthly Meeting or Special Meeting if a meeting is scheduled. Confirming Building Permit Resolution shall be signed by the Town of Greenville Council President and attested to by the Town of Greenville Clerk / Treasurer. After signing of the Confirming Building Permit Resolution a copy shall be given to the Town of Greenville Deputy Clerk and he/she shall contact property owner, builder and recommended building inspector to pick up copy of signed Confirming Building Permit Resolution.

7. If all plans submitted are approved by the Town of Greenville Council, and if the structure is determined by the Greenville Town Council to be used for commercial purposes, the owner or builder shall submit a design release from the State of Indiana Department of Home Land Security or governing office if changed to the Greenville Town Council before construction can begin.

8. All property owners or builders shall contact the recommended Town of Greenville {list shall be provided with Building Permit Resolution} professional inspectors licensed and approved by the State of Indiana or Floyd County, Indiana to be used for new building or building addition before construction shall begin. Inspectors shall abide by all inspections required by this Ordinance and I.A.C. 675. Inspector contracted by owners or builder shall submit their reports to the Greenville Town Council by delivering a copy to the Greenville Water Utility Clerk. Owners or builders shall be responsible for the cost of these inspections. If inspections are not submitted for each trade required by I.A.C.675, a stop work order will be issued by the Greenville Town Council. If construction has proceeded as to prevent the inspection, the Greenville Town Council may require removal of any additional construction so that inspection can be completed and impose a \$1000.00 fine for each inspection not preformed. Property Owner or builder accepts all responsibly for inspections submitted that are found not to meet I.A.C. 675 or future amendments if structure fails due to not being constructed in accordance with the Town of Greenville Ordinances and I.A.C. 675. Property owner or builder shall not hold the Town of Greenville or the recommended building inspector liable during, after construction, or for future structure failure.

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9. A copy of I.A.C. 675 and the town of Greenville Ordinances are available for viewing at the Greenville Water Utility. Copies can be provided of any page of I.A.C. 675 and Ordinances upon written request. A fee charge per page shall apply in accordance with I.C. 5-14-3-8 section 8 item C and I.C. 5-14-3-3 section 3{A} & {B}.

10. Whenever it is necessary to make an inspection to enforce any of the provisions of State of Indiana Administrative Code I.A.C. 675 or the Town of Greenville Ordinances and Resolution, or whenever the Town of Greenville Council has reasonable cause to believe that there exists in any new construction or addition to existing structure violations of any State of Indiana Administrative Code I.A.C. 675 or the Town of Greenville Ordinances and Resolution the Greenville Town Council may enter such construction or addition to existing structure at a reasonable time to inspect for compliance with State of Indiana Administrative Code I.A.C. 675 or the Town of Greenville Ordinances and Resolution. The Town of Greenville Council shall first make a reasonable effort to locate the owner or builder having charge or control of construction or addition to existing structure to request entry.

11. If the property owner or builder refuses entry to the Town of Greenville Council or their representative all legal remedies available shall be obtained to gain entry, up to and including a court order. Property owner or builder shall be responsible for all attorney fees, court cost and a fine of \$500.00 if a court ordered to enter is required. No owner or occupant or any other persons having charge, care or control of any building, structure, or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Greenville Town Council or its representative for the purpose of inspection and examination pursuant to Ordinance and I.A.C. 675.

12. Any person, firm, corporation or agent who shall violate a provision of this Ordinance and I.A.C. 675, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, install, demolish or move any structure, electrical, gas mechanical or plumbing system, in violation of a detailed statement or drawing submitted and permitted there under, shall be guilty of a class A infraction, each such person shall be considered guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Ordinance and I.A.C.675 is committed or continued, and upon conviction of any such violation such person shall be punished within the limits and as provided by Indiana State Laws.

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13. No officer, agent, representative, or employee of the Town of Greenville or the Town of Greenville Council shall render himself/herself personally liable for any damage, whether personal injury, property damage, or economic loss, that may occur to any person as a result of any act required or permitted in the discharge of their duties in the enforcement of this Ordinance and I.A.C.675.

