



AGENDA
Town of New Palestine
Town Council
Wednesday, July 16, 2025
7:00 PM - Town Hall
42 East Main Street

Page

1. CALL TO ORDER

Pledge of Allegiance followed by a moment of silence.

Roll Call

2. CLAIMS

3 - 12

- 2.1. Approval of APVs # 28011-28075
[Payroll 7/3/2025 \(7/4/2025\) - Deduction Checks](#)
[Payroll 7/3/2025 \(7/4/2025\) - Gross Payroll](#)
[Town 7/16/2025 Meeting APVs 28011 - 28067](#)
[WW & SW 7/16/2025 Meeting APVs 28012 - 28075](#)

13

- 2.2. Approve SRF Claims
[WW Improvement SRF 7/16/2025 Meeting](#)

3. ADOPTION OF MINUTES

14 - 19

- 3.1. Adoption of Town Council Minutes from 7/2/2025
[Town Council - July 2 2025 - Minutes](#)

4. PUBLIC COMMENTS (3 MINUTE TIME LIMIT PER PERSON FOR ITEMS ON THE AGENDA ONLY)

5. OLD BUSINESS

20 - 40

- 5.1. Animal Ordinance
[Clean Draft Ordinance Amending Animal Ordinance 7.14.25](#)
[REDLINED DRAFT Ordinance Amending Animal Ordinance 7.14.25](#)
- 5.2. Architectural Review Committee (ARC) - Zach Niceley

41 - 43

- 5.3. "No Heavy Truck Traffic" Signs and Ordinance for Bittner Road
#070225B - Ryan Hartley & Stephen Pool
[Ordinance Limiting Heavy Trucks #070225B](#)

6. NEW BUSINESS

7. CONTINUED COUNCIL CONVERSATIONS

8. LEGAL UPDATES

9. DEPARTMENT REPORTS

James Robinson/Town Manager -

Stephen Pool/Street Commissioner -

Bob Ehle/Police Chief -

Yvonne Jonas/Clerk-Treasurer -

10. PUBLIC COMMENTS - 5 MINUTES - ANY TOPIC

11. COUNCIL COMMENTS

Ethan Maple -

Chad Molinder -

Bill Niemier -

Teri Reed -

Ryan Hartley -

12. ADJOURN

Agenda is Subject to Change

The full video of the meeting is available for viewing at <https://www.youtube.com/@townofnewpalestine> for as long as this media is supported.

Accounts Payable Register

Date: 07/14/2025 02:25:31 PM

APV Register Batch - Payroll 7/3/2025 (7/4/2025) - Deduction Checks

APVREGISTER.FRX

All History

Ordered By APV Number

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK CHECK # DATE	MEMORANDUM
07/03/2025	28018	Indiana Dept Revenue		8901100924.000	State Tax Withheld	8901100924	2279.79	28018PR 07/03/2025	
07/03/2025	28018	Indiana Dept Revenue		8901100925.000	Local Tax Withheld	8901100925	1361.18	28018PR 07/03/2025	
07/03/2025	28019	Payroll Fund		8901100110.000	Net Wages	8901100110	68615.92	28019PR 07/03/2025	
07/03/2025	28020	Public Employees Ret Fund		8901100926.000	PERF & Def Comp Withheld	8901100926	10433.29	28020 07/03/2025	
07/03/2025	28021	IRS		8901100921.000	Federal Taxes Withheld	8901100921	5754.81	28021PR 07/03/2025	
07/03/2025	28021	IRS		8901100922.000	FICA Withheld	8901100922	6478.20	28021PR 07/03/2025	
07/03/2025	28021	IRS		8901100923.000	Medicare Withheld	8901100923	2068.10	28021PR 07/03/2025	
*** GRAND TOTAL ***							96991.29		

Date: 07/14/2025 02:25:02 PM

APVREGISTER.FRX

All History

Ordered By APV Number

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK #	CHECK DATE	MEMORANDUM
07/03/2025	28014	Payroll Fund		1101100111.000	Town Council Salaries	1101100111	17500.00	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100112.000	Clerk-Treasurer Salary	1101100112	1141.41	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100113.000	Finance Clerk Wages	1101100113	1095.31	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100114.000	Town Manager Salary	1101100114	1238.28	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100117.000	Administrative Assistant C/T Wages	1101100117	1396.50	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100120.000	Building Inspector Wages	1101100120	288.75	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100120.000	Building Inspector Wages	1101100120	288.75	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100120.000	Building Inspector Wages	1101100120	297.50	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100122.000	Deputy Marshal Wages	1101100122	15072.96	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100122.000	Deputy Marshal Wages	1101100122	5912.76	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100123.000	General Laborer Wages	1101100123	970.59	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100124.000	Town Marshal Salary	1101100124	3958.08	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100131.000	SS & Medicare Town Share	1101100131	79.05	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100131.000	SS & Medicare Town Share	1101100131	34.94	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100131.000	SS & Medicare Town Share	1101100131	106.82	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100131.000	SS & Medicare Town Share	1101100131	80.17	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100131.000	SS & Medicare Town Share	1101100131	236.77	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100131.000	SS & Medicare Town Share	1101100131	65.73	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100131.000	SS & Medicare Town Share	1101100131	1338.75	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100131.000	SS & Medicare Town Share	1101100131	273.86	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100131.000	SS & Medicare Town Share	1101100131	302.79	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100131.000	SS & Medicare Town Share	1101100131	116.82	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100132.000	Town Share INPRS	1101100132	156.41	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100132.000	Town Share INPRS	1101100132	122.67	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100132.000	Town Share INPRS	1101100132	127.84	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100132.000	Town Share INPRS	1101100132	27.18	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100132.000	Town Share INPRS	1101100132	171.03	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100132.000	Town Share INPRS	1101100132	945.17	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100132.000	Town Share INPRS	1101100132	108.70	28014PR	07/03/2025	

Date: 07/14/2025 02:25:03 PM

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK #	CHECK DATE	MEMORANDUM
07/03/2025	28014	Payroll Fund		1101100132.000	Town Share INPRS	1101100132	3012.20	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100132.000	Town Share INPRS	1101100132	443.30	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100134.000	Employer's Health Ins	1101100134	1500.00	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100134.000	Employer's Health Ins	1101100134	750.00	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100134.000	Employer's Health Ins	1101100134	705.00	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100134.000	Employer's Health Ins	1101100134	3750.00	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100134.000	Employer's Health Ins	1101100134	165.00	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100134.000	Employer's Health Ins	1101100134	1500.00	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100125.000	Deputy Marshal Overtime	1101100125	1330.08	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100125.000	Deputy Marshal Overtime	1101100125	254.70	28014PR	07/03/2025	
07/03/2025	28014	Payroll Fund		1101100115.000	Deputy Clerk-Treasurer Wages	1101100115	456.77	28014PR	07/03/2025	
07/03/2025	28015	Payroll Fund		2201100111.000	Street Commissioner Wages	2201100111	2684.62	28015PR	07/03/2025	
07/03/2025	28015	Payroll Fund		2201100114.000	Street Labor Wages	2201100114	242.65	28015PR	07/03/2025	
07/03/2025	28015	Payroll Fund		2201100115.000	Street Town Manager	2201100115	1238.28	28015PR	07/03/2025	
07/03/2025	28015	Payroll Fund		2201100131.000	Town Share SS & Medicare	2201100131	197.72	28015PR	07/03/2025	
07/03/2025	28015	Payroll Fund		2201100131.000	Town Share SS & Medicare	2201100131	16.44	28015PR	07/03/2025	
07/03/2025	28015	Payroll Fund		2201100131.000	Town Share SS & Medicare	2201100131	116.82	28015PR	07/03/2025	
07/03/2025	28015	Payroll Fund		2201100132.000	Town Share INPRS	2201100132	300.68	28015PR	07/03/2025	
07/03/2025	28015	Payroll Fund		2201100132.000	Town Share INPRS	2201100132	171.03	28015PR	07/03/2025	
07/03/2025	28016	Town Of New Palestine		6201100111.000	WW Employee Wages	6201100111	1275.81	49055	07/01/2025	
07/03/2025	28016	Town Of New Palestine		6201100111.000	WW Employee Wages	6201100111	13160.61	49055	07/01/2025	
07/03/2025	28016	Town Of New Palestine		6201100112.000	WW Clerk-Treas and Council salary	6201100112	1957.81	49055	07/01/2025	
07/03/2025	28016	Town Of New Palestine		6201100113.000	WW Share INPRS	6201100113	176.21	49055	07/01/2025	
07/03/2025	28016	Town Of New Palestine		6201100113.000	WW Share INPRS	6201100113	219.28	49055	07/01/2025	
07/03/2025	28016	Town Of New Palestine		6201100113.000	WW Share INPRS	6201100113	1238.02	49055	07/01/2025	
07/03/2025	28016	Town Of New Palestine		6201100704.000	WW Employee Benefits	6201100704	142.37	49055	07/01/2025	
07/03/2025	28016	Town Of New Palestine		6201100704.000	WW Employee Benefits	6201100704	120.36	49055	07/01/2025	
07/03/2025	28016	Town Of New Palestine		6201100704.000	WW Employee Benefits	6201100704	940.75	49055	07/01/2025	
07/03/2025	28016	Town Of New Palestine		6201100755.000	WW Insurance	6201100755	75.00	49055	07/01/2025	
07/03/2025	28016	Town Of New Palestine		6201100755.000	WW Insurance	6201100755	225.00	49055	07/01/2025	