14. This Ordinance and the various parts, sections, sentences, phrases, and clauses hereof, are hereby declared to be severable, if any part, section, sentence, phrase, or clause is judges unconstitutional or invalid, and it is hereby provided that the remainder of this Ordinance shall not be affected thereby.

15. All recommended inspector fees shall be paid to recommended inspector by the developer, builder, contractor or property owner prior to Certificate of Occupancy being issued. Recommended inspector shall submit original of all inspection reports and the Certificate of Occupancy to the Greenville Town Clerk or Deputy Clerk before occupancy can begin. Submittal of the Certificate of Occupancy by recommended inspector shall constitute all inspection fees have been paid.

ENFORCEMENT:

Enforcement of this Ordinance shall be pursuant to I.C. 36-1-6-1, I.C. 36-1-6-2, I.C. 36-1-6-3 or I.C. 36-1-6-4, or a successor statute if said statute is repealed.

Fines and Penalties:

1. If levied fines are not paid within 30 days, a lien will be sought against person or person's responsible real estate with attorney fees and court cost in accordance with I.C. 36-1-6-2.
2. The Town of Greenville may pursue any and all penalties described in I.C. 36-1-6-3 in addition to the penalties described in I.C. 36-1-6-4, plus attorney fees and court cost or a successor statute if said statute is repealed.
3. No penalty shall be levied for violation of this Ordinance, nor shall any action be taken by the Town to bring the real property into compliance with this Ordinance, unless all persons holding a substantial interest in the property are given a reasonable opportunity to bring the property into compliance.

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4. The Town shall give all persons holding a substantial interest in any Real property, which is not in compliance with this Ordinance ten {10} days written notice to correct the condition and bring the property into compliance. Such notice may be in person by any member of the Greenville Marshal Department, or by mailing it by registered or certified mail with return receipt requested.

5. Furthermore, if the condition of said real estate has not been corrected within thirty {30} days the Town may cause to be certified to the County Auditor as a charge against the taxes due and payable to the County Treasurer all fines, plus attorney fees and court cost in the following year in accordance with IC 36-1-6-2 or successor statute, if said statute is repealed.

6. Any portion of any prior Ordinance in conflict with the provisions of this Ordinance is hereby repealed.

7. This Ordinance replaces Ordinance 2007-T-75 dated September 10th, 2007. Ordinance 2007-T-75 shall be moved to the voided Ordinance file after passage of this Ordinance.

8. The Town of Greenville Clerk Treasurer shall publish this Ordinance within 30 days in the New Albany Tribune after passage.

9. The Town of Greenville Clerk Treasurer shall attach a copy of the publication and related information to the original signed Ordinance and a PDF file shall be added to the electronic file copy of this Ordinance.

10. Any unlawful provision found in this ordinance shall not effect the remaining provision.

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ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE
13th DAY OF DECEMBER, 2010.

PRESIDENT OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA


TALBOTTE RICHARDSON,


JACK TRAVILLIAN,
CLERK/TREASURER

PREPARED BY:
RANDAL JOHNES

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Chapter 6. Enforcement of Ordinances

IC 36-1-6-1 Application of chapter

Sec. 1. This chapter applies to all municipal corporations having the power to adopt ordinances. *As added by Acts 1980, P.L.211, SEC.1.*

IC 36-1-6-2

Action to bring compliance with ordinance conditions; expense as lien against property; enforcement of delinquent fees and penalties

Sec. 2. (a) If a condition violating an ordinance of a municipal corporation exists on real property, employees or contractors of a municipal corporation may enter onto that property and take appropriate action to bring the property into compliance with the ordinance. However, before action to bring compliance may be taken, all persons holding a substantial interest in the property must be given a reasonable opportunity of at least ten (10) days but not more than sixty (60) days to bring the property into compliance. Continuous enforcement orders (as defined in IC 36-7-9-2) can be enforced and liens may be assessed without the need for additional notice. If the municipal corporation takes action to bring compliance, the expenses incurred by the municipal corporation to bring compliance constitute a lien against the property. The lien attaches when notice of the lien is recorded in the office of the county recorder in which the property is located. The lien is superior to all other liens except liens for taxes, in an amount that does not exceed:

(1) ten thousand dollars (\$10,000) for real property that:

(A) contains one (1) or more occupied or unoccupied single or double family dwellings or the appurtenances or additions to those dwellings; or

(B) is unimproved; or

(2) twenty thousand dollars (\$20,000) for all other real property not described in subdivision (1).

(b) The municipal corporation may issue a bill to the owner of the real property for the costs incurred by the municipal corporation in bringing the property into compliance with the ordinance, including administrative costs and removal costs.

(c) A bill issued under subsection (b) is delinquent if the owner of the real property fails to pay the bill within thirty (30) days after the date of the issuance of the bill.

(d) Whenever a municipal corporation determines it necessary, the officer charged with the collection of fees and penalties for the municipal corporation shall prepare:

(1) a list of delinquent fees and penalties that are enforceable under this section, including:

(A) the name or names of the owner or owners of each lot or parcel of real property on which fees are delinquent;

(B) a description of the premises, as shown on the records of the county auditor; and

(C) the amount of the delinquent fees and the penalty; or (2) an instalment for each lot or parcel of real property on which the fees are delinquent.

(e) The officer shall record a copy of each list or each instrument with the county recorder, who shall charge a fee for recording the list or instrument under the fee schedule established in IC 36-2-7-10.

(f) The amount of a lien shall be placed on the tax duplicate by the auditor. The total amount, including any accrued interest, shall be collected in the same manner as delinquent taxes are collected and shall be disbursed to the general fund of the municipal corporation.

(g) A fee is not enforceable as a lien against a subsequent owner of property unless the lien for the fee was recorded with the county recorder before conveyance to the subsequent owner. If the

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property is conveyed before the lien is recorded, the municipal corporation shall notify the person who owned the property at the time the fee became payable. The notice must inform the person that payment, including penalty fees for delinquencies, is due not later than fifteen (15) days after the date of the notice. If payment is not received within one hundred eighty (180) days after the date of the notice, the amount due may be considered a bad debt loss.

(h) The municipal corporation shall release:

(1) liens filed with the county recorder after the recorded date of conveyance of the property; and

(2) delinquent fees incurred by the seller; upon receipt of a written demand from the purchaser or a representative of the title insurance company or the title insurance company's agent that issued a title insurance policy to the purchaser. The demand must state that the delinquent fees were not incurred by the purchaser as a user, lessee, or previous owner and that the purchaser has not been paid by the seller for the delinquent fees.

(i) The county auditor shall remove the fees, penalties, and service charges that were not recorded before a recorded conveyance to a subsequent owner upon receipt of a copy of the written demand under subsection (h).

As added by Acts 1980, P.L.211, SEC.1 Amended by P.L.50-2002, SEC.1; P.L.144-2003, SEC.1; P.L.177-2003, SEC.2; P.L.131-2005, SEC.5; P.L.88-2006, SEC.7; P.L.194-2007, SEC.8; P.L.88-2009, SEC. 5.

IC 36-1-6-3

Proceeding to enforce ordinance; law applicable

Sec. 3. (a) Certain ordinances may be enforced by a municipal corporation without proceeding in court through:

(1) an admission of violation before the violations clerk under IC 33-36; or

(2) administrative enforcement under section 9 of this chapter,

(b) Except as provided in subsection (a), a proceeding to enforce an ordinance must be brought in accordance with IC 34-28-5, section 4 of this chapter, or both.

(c) An ordinance defining a moving traffic violation may not be enforced under IC 33-36 and must be enforced in accordance with IC 34-28-5.

As added by Acts 1980, P.L.211, SEC.1. Amended by Acts 1981, P.L.108, SEC.39; P.L.177-1988, SEC.8; P.L.130-1991, SEC.35; P.L.1-1998, SEC.202; P.L.98-2004, SEC.159.

IC 36-1-6-4

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Civil action by municipal corporation; action by court

Sec. 4. (a) A municipal corporation may bring a civil action as provided in IC 34-28-5-1 if a person:

- (1) violates an ordinance regulating or prohibiting a condition or use of property; or
- (2) engages in conduct without a license or permit if an ordinance requires a license or permit to engage in the conduct.