Accounts Payable Register

Date: 07/14/2025 02:25:03 PM

APVREGISTER.FRX

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK # DATE	MEMORANDUM
07/03/2025	28016	Town Of New Palestine		6201100755.000	WW Insurance	6201100755	75.00	49055 07/01/2025	
07/03/2025	28016	Town Of New Palestine		6201100755.000	WW Insurance	6201100755	750.00	49055 07/01/2025	
07/03/2025	28016	Town Of New Palestine		6201100755.000	WW Insurance	6201100755	300.00	49055 07/01/2025	
07/03/2025	28016	Town Of New Palestine		6201100755.000	WW Insurance	6201100755	630.00	49055 07/01/2025	
07/03/2025	28016	Town Of New Palestine		6201100755.000	WW Insurance	6201100755	3075.00	49055 07/01/2025	
07/03/2025	28017	Town Of New Palestine		6501100111.000	SW Employee salary/wages	6501100111	1227.24	49056 07/01/2025	
07/03/2025	28017	Town Of New Palestine		6501100112.000	SW Clerk-Treas & Council Salary	6501100112	267.14	49056 07/01/2025	
07/03/2025	28017	Town Of New Palestine		6501100113.000	SW Retirement -INPRS	6501100113	125.48	49056 07/01/2025	
07/03/2025	28017	Town Of New Palestine		6501100113.000	SW Retirement -INPRS	6501100113	29.92	49056 07/01/2025	
07/03/2025	28017	Town Of New Palestine		6501100704.000	SW Employee Benefits	6501100704	84.49	49056 07/01/2025	
07/03/2025	28017	Town Of New Palestine		6501100704.000	SW Employee Benefits	6501100704	18.50	49056 07/01/2025	
*** GRAND TOTAL ***							98404.87		

Accounts Payable Register

Date: 07/14/2025 02:23:11 PM

APV Register Batch - Town 7/16/2025 Meeting APVs 28011 - 28067

APVREGISTER.FRX

All History

Ordered By APV Number

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK CHECK # DATE	MEMORANDUM
06/30/2025	28011	Southern Indiana Tire, Inc		2240100360.000	Police Vehicle Repair/ maintenance	2021 Chevrolet Tahoe Tire & Transmission Service	336.79	/ /	
06/30/2025	28023	Payroll Professionals LLC		1101100317.000	Prof. Services: Financial/Payroll/ Engineering/Misc	Payroll Services	63.75	/ /	
06/30/2025	28024	Citizens Energy Group Inc		1101100354.000	Water	Town Hall Water Utilities for June	25.22	9202 07/02/2025	
06/30/2025	28025	Kleem Inc		2201100232.000	Street Signs		3743.05	/ /	
06/30/2025	28026	Descon		4445100315.000	TIF - Other Services	Art Wrap for Street Electrical Box	550.00	/ /	
06/30/2025	28027	Verizon Wireless		1101100324.000	Telephone & Cell phone	Police Cell Phones for 5/24-6/23	125.97	9203 07/02/2025	
06/30/2025	28027	Verizon Wireless		1101100324.000	Telephone & Cell phone	Town Cell Phones for 5/24-6/23	40.49	9203 07/02/2025	
06/30/2025	28027	Verizon Wireless		1101100325.000	Communications & Social Media Consultant	Aircards for 5/24-6/23	240.08	9203 07/02/2025	
06/30/2025	28028	Galls Parent Holdings LLC		1101100237.000	Marshal Uniforms/Personal Equipment	2 Cases of Diamond Grip Powder Free Gloves	338.79	9206 07/03/2025	
06/30/2025	28029	BlueSky Technology Partners, Inc		4445100315.000	TIF - Other Services	BlueSky Branding Project	12500.00	/ /	
06/30/2025	28030	Dave's Super Car Care Inc		1101100392.000	Miscellaneous	Town Vehicle Car Wash	5.00	/ /	
06/30/2025	28039	Anthem BCBS		1101100134.000	Employer's Health Ins	Town Health Ins for July	15174.65	9205 07/03/2025	
06/30/2025	28039	Anthem BCBS		8901100930.000	Health Ins. & Phones Withheld	Dependent Health Ins for July	555.46	9205 07/03/2025	
06/30/2025	28039	Anthem BCBS		8901100930.000	Health Ins. & Phones Withheld	Dependent Health Ins for July	530.56	9205 07/03/2025	
06/30/2025	28039	Anthem BCBS		8901100930.000	Health Ins. & Phones Withheld	Dependent Health Ins for July	837.38	9205 07/03/2025	
06/30/2025	28039	Anthem BCBS		8901100930.000	Health Ins. & Phones Withheld	Dependent Health Ins for July	899.76	9205 07/03/2025	
06/30/2025	28045	Wex Bank		2201100221.000	Street Dept gas	Town Fuel	703.84	9204 07/03/2025	
06/30/2025	28045	Wex Bank		1101100224.000	Marshal Dept Gasoline	Police Fuel	2299.32	9204 07/03/2025	
06/30/2025	28049	AllOne Health Resources Inc		1101100393.000	Subscriptions & Dues	Town Employee Assistance Program	323.60	/ /	
06/30/2025	28050	P & H Associates Inc		1101100356.000	Janitorial Services	Town Bldg Cleaning Services for June	118.00	/ /	
06/30/2025	28050	P & H Associates Inc		1101100356.000	Janitorial Services	Town Bldg Cleaning Services for June	118.00	/ /	

Date: 07/14/2025 02:23:11 PM

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK #	DATE	MEMORANDUM
06/30/2025	28050	P & H Associates Inc		1101100356.000	Janitorial Services	Town Bldg Cleaning Services for June	118.00	/ /		
06/30/2025	28050	P & H Associates Inc		1101100356.000	Janitorial Services	Town Bldg Cleaning Services for June	118.00	/ /		
06/30/2025	28051	Accelerate Indiana Municipalities		4445100315.000	TIF - Other Services	RAI Membership Renewal 2025 -2026	125.00	/ /		
06/30/2025	28053	GBC / Elan Financial Services		1101100210.000	Office Supplies	Printer Ink, Toner & Wall Clock	435.45	9218	07/09/2025	
06/30/2025	28053	GBC / Elan Financial Services		1101100322.000	Postage	Town Postage	218.99	9218	07/09/2025	
06/30/2025	28053	GBC / Elan Financial Services		1101100323.000	Travel allowance	MMI Training Travel Expenses	143.00	9218	07/09/2025	
06/30/2025	28053	GBC / Elan Financial Services		1101100393.000	Subscriptions & Dues	Deputy Annual Premium Upfront Charges for January-May	1080.00	9218	07/09/2025	
06/30/2025	28053	GBC / Elan Financial Services		1101100393.000	Subscriptions & Dues	Deputy Annual Premium Overages for January-May	18.00	9218	07/09/2025	
06/30/2025	28053	GBC / Elan Financial Services		2201100290.000	Other Supplies	Water Sprayer for Hanging Flower Baskets	169.99	9218	07/09/2025	
06/30/2025	28053	GBC / Elan Financial Services		2201100290.000	Other Supplies	Flags for Street Lights	24.60	9218	07/09/2025	
06/30/2025	28053	GBC / Elan Financial Services		2201100361.000	Truck/Vehicle Repairs	Bolts for Snow Plow	38.88	9218	07/09/2025	
06/30/2025	28053	GBC / Elan Financial Services		2228100395.000	Training	Reserve Officer Training	51.38	9218	07/09/2025	
06/30/2025	28053	GBC / Elan Financial Services		1101100363.000	Nichols Bldg Repairs & Maintenance	Nichols Bldg Emergency Exit Lights	19.99	9218	07/09/2025	
06/30/2025	28053	GBC / Elan Financial Services		1101100365.000	Landscaping	Planters for Street Lights	502.21	9218	07/09/2025	
06/30/2025	28053	GBC / Elan Financial Services		1101100365.000	Landscaping	Hanging Flower Baskets	507.78	9218	07/09/2025	
06/30/2025	28053	GBC / Elan Financial Services		1101100226.000	Marshal Office Supplies	Police Printer Ink	220.49	9218	07/09/2025	
06/30/2025	28053	GBC / Elan Financial Services		2201100233.000	Gravel & Patch	Adjustable Clamp	47.76	9218	07/09/2025	
06/30/2025	28053	GBC / Elan Financial Services		2240100236.000	Police Equipment & Computers	Police Scanner	369.98	9218	07/09/2025	
06/30/2025	28053	GBC / Elan Financial Services		2301100292.000	Police- Golf Fundraiser Supplies	Raffle Boxes	103.96	9218	07/09/2025	
06/30/2025	28055	NP Hardware		1101100361.000	Town Hall Repairs & Maintenance	Concrete Mix & Hand Float for Town Bldg	25.98	/ /		
06/30/2025	28055	NP Hardware		2201100232.000	Street Signs	Street Sign Letters & Numbers	17.98	/ /		
06/30/2025	28055	NP Hardware		2201100232.000	Street Signs	Summer Fest Street Sign Letters & Numbers	31.96	/ /		
06/30/2025	28055	NP Hardware		2201100232.000	Street Signs	Street Sign Letters & Numbers	16.98	/ /		
06/30/2025	28055	NP Hardware		2201100290.000	Other Supplies	Hose Supplies	12.58	/ /		
06/30/2025	28055	NP Hardware		2201100290.000	Other Supplies	Hose Supplies	3.59	/ /		