(b) A court may take any appropriate action in a proceeding under this section, including any of the following actions:

- (1) Issuing an injunction.
- (2) Entering a judgment.
- (3) Issuing a continuous enforcement order (as defined in IC 36-7-9-2).
- (4) Ordering the suspension or revocation of a license.
- (5) Ordering an inspection.
- (6) Ordering a property vacated.
- (7) Ordering a structure demolished.
- (8) Imposing a penalty not to exceed an amount set forth in IC36-1-3-8(a)(10).
- (9) Imposing court costs and fees in accordance with IC 33-37-4-2 and IC 33-37-5.
- (10) Ordering a defendant to take appropriate action to bring a property into compliance with an ordinance within a specified time.
- (11) Ordering a municipal corporation to take appropriate action to bring a property into compliance with an ordinance in accordance with IC 36-1-6-2.

As added by Acts 1980, P.L.211, SEC.1. Amended by P.L. 194-2007, SEC. 9; P.L. 88-2009, SEC. 6.

IC 5-14-3-3

Right to inspect and copy public agency records; electronic data storage; use of information for commercial purposes; contracts

Sec. 3. (a) Any person may inspect and copy the public records of any public agency during the regular business hours of the agency, except as provided in section 4 of this chapter. A request for inspection or copying must:

- (1) identify with reasonable particularity the record being requested; and
- (2) be, at the discretion of the agency, in writing on or in a form provided by the agency.

No request may be denied because the person making the request refuses to state the purpose of the request, unless such condition is required by other applicable statute.

(b) A public agency may not deny or interfere with the exercise of the right stated in subsection (a).

The public agency shall either:

- (1) provide the requested copies to the person making the request; or
- (2) allow the person to make copies:
 - (A) on the agency's equipment; or
 - (B) on the person's own equipment.

IC 5-14-3-8

Fees; copies

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Sec. 8. (a) For the purposes of this section, "state agency" has the meaning set forth in IC 4-13-1-1.

(b) Except as provided in this section, a public agency may not charge any fee under this chapter:

(1) to inspect a public record; or

(2) to search for, examine, or review a record to determine whether the record may be disclosed.

(c) The Indiana department of administration shall establish a uniform copying fee for the copying of one (1) page of a standard-sized document by state agencies. The fee may not exceed the average cost of copying records by state agencies or ten cents (\$0.10) per page, whichever is greater. A state agency may not collect more than the uniform copying fee for providing a copy of a public record. However, a state agency shall establish and collect a reasonable fee for copying nonstandard-sized documents.

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ORDINANCE CONCERNING THE ADOPTION OF THE STATE OF INDIANA

BUILDING CODES FOR ENFORCEMENT WITHIN THE CORPORATE LIMITS OF

THE TOWN OF GREENVILLE, INDIANA WHEREAS, the Town Council for the Town of Greenville, Indiana, in the interest of public health, safety and welfare, has deemed it necessary