Accounts Payable Register

Date: 07/14/2025 02:23:11 PM

APVREGISTER.FRX

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK CHECK # DATE	MEMORANDUM
06/30/2025	28055	NP Hardware		2201100290.000	Other Supplies	XL Self-Drilling Screws 12- 14X2	6.99	/ /	
06/30/2025	28055	NP Hardware		2201100290.000	Other Supplies	Bulk Pins & Galvanized Nipple	3.29	/ /	
06/30/2025	28055	NP Hardware		2201100290.000	Other Supplies	2 Fastener Bulk Pins	2.99	/ /	
06/30/2025	28055	NP Hardware		2201100290.000	Other Supplies	Hose Clamp	32.31	/ /	
06/30/2025	28055	NP Hardware		2201100290.000	Other Supplies	Black Flat Spray Paint	7.99	/ /	
06/30/2025	28055	NP Hardware		2201100290.000	Other Supplies	2 Fastener Bulk Pins	0.90	/ /	
06/30/2025	28055	NP Hardware		2201100290.000	Other Supplies	1250 Staples 3/8"	6.99	/ /	
06/30/2025	28055	NP Hardware		2201100290.000	Other Supplies	Silver Hammered Spray Paint	41.97	/ /	
06/30/2025	28055	NP Hardware		2201100290.000	Other Supplies	8 D Batteries	16.99	/ /	
06/30/2025	28055	NP Hardware		2201100290.000	Other Supplies	Hose Supplies	21.58	/ /	
06/30/2025	28055	NP Hardware		2201100361.000	Truck/Vehicle Repairs	Bulks Pins & Rust Stop for Town Dump Truck	28.86	/ /	
06/30/2025	28058	Comcast Cable Inc		1101100324.000	Telephone & Cell phone	Internet & Phone Services 7/13-8 /12	176.64	9219 07/09/2025	
06/30/2025	28059	Duke Energy		2201100351.000	Street Lights - Electric	Electric for Town Hall 42 E Main St	1189.46	9220 07/10/2025	
06/30/2025	28061	ILMCT		1101100394.000	Training & Meetings	2025 ILMCT Annual Conference	1000.00	9221 07/10/2025	
06/30/2025	28064	Kroger, Gardis & Regas LLP		1101100311.000	Town Attorney	Town Hall Center Project	1170.00	/ /	
06/30/2025	28064	Kroger, Gardis & Regas LLP		1101100311.000	Town Attorney	Nelson/Eric Project	60.00	/ /	
06/30/2025	28064	Kroger, Gardis & Regas LLP		1101100311.000	Town Attorney	General Services Fee for June	4000.00	/ /	
06/30/2025	28065	New Palestine Sewage		1101100355.000	Sewer/Stormwater for Town Buildings	Town Hall Sewage 6/30-7/31	242.10	/ /	
06/30/2025	28067	NP Awards LLC		2301100292.000	Police- Golf Fundraiser Supplies	Golf Fundraiser Prizes	156.00	/ /	
*** GRAND TOTAL ***							52117.30		

Accounts Payable Register

Date: 07/14/2025 02:24:20 PM

APV Register Batch - WW & SW 7/16/2025 Meeting APVs 28012 - 28075

APVREGISTER.FRX

All History

Ordered By APV Number

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK CHECK # DATE	MEMORANDUM
06/30/2025	28012	Catalina Realities LLC		6201100730.000	WW Billing	Sewage Refund for 31 E Mill St	326.04	/ /	
06/30/2025	28013	Payroll Professionals LLC		6201100731.000	WW Professional	Payroll Services	63.75	/ /	
06/30/2025	28022	Verizon Wireless		6201100775.000	WW Misc	WW Cell Phones for 5/24-6/23	40.49	49061 07/03/2025	
06/30/2025	28031	Republic Services Inc #761		6201100711.000	WW Sludge	Waste/Recycling Overage 6/5 & Pickup Service for July	404.43	49062 07/03/2025	
06/30/2025	28032	Security Masters Corporation		6201100315.000	WW Services	AES Radio, Security System Monitoring & Equipment Lease for 7/1-9/30	236.70	/ /	
06/30/2025	28034	Plymate Inc		6201100315.000	WW Services	Shop towels, mats, clothing, prep care and service charge	96.78	49063 07/03/2025	
06/30/2025	28034	Plymate Inc		6201100315.000	WW Services	Shop towels, mats, clothing, prep care and service charge	96.78	49063 07/03/2025	
06/30/2025	28034	Plymate Inc		6201100315.000	WW Services	Shop towels, mats, clothing, prep care and service charge	96.78	49063 07/03/2025	
06/30/2025	28034	Plymate Inc		6201100315.000	WW Services	Shop towels, mats, clothing, prep care and service charge	96.78	49063 07/03/2025	
06/30/2025	28034	Plymate Inc		6201100315.000	WW Services	Shop towels, mats, clothing, prep care and service charge	96.78	49063 07/03/2025	
06/30/2025	28035	Fluid Waste Services, Inc		6201100739.000	WW Repairs/not improvements	Clean, Root Cut and CCTV Storm Line Inspection	4770.00	/ /	
06/30/2025	28035	Fluid Waste Services, Inc		6201100315.000	WW Services	CCTV Inspection with Lateral Launch Camera	1162.50	/ /	
06/30/2025	28036	Bank of New York Mellon Trust Co, NA		6201100522.000	WW Transfer Out to Debt Reserve	WW Transfer to Debt Reserve July	28707.20	49057 07/02/2025	
06/30/2025	28037	Bank of New York Mellon Trust Co, NA		6201100520.000	WW Transfers to B&I	WW 2017 Interest	4466.67	49058 07/02/2025	
06/30/2025	28037	Bank of New York Mellon Trust Co, NA		6201100520.000	WW Transfers to B&I	WW 2017 Principal	14166.67	49058 07/02/2025	
06/30/2025	28037	Bank of New York Mellon Trust Co, NA		6201100520.000	WW Transfers to B&I	WW 2024 Principal	416.67	49058 07/02/2025	
06/30/2025	28037	Bank of New York Mellon Trust Co, NA		6201100520.000	WW Transfers to B&I	WW 2024 Interest	72326.00	49058 07/02/2025	
06/30/2025	28038	Anthem BCBS		6501100775.000	SW Miscellaneous	SW Health Ins for July	905.14	49065 07/03/2025	
06/30/2025	28038	Anthem BCBS		6501100775.000	SW Miscellaneous	WW Health Ins for July	4752.00	49065 07/03/2025	
06/30/2025	28041	Fisk Waste Removal & Landscaping Services, Inc.		6201100711.000	WW Sludge	Exchange 1 - 30 Yd Roll Off Dried Sludge	250.00	/ /	
06/30/2025	28041	Fisk Waste Removal &		6201100711.000	WW Sludge	Exchange 1 - 30 Yd Roll Off	250.00	/ /	

Accounts Payable Register

Date: 07/14/2025 02:24:20 PM

APVREGISTER.FRX

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK CHECK # DATE	MEMORANDUM
		Landscaping Services, Inc.				Dried Sludge			
06/30/2025	28042	Industrial Chem Labs & Services Inc		6201100720.000	WW Materials & Supplies	Lift Station Degreaser	285.33	/ /	
06/30/2025	28043	First Merchants Bank		6201100325.000	WW Monthly Bank Service Charges	Account Analysis for June	46.00	APV28043 07/03/2025	
06/30/2025	28044	Wex Bank		6201100716.000	WW Fuel -gas/ diesel	WW Fuel	573.88	49064 07/03/2025	
06/30/2025	28046	First Merchants Bank		6201100325.000	WW Monthly Bank Service Charges	Account Analysis for May	46.00	APV28046 07/03/2025	
06/30/2025	28048	AllOne Health Resources Inc		6201100755.000	WW Insurance	WW Employee Assistance Program	271.81	/ /	
06/30/2025	28048	AllOne Health Resources Inc		6501100775.000	SW Miscellaneous	SW Employee Assistance Program	51.78	/ /	
06/30/2025	28052	GBC / Elan Financial Services		6201100720.000	WW Materials & Supplies	Bolts & Nuts	5.70	49077 07/09/2025	
06/30/2025	28052	GBC / Elan Financial Services		6201100720.000	WW Materials & Supplies	Games & Prizes for Summer Fest WW Booth	94.40	49077 07/09/2025	
06/30/2025	28052	GBC / Elan Financial Services		6201100735.000	WW Testing	Freight for WW Lab Returns	364.05	49077 07/09/2025	
06/30/2025	28052	GBC / Elan Financial Services		6201100775.000	WW Misc	Air Freshener, Desktop Scanner & LED Light	71.90	49077 07/09/2025	
06/30/2025	28056	NP Hardware		6201100720.000	WW Materials & Supplies	Rust Stop & White Spray Paint for Shop Dump Truck	37.94	/ /	
06/30/2025	28057	Hancock County Recorder		6201100730.000	WW Billing	Filed 15 Liens	375.00	049076 07/08/2025	
06/30/2025	28060	Duke Energy		6201100715.000	WW Purchased Utilities Electric	4574 S 300 W /Water	1541.05	49079 07/10/2025	
06/30/2025	28060	Duke Energy		6201100715.000	WW Purchased Utilities Electric	4800 W 200 S /Water	79.09	49079 07/10/2025	
06/30/2025	28063	U.S. Postal Service		6201100730.000	WW Billing	Billing	700.89	049078 07/10/2025	
06/30/2025	28068	Michael K Conwell - Blue River Technologies		6201100720.000	WW Materials & Supplies	Roll-Off Container Bags, 55 Gal. Drum & Delivery Charge	4495.00	/ /	
06/30/2025	28069	Buckeye Power Sales Co, Inc.		6201100315.000	WW Services	Fix/Repair Generator	363.38	/ /	
06/30/2025	28070	Comcast Cable Inc		6201100315.000	WW Services	Internet & Phone Services 7/19-8 /18	141.45	/ /	
06/30/2025	28071	Frey Water Conditioning		6201100775.000	WW Misc	3 - 5 Gal. Purified Water	21.75	/ /	
06/30/2025	28073	The Preserves		6201100730.000	WW Billing	Sewage Refund for 4408 W Preserve Pass	98.58	/ /	
06/30/2025	28075	Waste Management Inc		6201100711.000	WW Sludge	Special Waste Disposal, WW Management, Environmental & Energy Surcharges	1206.27	/ /	