that the Town of Greenville adopts the State of Indiana Building Codes within the Corporate Limits of the Town of Greenville, Indiana NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS: 1. The State of Indiana Building Codes are adopted as of the effective date of this Ordinance, codifies in 675 of Indiana Administrative Code and any future amendments or revisions to I. A. C. 675 is hereby incorporated by reference and adopted by the Town of Greenville, Indiana Building Codes. 2. Appendices and other technical matters incorporated into the State of Indiana Administrative Code 675 shall also become part of this Ordinance by reference. Standards referenced in the text of the State of Indiana Administrative Code 675 shall be considered an integral part of the codes and are also incorporated herein by reference. 3. At the time the State of Indiana adopts a new code or a supplement, revision or amendment to an existing code, the Town of Greenville Building Code Ordinance shall be deemed automatically amended to include the latest provision of such codes. These new codes shall continue to be in effect even if the State of Indiana codifies the new codes under a new title number or numbers. This amendment shall take place by operation of law , without necessity or amending this Ordinance., it being the intent of the Greenville Town Council to require compliance with the latest editions of the codes as they are amended from time to time. 4. The owner or builder of any improvements to real property shall bear the expense of any inspections mandated for compliance with the State of Indiana Building Codes I.A.C 675. 5. Upon written stop work notice from the Town of Greenville Council President or his designee work on any building, structure, electrical, gas, mechanical, plumbing that is being done contrary to provisions of State of Indiana Administrative Codes I.A.C. 675 or Town of Greenville Ordinance and Resolutions, or in a dangerous or unsafe manner, shall immediately cease. Such Stop Work Notice shall be given to the owner of the property, or his agent, or person doing the work by a Member of the Greenville Marshal Department or placed in a conspicuous location on the property and shall state the conditions under which work may be resumed. Where an emergency exists, the Greenville Town Council shall not be required to give a written stop work notice prior to stopping work. Stop work under emergency situation shall be issued verbally by the Greenville Town Council President, his/her designee or a member of the Greenville Marshal Department. 6. All plans for construction for new or addition to existing structures must be approved by the Greenville Town Council. Property owner or builder shall submit all plans, permit from the Floyd County Health Department if a septic system for waste removal is being used in place of sewer system tie-in, including plot plan layout showing location of structure to be in compliance with Town of Greenville set back requirements {see 2010-T-050 or a successor Ordinance if said Ordinance is repealed}. The Town of Greenville Council by a majority vote pass a Verbal Building Permit Resolution approving construction. Verbal Building Permit Resolution shall be followed by a written Confirming Resolution at the next scheduled Monthly Meeting or Special Meeting if a meeting is scheduled. Confirming Building Permit Resolution shall be signed by the Town of Greenville Council President and attested to by the Town of Greenville Clerk / Treasurer. After signing of the Confirming Building Permit Resolution a copy shall be given to the Town of Greenville Deputy Clerk and he/she shall contact property owner, builder and recommended building inspector to pick up copy of signed Confirming Building Permit Resolution. 7. If all plans submitted are approved by the Town of Greenville Council, and if the structure is determined by the Greenville Town Council to be used for commercial purposes, the owner or builder shall submit a design release from the State of Indiana Department of Home Land Security or governing office if changed to the Greenville Town Council before construction can begin. 8. All property owners or builders shall contact the recommended Town of Greenville {list shall be provided with Building Permit Resolution} professional inspectors licensed and approved by the State of Indiana or Floyd County, Indiana to be used for new building or building addition before construction shall begin. Inspectors shall abide by all inspections required by this Ordinance and I.A.C. 675.

Inspector contracted by owners or builder shall submit their reports to the Greenville Town Council by delivering a copy to the Greenville Water Utility Clerk. Owners or builders shall be responsible for the cost of these inspections. If inspections are not submitted for each trade required by I.A.C.675, a stop work order will be issued by the Greenville Town Council. If construction has proceeded as to prevent the inspection, the Greenville Town Council may require removal of any additional construction so that inspection can be completed and impose a \$1000.00 fine for each inspection not preformed. Property Owner or builder accepts all responsibly for inspections submitted that are found not to meet I.A.C. 675 or future amendments if structure fails due to not being constructed in accordance with the Town of Greenville Ordinances and I.A.C. 675. Property owner or builder shall not hold the Town of Greenville or the recommended building inspector liable during, after construction, or for future structure failure. 9. A copy of I.A.C. 675 and the town of Greenville Ordinances are available for viewing at the Greenville Water Utility. Copies can be provided of any page of I.A.C. 675 and Ordinances upon written request. A fee charge per page shall apply in accordance with I.C. 5-14-3-8 section 8 item C and I.C. 5-14-3-3 section 3 {A} & {B}. 10. Whenever it is necessary to make an inspection to enforce any of the provisions of State of Indiana Administrative Code I.A.C. 675 or the Town of Greenville Ordinances and Resolution, or whenever the Town of Greenville Council has reasonable cause to believe that there exists in any new construction or addition to existing structure violations of any State of Indiana Administrative Code I.A.C. 675 or the Town of Greenville Ordinances and Resolution the Greenville Town Council may enter such construction or addition to existing structure at a reasonable time to inspect for compliance with State of Indiana Administrative Code I.A.C. 675 or the Town of Greenville Ordinances and Resolution. The Town of Greenville Council shall first make a reasonable effort to locate the owner or builder having charge or control of construction or addition to existing structure to request entry. 11. If the property owner or builder refuses entry to the Town of Greenville Council or their representative all legal remedies available shall be obtained to gain entry, up to and including a court order. Property owner or builder shall be responsible for all attorney fees, court cost and a fine of \$500.00 if a court ordered to enter is required. No owner or occupant or any other persons having charge, care or control of any building, structure, or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Greenville Town Council or its representative for the purpose of inspection and examination pursuant to Ordinance and I.A.C. 675. 12. Any person, firm, corporation or agent who shall violate a provision of this Ordinance and I.A.C. 675, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, install, demolish or move any structure, electrical, gas mechanical or plumbing system, in violation of a detailed statement or drawing submitted and permitted there under, shall be guilty of a class A infraction, each such person shall be considered guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Ordinance and I.A.C.675 is committed or continued, and upon conviction of any such violation such person shall be punished within the limits and as provided by Indiana State Laws. 13. No officer, agent, representative, or employee of the Town of Greenville or the Town of Greenville Council shall render himself/herself personally liable for any damage, whether personal injury, property damage, or economic loss, that may occur to any person as a result of any act required or permitted in the discharge of their duties in the enforcement of this Ordinance and I.A.C.675. 14. This Ordinance and the various parts, sections, sentences, phrases, and clauses hereof, are hereby declared to be severable, if any part, section, sentence, phrase, or clause is judges unconstitutional or invalid, and it is hereby provided that the remainder of this Ordinance shall not be affected thereby. 15. All recommended inspector fees shall be paid to recommended inspector by the developer, builder, contractor or property owner prior to Certificate of Occupancy being issued. Recommended inspector shall submit original of all inspection reports and the Certificate of Occupancy to the Greenville Town Clerk or Deputy Clerk before