Accounts Payable Register

Date: 07/14/2025 02:24:20 PM

APVREGISTER.FRX

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK #	CHECK DATE	MEMORANDUM
*** GRAND TOTAL ***							144599.41			

Accounts Payable Register

Date: 07/14/2025 02:25:55 PM

APV Register Batch - WW Improvement SRF 7/16/2025 Meeting

APVREGISTER.FRX

All History

Ordered By APV Number

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK #	CHECK DATE	MEMORANDUM
07/02/2025	28040	Commonwealth Engineers Inc		6205100441.000	WW Construction WWTP 2024	Basic Engineering thru 5/31/2025 -2026	22464.00	28040SRF	07/08/2025	
07/02/2025	28040	Commonwealth Engineers Inc		6205100441.000	WW Construction WWTP 2024	Basic Engineering thru 5/31/2025 -2026	14097.00	28040SRF	07/08/2025	
07/02/2025	28054	Thieneman Construction, Inc		6205100441.000	WW Construction WWTP 2024	PPA 5 - Retainage -2026	44907.00	28054SRF	07/08/2025	
07/02/2025	28054	Thieneman Construction, Inc		6205100441.000	WW Construction WWTP 2024	PPA 5 -2026	853225.00	28054SRF	07/08/2025	
*** GRAND TOTAL ***							934693.00			



MINUTES
Town of New Palestine
Town Council
Wednesday, July 2, 2025
7:00 PM - Town Hall
42 East Main Street

The Town Council of the Town of New Palestine was called to order on Wednesday, July 2, 2025, at 7:00 PM, in the Town Hall, with the following members present:

PRESENT: Council Member Teri Reed, Council Member Bill Niemier, Council - President Ethan Maple, Council Member - Secretary Ryan Hartley, Council Vice President Chad Molinder, and Clerk-Treasurer Yvonne Jonas
Police Chief Robert Ehle, Town Manager James Robinson, Street Commissioner Stephen Pool, and Deputy Clerk-Treasurer Jenny Greiner

ABSENT:

1. CALL TO ORDER

The Pledge of Allegiance followed by a moment of silence
Roll Call

2. CLAIMS

2.1. Approval of APVs # 27946 - 28010

Chad Molinder/Council Member added a comment that he had a conversation with Bob Ehle/Chief of Police regarding the upfitting of a squad vehicle that the Town Council had previously approved.

Chad Molinder moved, seconded by Teri Reed, to approve APVs # 27946-28010.

RESULT:	Carried
MOVER:	Chad Molinder
SECONDER:	Teri Reed
AYES:	Teri Reed, Bill Niemier, Ethan Maple, Ryan Hartley, and Chad Molinder

3. ADOPTION OF MINUTES

3.1. Adoption of Town Council Minutes from 6/18/2025

Ryan Hartley moved, seconded by Teri Reed, to approve Town Council minutes from 6/18.

RESULT:	Carried
MOVER:	Ryan Hartley
SECONDER:	Teri Reed
AYES:	Teri Reed, Bill Niemier, Ethan Maple, Ryan Hartley, and Chad Molinder

3.2. Adoption of Executive Meeting Minutes from 6/25/2025

Teri Reed/Council Member thanked Brianne Farris/Admin Assistant for detailed minutes that are helpful when trying to look back on past discussions or make sense of older notes. Ethan Maple/Council President gave a playful nod to the "Minute of Fame".

Bill Niemier moved, seconded by Chad Molinder, to adopt Executive Meeting minutes from 6/25.

RESULT:	Carried
MOVER:	Bill Niemier
SECONDER:	Chad Molinder
AYES:	Teri Reed, Bill Niemier, Ethan Maple, Ryan Hartley, and Chad Molinder

4. PUBLIC COMMENTS (3 MINUTE TIME LIMIT PER PERSON FOR ITEMS ON THE AGENDA ONLY)

Chris Wernimont/Planning Commission had questions based on preliminary review of ARC's roles and responsibilities. He mentioned that the Planning Commission met earlier this year and discussed what ARC would be responsible for but that hasn't been included in any of the materials. He called out that ARC has been assigned application review but the Planning Commission does that already. Lastly, he requested a clear division of roles and responsibilities between ARC and the Planning Commission.

5. OLD BUSINESS

- 5.1. Ryan Hartley/Council Member presented a revised draft of the Animal Ordinance (CHAPTER 50:ANIMALS) with the intent to simplify the existing regulations. Teri Reed/Council Member inquired about the process and authority required for approving public animal displays in schools. Chad Molinder/Council Member commended the simplicity of the draft and recommended soliciting for the public's feedback on the town website. Bill Niemier/Council Member thanked Ryan for assuming responsibility of the draft and provided additional suggestions concerning the public display section (referenced in subsection G on page 2). Ethan Maple/Council President tabled the topic until the next Town Council meeting on 7/16 to incorporate Town Council suggestions into the draft.
- 5.2. Architectural Review Committee (ARC) - Zach Niceley/Legal explained that the Town Council is passing a resolution to recommend an amendment to the zoning ordinance. The process begins with Town Council initiating the amendment, which then goes to the Planning Commission. The Planning Commission is required to hold a public hearing and can either approve the amendment or suggest changes. He noted that the zoning ordinance is a living document, meaning it can be revised throughout the process. Right now, this resolution lays out the basic structure of the ARC. Teri Reed/Council Member raised questions about the phrase "orderly and harmonious structures," saying the wording felt too vague and might not just apply to façades. She asked whether "structures" could also include things like signage, landscaping, and fencing to ensure town-wide cohesiveness. Zach will look into whether there's a formal definition of what's included. Ethan Maple/Council President suggested removing the word "structures" altogether and just using "orderly and harmonious" to keep it broader. Chad Molinder/Council Member

recommended moving forward, noting the upcoming Planning Commission meeting on 7/16.

Chad Molinder moved, seconded by Bill Niemier, to approve resolution # 070225A to recommend an amendment to the zoning ordinance.

RESULT:	Carried
MOVER:	Chad Molinder
SECONDER:	Bill Niemier
AYES:	Teri Reed, Bill Niemier, Ethan Maple, Ryan Hartley, and Chad Molinder

- 5.3. "No Heavy Truck Traffic" signs and ordinance for Bittner Road - Ryan Hartley/Council Member supported the proposed increase in fines, noting that the higher amount gives the regulation more weight and improves enforceability. He also acknowledged that certain vehicle exceptions, such as school buses, are appropriately included in the ordinance. Zach Niceley/Legal raised a question about whether the 10,000 lb. weight limit is sufficient. Ryan responded that 10,000 lbs. serves as a good starting point for enforcement and adjustments can be made later if needed. Bob Ehle/Chief of Police requested that the fine schedule be included in the ordinance and that all payments be directed to the Ordinance Violation Bureau. He also asked for clarification on whether the \$500 fine would be applied per violation or if there would be an increase for repeat offenders. Town Council agreed that the fine should increase, ideally doubling, for repeat offenders to encourage compliance. Bob will communicate the upcoming enforcement changes to the Police Dept. Steve Pool/Street Commissioner will submit a request to install weight restriction signage on both East and West approaches to US 52 and on N Bittner Rd/S 450 W before the bridge to prevent heavy traffic from diverting onto Mill St.

Ryan Hartley moved, seconded by Bill Niemier, to adopt ordinance # 070225B with amendments discussed.

RESULT:	Carried
MOVER:	Ryan Hartley
SECONDER:	Bill Niemier
AYES:	Teri Reed, Bill Niemier, Ethan Maple, Ryan Hartley, and Chad Molinder

6. NEW BUSINESS

- 6.1. PAWS Microchip Scanner - Jason Taylor/President and Michael McGuire/Fundraising Coordinator announced the installation of PAWS' first 24/7 microchip scanner on 5/10 at their PAWS location at 1224 W Main St Greenfield, IN 46140. He explained the scanner process and requested a public location in New Palestine to install their second scanner that is secure, has lighting and Wi-Fi access for monitoring. Nova, Evie & RYanne/Girl Scout Troop 01094 are working towards their silver award which has to be completed by September and addresses an issue in a way that creates a lasting impact. PAWS and Troop 01094 will collaborate together for funding and with Town Council for installation.

Ethan Maple moved, seconded by Teri Reed, to approve installation of PAWS

microchip scanner at Town Hall.

RESULT:	Carried
MOVER:	Ethan Maple
SECONDER:	Teri Reed
AYES:	Teri Reed, Bill Niemier, Ethan Maple, Ryan Hartley, and Chad Molinder

- 6.2. Ordinance Recertifying Districts # 070225 - Zach Niceley/Legal confirmed under state statute, the Town is required to recertify its voting districts within two years following the completion of a federal census. He further explained that a separate state statute imposes penalties on any town that fails to complete the recertification process by 11/1.

Bill Niemier moved, seconded by Ryan Hartley, to pass ordinance # 070225 on first reading by unanimous consent.

RESULT:	Carried
MOVER:	Bill Niemier
SECONDER:	Ryan Hartley
AYES:	Teri Reed, Bill Niemier, Ethan Maple, Ryan Hartley, and Chad Molinder

Bill Niemier moved, seconded by Ryan Hartley, to approve ordinance # 070225 on second final reading.

RESULT:	Carried
MOVER:	Bill Niemier
SECONDER:	Ryan Hartley
AYES:	Teri Reed, Bill Niemier, Ethan Maple, Ryan Hartley, and Chad Molinder

- 6.3. Kroger Gardis & Regas Updated Contract - Zach Niceley/Legal clarified that the flat fee retainer remains unchanged but the updated contract explicitly excludes work on construction projects, redevelopments or other special projects requested by the Town Council. These will now be billed separately at a new rate. Ethan Maple/Council President emphasized that new legal work can't be lumped under the existing retainer. He commended Legal stating the Town Council is satisfied with the quality of service, appreciates the additional work KG&R handles, and wants to ensure clear boundaries and expectations are formally established in the contract. Yvonne Jonas/Clerk-Treasurer raised the question if the town gets to bill back for the time spent on revisions in the agenda.

Chad Molinder moved, seconded by Teri Reed, to approve Kroger, Gardis & Regas updated contract.

RESULT:	Carried
MOVER:	Chad Molinder
SECONDER:	Teri Reed
AYES:	Teri Reed, Bill Niemier, Ethan Maple, Ryan Hartley, and Chad Molinder

7. CONTINUED COUNCIL CONVERSATIONS

N/A

8. LEGAL UPDATES

N/A

9. DEPARTMENT REPORTS

James Robinson/Town Manager - Provided sewer plant construction update that the new sewer plant is 26% complete. SPR tank/large structure (150 ft. x 75 ft. x 25 ft.) will be installed next week, 7/7-7/11 which will be visibly prominent from S Bittner Rd/S 450 W. Recent meetings with Kroger went well and the project is expected to be fast paced up to 12/9. An easement survey has been ordered for North St. to help determine where the easement is located and next steps.

Steve Pool/Street Commission - Happy with the weight restriction to extend the pavement life on N Bittner Rd/S 450 W.

Jenny Greiner/Deputy Clerk - Worked with Google to reroute traffic during Summer Fest and has the Google contact's information to share.

Yvonne Jonas/Clerk-Treasurer - Almost done with June's reconciliation report for the Town but Nyla Staples/MS4 Coordinator and Wastewater Clerk is still working on the June reconciliation report for WW. Reminded that we're approaching budget season and the first budget meetings will be scheduled soon but TBD.

10. PUBLIC COMMENTS - 5 MINUTES - ANY TOPIC

N/A

11. COUNCIL COMMENTS

Ryan Hartley - Attended Summer Fest, had a great time and enjoyed the performance by Henry Lee Summer.

Ethan Maple - Reminder that the Chat with Council on 7/4 is cancelled due to the holiday.

Chad Molinder - Poked a little fun at Ryan for missing the bridge opening deadline. On a more serious note, he really appreciated everyone checking in about his injury. Attended Summer Fest, enjoyed the food and time spent with family.

Bill Niemier - Thanked New Palestine Main St. and all volunteers for a successful event. Also, called out Town Council for taking Teri's thank you thunder.

Teri Reed - Echoed thanks to Julie Lucas/New Palestine Main St. and the entire team for putting on such a fantastic event this year which looked like a great success. Teri asked Chad if NineStar will be sponsoring the trash pick up day on 7/12 but he confirmed there has been no response yet. Trash pick up day on 7/12 is moving along with volunteers, trailers, dumpsters, barricades, and police coverage all arranged. Residents have also been calling to schedule curbside heavy trash pick up.

12. ADJOURN

Bill Niemier moved, seconded by Chad Molinder, to adjourn Town Council meeting.

RESULT:	Carried
MOVER:	Bill Niemier
SECONDER:	Chad Molinder
AYES:	Teri Reed, Bill Niemier, Ethan Maple, Ryan Hartley, and Chad Molinder

Ryan Hartley

Ethan Maple

Chad Molinder

Bill Niemier

Teri Reed

Yvonne Jonas, Clerk-Treasurer

Minutes are a summary of actions taken at the Town of New Palestine Council meetings. The full video archive of the meeting is available for viewing at <https://www.youtube.com/@townofnewpalestine> for as long as this media is supported.

ORDINANCE NO. _____

**AN ORDINANCE REVISING THE CODE OF ORDINANCES
OF THE TOWN OF NEW PALESTINE**

The Town Council (the “Council”) of the Town of New Palestine (“Town”) met at a duly called and authorized meeting of the Council held on the date set forth below, such meeting being called pursuant to a notice stating the time, place and purpose of the meeting received by all of the Council Members, and the following Ordinances were made, seconded and adopted by a majority of those present at the meeting, which constituted a legal quorum of the Council.

WHEREAS, pursuant to Ind. Code §36-5-2-2, the Council serves as the legislative body for the Town; and

WHEREAS, the Council has determined that it is appropriate to revise Chapter 50, Sections 50.05, 50.06 and 50.10 of the Code of Ordinances of the Town of New Palestine (the “Code”).

NOW, THEREFORE, BE IT ORDAINED by the Town Council of New Palestine that:

Section 1. The following Sections, or portions thereof, of Chapter 50, Section 50.05, Section 50.06, and Section 50.10 of the Code are hereby amended by the deletion of language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

§ 50.05 DEFINITIONS.

For the purposes of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDONMENT. The voluntary relinquishment of possession by the owner with the intention to terminate his ownership, but without vesting possession in any other person. The failure to make adequate provision of food, water, and/or shelter shall be prima facie evidence of abandonment.

ANIMAL MANAGEMENT DEPARTMENT. The Animal Management Department of Hancock County serves all of Hancock County, Indiana and performs duties including the sheltering of lost and stray dogs and cats, the investigation of animal cruelty and neglect, the enforcement of County ordinances and State Laws, and the removal of dead or injured animals.

ANIMAL SHELTER; ANIMAL POUND. Any facility operated by a humane society or governmental agency, or its authorized agents for purpose of impounding or caring for animals held under the authority of this chapter.

AT LARGE. Off the premises of the owner while not under the control of the owner or other person by leash, cord, chain or other device of actual physical restraint or under the control of the accompanying owner or other person who has the ability to control the dog or cat by voice command.

BIRDS OF PREY. Members of the Accipitridae, Aquila, Haliaeetus, Falconiformes, Accipiter, and Buteo family, which include, but are not limited to, hawks, eagles, falcons and owls. The Department of Natural Resources and United State Department of Agriculture shall have the authority to regulate the possession, sale, transport, or display of birds of prey as provided by §50.06(K) of this Chapter.

EXOTIC. “Exotic” shall include, but not be limited to, any animal not typically domesticated or native to the State of Indiana and which may pose a risk to public safety or local ecosystem. The Department of Natural Resources and United States Department of Agriculture shall have the authority to regulate the possession, sale, transport, or display of certain reptiles, amphibians, birds of prey, wolves, foxes and exotic cats as provided by §50.06(K) of this Chapter.

IDENTIFIED COMPLAINT. A complaint in which the identity of the complainant is known to the Animal Management Department of Hancock County and whose identity will not be made public but held confidential.

KENNEL, COMMERCIAL. Any facility wherein a person engages in the business of boarding, breeding, buying letting for hire, training for a fee or selling dogs or cats.

NUISANCE. Any one or more of the following conditions:

- (1) A condition which arises by a dog, cat or other animal chasing persons, bicycles, automobiles or other moving vehicles on the streets or sidewalks or any other public area of the town;
- (2) A condition which arises by a dog, cat or other animal destroying, defacing, or damaging shrubbery, lawns or flowers which results in the general nuisance of citizens in the neighborhood where such dog, cat or other animals are harbored;
- (3) A condition which arises by a dog barking consistently so as to disturb the peace of the neighborhood;
- (4) A condition which arises from the accumulation of animal excreta on the property of the owner, public or any other citizen so as to cause obnoxious odor, or create a situation which could draw or breed insects, attract vermin or cause a health nuisance.;
- (5) Any condition existing in violation of Section 50.06 of this Chapter.

OFFICIAL WARNING. A written notice or warning based upon an identified complaint and given to the owner of a dog, cat or other animal by the Animal Management Department of Hancock County.

OWNER. Any person owning, keeping or harboring a dog, cat or other animal for a period of 48 hours or longer.