occupancy can begin. Submittal of the Certificate of Occupancy by recommended inspector shall constitute all inspection fees have been paid.

ENFORCEMENT:

Enforcement of this Ordinance shall be pursuant to I.C. 36-1-6-1, I.C. 36-1-6-2, I.C. 36-1-6-3 or I.C. 36-1-6-4, or a successor statute if said statute is repealed.

Fines and Penalties:

1. If levied fines are not paid within 30 days, a lien will be sought against person or person's responsible real estate with attorney fees and court cost in accordance with I.C. 36-1-6-2. 2. The Town of Greenville may pursue any and all penalties described in I.C. 36-1-6-3 in addition to the penalties described in I.C. 36-1-6-4, plus attorney fees and court cost or a successor statute if said statute is repealed. 3. No penalty shall be levied for violation of this Ordinance, nor shall any action be taken by the Town to bring the real property into compliance with this Ordinance, unless all persons holding a substantial interest in the property are given a reasonable opportunity to bring the property into compliance. 4. The Town shall give all persons holding a substantial interest in any Real property, which is not in compliance with this Ordinance ten {10} days written notice to correct the condition and bring the property into compliance. Such notice may be in person by any member of the Greenville Marshal Department, or by mailing it by registered or certified mail with return receipt requested. 5. Furthermore, if the condition of said real estate has not been corrected within thirty {30} days the Town may cause to be certified to the County Auditor as a charge against the taxes due and payable to the County Treasurer all fines, plus attorney fees and court cost in the following year in accordance with IC 36-1-6-2 or successor statute, if said statute is repealed. 6. Any portion of any prior Ordinance in conflict with the provisions of this Ordinance is hereby repealed. 7. This Ordinance replaces Ordinance 2007-T-75 dated September 10th, 2007. Ordinance 2007-T-75 shall be moved to the voided Ordinance file after passage of this Ordinance. 8. The Town of Greenville Clerk Treasurer shall publish this Ordinance within 30 days in the New Albany Tribune after passage. 9. The Town of Greenville Clerk Treasurer shall attach a copy of the publication and related information to the original signed Ordinance and a PDF file shall be added to the electronic file copy of this Ordinance. 10. Any unlawful provision found in this ordinance shall not effect the remaining provision ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE 13th DAY OF DECEMBER, 2010. PRESIDENT OF THE TOWN COUNCIL OF GREENVILLE, INDIANA TALBOTTE RICHARDSON, JACK TRAVILLIAN, CLERK/TREASURER PREPARED BY: RANDAL JOHNES

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