PET SHOP. Any person, partnership, corporation, or any other business entity other than a licensed kennel, that buys or sells any species of animal.

REPTILE. Any member of a large group of air-breathing scaly vertebrates, including but not limited to snakes, alligators, or turtles. The Department of Natural Resources shall have the sole authority to regulate the possession, sale, transport, or display of certain reptiles as provided by §50.06(K) of this Chapter.

RUNNING IN PACK. Three or more dogs, cats or other animals together, which, by repeated or continual presence, constitute a physical danger to a neighborhood, livestock, personal or real property.

VICIOUS ANIMAL. Any animal that has been known to have bitten or otherwise physically molested or inflicted a personal injury upon a human being without provocation; or an animal who promiscuously attacks other animals; or any animal otherwise defined in the Indiana Code.

WARM-BLOODED ANIMAL. Any animal that maintains a constant body temperature; all mammals, including dogs, cats, and rabbits.

§ 50.06 GENERAL REGULATIONS.

(A) *Enclosure of animal in heat.* All owners or persons having custody or control shall confine within a completely enclosed building or secure enclosure with no means of escape any dog, cat or other animal when in heat or rutting.

(B) *Possession of a vicious animal.* It is a violation of this chapter for anyone to own, possess, harbor, maintain or have custody or control over a vicious animal as defined in this chapter at any location within the Town limits, other than the Animal Management Department of Hancock County for purposes of rabies control and/or for the protection of the general public.

(C) *Annoyance or disturbance created by animal.* It shall be unlawful for any person to keep or harbor within the Town limits an animal that creates a nuisance, or which by loud, frequent or habitual barking, howling or yelping causes annoyance or disturbance to the area within which said barking, howling or yelping may be heard.

(D) *Enclosure of suspected rabid animal.* All owners or person(s) having custody of such animal shall confine within a completely enclosed building or secure enclosure with no means of escape, or as otherwise directed by the County Health Department, any warm-blooded animal that is known or suspected of being rabid, in accordance with state law, I.A.C. 410 *et seq.* and § 50.08.

(E) *Trespassing of animal and controller.* It shall be unlawful for any owner or person then having custody or control of any dog, cat or other animal to enter upon the private property of another person without consent.

(F) *Damage or injury to person or property.* It shall be unlawful for any owner or person having custody or control of any dog, cat or other animal to allow such dog, cat or other animal to scratch, bite or otherwise injure any person or other animal or to cause any damage or injury to the personal or real property of another person.

(G) *Possession of Vicious or Exotic animals.* It shall be unlawful for any person to keep, maintain, or have in their possession, or under their control within the limits, the following:

(1) Vicious animals; or

(2) Exotic animals.

(H) *No public display of reptiles, arachnids, or exotic animals.* It shall be unlawful for any person to display or walk about in any public or common space within the Town limits with any type of snake, reptile, arachnid, or exotic animal, except as approved by the Town Council or for an approved school event.

(I) *No venomous animal of any type.* It shall be unlawful to possess or control any venomous reptile, arachnid, exotic animal, or any other type of venomous animal within the Town limits.

(J) *Emotional Support Animals.* A person wishing to possess an emotional support animal that is otherwise prohibited may request a reasonable accommodation, in writing, and provide documentation to support the request to the Town Manager for review. The Town Manager may grant a waiver of the restrictions contained herein upon proper documentation supporting the request from a licensed mental health professional.

(K) *State and Federal Regulations.* The provisions of this Chapter shall not be construed to regulate the possession, sale, transport, or display of any mammals, birds, reptiles or amphibians that are regulated by the Department of Natural Resources (DNR) as provided by Ind. Code §14-22 *et seq.* and 312 IAC 9 *et seq.*, or the United States Department of Agriculture (USDA) Animal Welfare Act as provided by 7 U.S.C §2131 *et seq.* DNR and USDA shall maintain the sole authority to regulate the possession, sale, transport, and display of the following:

- (1) Venomous reptiles and any alligator exceeding five (5) feet in length;
- (2) Turtles, native lizards, and amphibians;
- (3) Hawks, owls, eagles, falcons and other raptors;
- (4) Wolves, foxes, and exotic cats, including, but not limited to lions, tigers, jaguars and leopards.

§50.07 ANIMAL CARE

- (A) *Provision of care.* No owner or person having custody of such animal shall fail to provide their animal with sufficient and wholesome food and water, protection from the weather and reasonable care, including veterinary treatment, as may be necessary to prevent suffering. This division (A) shall also apply to animals kept at an animal shelter operated by the Animal Management Department of Hancock County, Human Society or by anyone in the Town limits.
- (B) *Classification of noncommercial kennel.* The existence of more than 4 dogs and/or cats at a residence shall constitute a noncommercial kennel requiring the owner or person possessing the animals to obtain a noncommercial kennel license from the Town . It shall be unlawful for any person to keep or maintain a commercial kennel at a residence or in a residential area. The user fee for a commercial and noncommercial kennel is established in the amount of \$100. Both commercial and noncommercial kennels must comply with Federal Register 9 (C.F.R. Part 2) February 15, 1991, Animal Welfare.
- (C) *Ill treatment.* No person shall beat, cruelly ill treat, torment, overload, overwork or otherwise abuse an animal, or cause, instigate or permit a dogfight, cockfight, bullfight or other combat between animals or between animals and humans.
- (D) *Abandonment.* It shall be unlawful for any owner or person having custody of any dog, cat, or other animal to abandon the same within the Town limits.
- (E) *Public disposal of poison liable to be possibly consumed by animals.* It shall be unlawful for any person to throw or deposit any poisonous substance in any area of the roads, parks, common yards or other places, whether public or private within the Town limits so that the same may possibly be consumed by any animal.
- (F) *Removal of dead animals.* Any person who shall become apprised of the death of any dog, cat or other animal owned by them or under their control shall immediately thereafter cause the dog, cat or animal to either be properly interred or shall call the animal shelter to remove the animal from the Town limits. Should the animal be

removed by the animal shelter and/or the Animal Management Department of Hancock County, the charge for removal shall be \$20.00 .

...

§50.09 IMPOUNDMENT.

- (A) *Establishment of pound or shelter.* The Town shall arrange for use of an animal pound or shelter, as provided in Indiana law, which shall be located within Hancock County.
- (B) *Cause for impoundment.* It shall be the duty of the Animal Management Department of Hancock County to apprehend and impound in such animal shelter any dog, cat or any other animal found doing any of the following acts or being kept or maintained in any of the following conditions, unless provided herein:
- (1) Running at large;
 - (2) Not confined, as provided in §50.06(A), (B), and (D);
 - (3) Kept in violation of §§50.06 and 50.07(B);
 - (4) Abandoned, as provided in §50.07(D);
 - (5) Entering private property causing injury to person or property in violation of §50.06(E) and (F);
 - (6) Not registered, licensed or tagged as provided in this chapter and Indiana law;
 - (7) Upon an identified complaint made to the Animal Management Department of Hancock County of a violation of this chapter;
 - (8) Upon order of the court following a conviction of any person for violation of any provision of this chapter.
- (C) *Official warning in lieu of impoundment.* The above provision notwithstanding, in lieu of impounding any animal under division (B) of this section, the Animal Management Department of Hancock County may issue an official warning to the owner or person having custody of such dog, cat or other animal.
- (D) *Notification of impoundment.* No later than 24 hours after the impounding of any dog, cat or other animal, except if such impoundment is by reason of §50.09(B)(8), the Animal Management Department of Hancock County shall notify the owner or person having custody of such animal, if known, by First Class United States Mail, in

person, or by telephone, of such impoundment and the reason thereof. In the even that the owner is unknown, no notification will be deemed necessary.

(E) *Notification and redemption of impounded animal.* Whether an impounded dog, cat or animal may be redeemed shall be within the sole discretion of the Animal Management Department of Hancock County; however, any dog, cat or animal that has been impounded on 3 or more occasions may not be redeemed or reclaimed.

(F) *Fees for redemption of impounded animal.* An owner or person having custody of an impounded dog, cat or other animal, who has been notified that such dog, cat or other animal may be reclaimed or redeemed, may reclaim the same upon payment of the fees established by the animal pound or shelter having possession of the animal, in addition to which, any dog or cat impounded shall not be released unless or until the animal has been registered, licensed, and tagged as provided for by Indiana state law. In addition, if the impounded dog or cat is not required to be licensed before the dog or cat shall be released, the owner or person having custody of such animal shall have the dog or cat inoculated against rabies and certify the same to the Animal Management Department of Hancock County.

(G) *Failure to reclaim or redeem impounded animal.* It shall be unlawful for an owner or person having custody of an impounded dog, cat or other animal, who has been notified that such dog, cat or other animal may be reclaimed or redeemed, to fail to reclaim or redeem the same on or before the last day of impoundment before the disposition of such dog, cat or other animal under §50.09(H) below.

(H) *Impounded animal not registered, licensed, tagged or redeemed.* All dogs, cats or other animals impounded under this chapter and not registered, licensed, tagged, and redeemed shall be disposed of in a humane manner after the expiration of the following time periods:

- (1) Three days after notice is given to the owner or person having custody of such animal as required under division (D) of this section;
- (2) Five days after the impoundment when the owner or person having custody of such animal is unknown;
- (3) After the animal has been impounded for the third time within a 12 month period; or
- (4) At the time fixed by the court under division (B) of this section;

provided, however, that the dog, cat, or other animal which appears to be suffering from mange or other infectious or contagious disease, except rabies, may be disposed of immediately upon impoundment. Any animal destroyed which is believed to be suffering from mange or other infectious disease shall

forthwith reported to the Animal ~~Control Officer~~ Management Department of Hancock County.

- (I) *Extermination of vicious animals.* Whenever the Animal Management Department of Hancock County shall find any dog, cat or another animal running in packs, vicious or in such condition as to be too dangerous to capture, then the Animal Management Department of Hancock County is authorized to dispose of the animal where it may be found.
- (J) *Prohibition of experimentation on impounded animals.* No animal shall be sold or given to any person, procurer or agent for the purpose of experimentation.

§ 50.10 ENFORCEMENT FINES AND PENALTIES.

- (A) *Enforcement of subchapter.* The Animal Management Department of Hancock County or other persons authorized by the Town Council will have the full and unrestricted authority to enforce this chapter.
- (B) *Interference with official.* It shall be a violation of this subchapter to interfere with the Animal Management Department of Hancock County or any other person authorized by the Town Council authorized to enforce this subchapter, in the performance of their duties thereunder which shall be punishable in accordance with division (F) of this section.
- (C) *Official warning and notice of code violation.* Upon information sufficient to establish a violation of the provisions of this subchapter, the Animal Management Department of Hancock County or any other person authorized by the Town Council may issue to the person committing such violation, or to the owner or person having custody or control of any animal involved in such violation, either:
 - (1) An official warning stating the name of the person to whom the warning is being issued, the nature of the violation, the date of the violation and any other pertinent information concerning the violation. Such official warning shall also state that it is only a warning and is neither a notice of code violation nor a notice to appear to answer to any such violation; or
 - (2) A notice of code violation stating the name of the person to whom the notice is being issued, the nature of the violation, the fine imposed for such violation in accordance with division (D) of this section, the specific section of this chapter which has been violated, and any other information which is pertinent to the violation and necessary for a thorough understanding of the circumstances surrounding such violation. Such violation notice shall instruct the person to whom the violation is being issued that he or she shall appear at the Hancock Superior Court II to answer to such violation.

(D) *Fines.*

<i>Violation</i>	<i>Fine</i>
§ 50.06(A)	\$200
§ 50.06(B)	\$10
§ 50.06(C)	\$50
§ 50.06(D)	\$100
§ 50.06(E)	\$25
§ 50.06(F)	\$100
§ 50.06(G)	\$100
§ 50.06(H)	\$100
§ 50.06(I)	\$100
§ 50.06(J)	\$100
§ 50.06(K)	\$100
§ 50.07(A)	\$100
§ 50.07(B)	\$50
§ 50.07(C)	\$200
§ 50.07(D)	\$100
§ 50.07(E)	\$100
§ 50.07(F)	\$50
§ 50.08	\$50
§ 50.09(G)	\$50

Section 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

Section 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law.

[signature page to follow]

Duly ordained and passed this ____ day of _____, 2025, by the Town Council of the Town of New Palestine, Hancock County, Indiana, having been passed by a vote of ____ in favor and ____ opposed.

TOWN OF NEW PALESTINE, INDIANA, BY ITS TOWN COUNCIL

Voting Affirmative:

Ryan Hartley

Ethan Maple

Bill Niemier

Chad Molinder

Teri Reed

Attest:

Yvonne Jonas, Clerk-Treasurer

Voting Opposed:

Ryan Hartley

Ethan Maple

Bill Niemier

Chad Molinder

Teri Reed

ORDINANCE NO. _____

**AN ORDINANCE REVISING THE CODE OF ORDINANCES
OF THE TOWN OF NEW PALESTINE**

The Town Council (the “Council”) of the Town of New Palestine (“Town”) met at a duly called and authorized meeting of the Council held on the date set forth below, such meeting being called pursuant to a notice stating the time, place and purpose of the meeting received by all of the Council Members, and the following Ordinances were made, seconded and adopted by a majority of those present at the meeting, which constituted a legal quorum of the Council.

WHEREAS, pursuant to Ind. Code §36-5-2-2, the Council serves as the legislative body for the Town; and

WHEREAS, the Council has determined that it is appropriate to revise Chapter 50, Sections 50.05, 50.06 and 50.10 of the Code of Ordinances of the Town of New Palestine (the “Code”).

NOW, THEREFORE, BE IT ORDAINED by the Town Council of New Palestine that:

Section 1. The following Sections, or portions thereof, of Chapter 50, Section 50.05, Section 50.06, and Section 50.10 of the Code are hereby amended by the deletion of language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

§ 50.05 DEFINITIONS.

For the purposes of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDONMENT. The voluntary relinquishment of possession by the owner with the intention to terminate his ownership, but without vesting possession in any other person. The failure to make adequate provision of food, water, and/or shelter shall be prima facie evidence of abandonment.

ANIMAL MANAGEMENT DEPARTMENT. CONTROL OFFICER. ~~The Animal Control officer shall be the Town Marshal, the Deputy Town Marshals, the Reserve Town Marshals, Building Commissioner, or any other person so appointed by the Town Council. The Animal Management Department of Hancock County serves all of Hancock County, Indiana and performs duties including the sheltering of lost and stray dogs and cats, the investigation of animal cruelty and neglect, the enforcement of County ordinances and State Laws, and the removal of dead or injured animals.~~

ANIMAL SHELTER; ANIMAL POUND. Any facility operated by a humane society or governmental agency, or its authorized agents for purpose of impounding or caring for animals held under the authority of this chapter.

AT LARGE. Off the premises of the owner while not under the control of the owner or other person by leash, cord, chain or other device of actual physical restraint or under the control of the accompanying owner or other person who has the ability to control the dog or cat by voice command.

BIRDS OF PREY. Members of the Accipitridae, Aquila, Haliaeetus, Falconiformes, Accipiter, and Buteo family, which include, but are not limited to, hawks, eagles, falcons and owls. The Department of Natural Resources and United States Department of Agriculture shall have the authority to regulate the possession, sale, transport, or display of birds of prey as provided by §50.06(KM) of this Chapter.

~~**DANGEROUS.** Able or apt to harm. “Dangerous” shall include, but not be limited to, any animal, reptile, arachnid, bird of prey or exotic animal that due to its size, venom, strength, training, temperament or behavior constitutes a significant or serious risk of physical harm to human beings or other animals. The Department of Natural Resources and United States Department of Agriculture shall have the authority to regulate the possession, sale, transport, or display of certain reptiles, amphibians, birds of prey, wolves, foxes and exotic cats as provided by §50.06(M) of this Chapter.~~

~~**EXOTIC.** Any animal not naturally found in the state. “Exotic” shall include, but not be limited to, any animal not typically domesticated or native to the State of Indianaregion and which may pose a risk to public safety or local ecosystem. The Department of Natural Resources and United States Department of Agriculture shall have the authority to regulate the possession, sale, transport, or display of certain reptiles, amphibians, birds of prey, wolves, foxes and exotic cats as provided by §50.06(KM) of this Chapter.~~

IDENTIFIED COMPLAINT. A complaint in which the identity of the complainant is known to the Animal Control Officer Management Department of Hancock County and whose identity will not be made public but held confidential.

KENNEL, COMMERCIAL. Any facility wherein a person engages in the business of boarding, breeding, buying letting for hire, training for a fee or selling dogs or cats.

NUISANCE. Any one or more of the following conditions:

- (1) A condition which arises by a dog, cat or other animal chasing persons, bicycles, automobiles or other moving vehicles on the streets or sidewalks or any other public area of the town;
- (2) A condition which arises by a dog, cat or other animal destroying, defacing, or damaging shrubbery, lawns or flowers which results in the general nuisance of citizens in the neighborhood where such dog, cat or other animals are harbored;

- (3) A condition which arises by a dog barking consistently so as to disturb the peace of the neighborhood;
- (4) A condition which arises from the accumulation of animal excreta on the property of the owner, public or any other citizen so as to cause obnoxious odor, or create a situation which could draw or breed insects, attract vermin or cause a health nuisance.;
- (5) Any condition existing in violation of Section 50.06 of this Chapter.
- ~~(6) Any dog on which the tax has not been paid on and after June 15 of each year.~~

OFFICIAL WARNING. A written notice or warning based upon an identified complaint and given to the owner of a dog, cat or other animal by the ~~Animal Control Officer~~ Management Department of Hancock County.

OWNER. Any person owning, keeping or harboring a dog, cat or other animal for a period of 48 hours or longer.

PET SHOP. Any person, partnership, corporation, or any other business entity other than a licensed kennel, that buys or sells any species of animal.

REPTILE. Any member of a large group of air-breathing scaly vertebrates, including but not limited to snakes, alligators, or turtles. The Department of Natural Resources shall have the sole authority to regulate the possession, sale, transport, or display of certain reptiles as provided by §50.06(KM) of this Chapter.

RUNNING IN PACK. Three or more dogs, cats or other animals together, which, by repeated or continual presence, constitute a physical danger to a neighborhood, livestock, personal or real property.

VICIOUS ANIMAL. Any animal that has been known to have bitten or otherwise physical molested or inflicted a personal injury upon a human being without provocation; or an animal who promiscuously attacks other animals; or any animal otherwise defined in the Indiana Code.

WARM-BLOODED ANIMAL. Any animal that maintains a constant body temperature; all mammals, including dogs, cats, and rabbits.

§ 50.06 ~~RESTRAINT~~ GENERAL REGULATIONS.

(A) *Enclosure of animal in heat.* All owners or persons having custody or control shall confine within a completely enclosed building or secure enclosure with no means of escape any dog, cat or other animal when in heat or rutting.

(B) *Possession of a vicious animal.* It is a violation of this chapter for anyone to own, possess, harbor, maintain or have custody or control over a vicious animal as defined in this chapter at any location within the Town limits, other than the Animal Control Officer Management Department of Hancock County for purposes of rabies control and/or for the protection of the general public.

(C) *Annoyance or disturbance created by animal.* It shall be unlawful for any person to keep or harbor within the Town limits an animal that creates a nuisance, or which by loud, frequent or habitual barking, howling or yelping causes annoyance or disturbance to the area within which said barking, howling or yelping may be heard.

(D) *Enclosure of suspected rabid animal.* All owners or person(s) having custody of such animal shall confine within a completely enclosed building or secure enclosure with no means of escape, or as otherwise directed by the County Health Department, any warm-blooded animal that is known or suspected of being rabid, in accordance with state law, I.A.C. 410 *et seq.* and § 50.08.

(E) *Trespassing of animal and controller.* It shall be unlawful for any owner or person then having custody or control of any dog, cat or other animal to enter upon the private property of another person without consent.

(F) *Damage or injury to person or property.* It shall be unlawful for any owner or person having custody or control of any dog, cat or other animal to allow such dog, cat or other animal to scratch, bite or otherwise injure any person or other animal or to cause any damage or injury to the personal or real property of another person.

(G) *Keeping Possession of Vicious or Exotic animals. ~~dangerous reptiles, arachnids, birds of prey and exotic animals.~~* It shall be unlawful for any person to keep, maintain, or have in ~~their~~ possession, or under ~~their~~ control within the Town any such dangerous reptiles, exotic animals and birds of prey. It shall be unlawful for any person to display or walk about with any type of snake, birds of prey, dangerous reptiles and exotic animals in a public place. limits, the following:

(1) Vicious animals; or More than four (4), individually or in any combination, of reptiles, arachnids, birds of prey or exotic animals.

(2) Exotic animals Notwithstanding the above, no dangerous reptiles, dangerous birds of prey, or dangerous exotic animals shall be allowed within the Town limits.

(3) Notwithstanding the above, no reptile, arachnid, bird of prey, or exotic animal within the Town limits shall exceed five (5) feet in length, from snout to tip of tail, or height.

(H) No public display of reptiles, arachnids, or birds of prey and exotic animals. It shall be unlawful for any person to display or walk about in any public or common space

within the Town limits with any type of ~~snake~~, reptile, arachnid, ~~bird of prey~~, or exotic animal, ~~except as unless authorized and~~ approved by the Town Council or for an approved school event.

~~(I) No sale, breeding or transfer of reptiles, arachnids, birds of prey and exotic animals. It shall be unlawful to sell, breed, gift, trade, or otherwise transfer ownership in any form or method, any reptile, arachnid, bird of prey or exotic animal, unless authorized and approved by the Town Council.~~

~~(J) No venomous animal of any type.~~ It shall be unlawful to possess or control any venomous reptile, arachnid, exotic animal, or any other type of venomous animal within the Town limits.

~~(K) Possession within apartments and multi-family dwellings. It shall be unlawful to keep, harbor, possess, or maintain any reptile, arachnid, bird of prey, or exotic animal in an apartment unit or multi-family dwelling unit within the Town limits.~~

~~(L) Emotional Support Animals.~~ A person wishing to possess an emotional support animal that is otherwise prohibited may request a reasonable accommodation, in writing, and provide documentation to support the request to the Town Manager for review. The Town Manager may grant a waiver of the restrictions contained herein upon proper documentation supporting the request from a licensed mental health professional.

~~(KM) State and Federal Regulations.~~ The provisions of this Chapter shall not be construed to regulate the possession, sale, transport, or display of any mammals, birds, reptiles or amphibians that are regulated by the Department of Natural Resources (DNR) as provided by Ind. Code §14-22 *et seq* and 312 IAC 9 *et seq*, or the United States Department of Agriculture (USDA) Animal Welfare Act as provided by 7 U.S.C §2131 *et seq*. DNR and USDA shall maintain the sole authority to regulate the possession, sale, transport, and display of the following:

- (1) Venomous reptiles and any alligator exceeding five (5) feet in length;
- (2) Turtles, native lizards, and amphibians;
- (3) Hawks, owls, eagles, falcons and other raptors;
- (4) Wolves, foxes, and exotic cats, including, but not limited to lions, tigers, jaguars and leopards.

§50.07 ANIMAL CARE

(A) *Provision of care.* No owner or person having custody of such animal shall fail to provide ~~their~~~~his~~ animal with sufficient and wholesome food and water, protection from the weather and reasonable care, including veterinary treatment, as may be

necessary to prevent suffering. This division (A) shall also apply to animals kept at an animal shelter operated by ~~Animal Control~~ the Animal Management Department of Hancock County, Human Society or by anyone in the Ttown limits.

- (B) *Classification of noncommercial kennel.* The existence of more than 4 dogs and/or cats at a residence shall constitute a noncommercial kennel requiring the owner or person possessing the animals to obtain a noncommercial kennel license from the TownAnimal Control Management Department of Hancock County. It shall be unlawful for any person to keep or maintain a commercial kennel at a residence or in a residential area. The user fee for a commercial and noncommercial kennel is established in the amount of \$100. Both commercial and noncommercial kennels must comply with Federal Register 9 (C.F.R. Part 2) February 15, 1991, Animal Welfare.
- (C) *Ill treatment.* No person shall beat, cruelly ill treat, torment, overload, overwork or otherwise abuse an animal, or cause, instigate or permit a dogfight, cockfight, bullfight or other combat between animals or between animals and humans.
- (D) *Abandonment.* It shall be unlawful for any owner or person having custody of any dog, cate, or other animal to abandon the same within the Ttown limits.
- (E) *Public disposal of poison liable to be possibly consumed by animals.* It shall be unlawful for any person to throw or deposit any poisonous substance in any area of the roads, parks, common yards or other places, whether public or private within the Town limitseity so that the same may possibly be consumed by any animal.
- (F) *Removal of dead animals.* Any person who shall become apprised of the death of any dog, cat or other animal owned by ~~themhim~~ or under ~~theirhis~~ control shall immediately thereafter cause the dog, cat or animal to either be properly interred or shall call the animal shelter to remove the animal from the Ttown limits. Should the animal be removed by the animal shelter and/or ~~an the~~ Animal Control Officer Management Department of Hancock County, the charge for removal shall be \$20.00 for a cat, \$5 for a dog, and \$5 for any other animal.

...

§50.09 IMPOUNDMENT.

- (A) *Establishment of pound or shelter.* The Ttown shall arrange for use of an animal pound or shelter, as provided in Indiana law, which shall be located within Hancock County.
- (B) *Cause for impoundment.* It shall be the duty of the ~~Animal Control Officer~~ Management Department of Hancock County to apprehend and impound in such

animal shelter any dog, cat or any other animal found doing any of the following acts or being kept or maintained in any of the following conditions, unless provided herein:

- (1) Running at large;
- (2) Not confined, as provided in §50.06(A), (B), and (D);
- (3) Kept in violation of §§50.06 and 50.07(B);
- (4) Abandoned, as provided in §50.07(D);
- (5) Entering private property causing injury to person or property in violation of §50.06(E) and (F);
- (6) Not registered, licensed or tagged as provided in this chapter and Indiana law;
- (7) Upon an identified complaint made to the Animal Control Officer Management Department of Hancock County of a violation of this chapter;
- (8) Upon order of the court following a conviction of any person for violation of any provision of this chapter.

(C) *Official warning in lieu of impoundment.* The above provision notwithstanding, in lieu of impounding any animal under division (B) of this section, the Animal Control Officer Management Department of Hancock County may issue an official warning to the owner or person having custody of such dog, cat or other animal.

(D) *Notification of impoundment.* No later than 24 hours after the impounding of any dog, cat or other animal, except if such impoundment is by reason of §50.09(B)(8), the Animal Control Officer Management Department of Hancock County or his deputy shall notify the owner or person having custody of such animal, if known, by First Class United States Mail, in person, or by telephone, of such impoundment and the reason thereof. In the even that the owner is unknown, no notification will be deemed necessary.

(E) *Notification and redemption of impounded animal.* Whether an impounded dog, cat or animal may be redeemed shall be within the sole discretion of the Animal Control Officer Management Department of Hancock County; however, any dog, cat or animal that has been impounded on 3 or more occasions may not be redeemed or reclaimed.

(F) *Fees for redemption of impounded animal.* An owner or person having custody of an impounded dog, cat or other animal, who has been notified that such dog, cat or other animal may be reclaimed or redeemed, may reclaim the same upon payment of the fees established by the animal pound or shelter having possession of the animal, in

addition to which, any dog or cat impounded shall not be released unless or until the animal has been registered, licensed, and tagged as provided for by Indiana state law. In addition, if the impounded dog or cat is not required to be licensed before the dog or cat shall be released, the owner or person having custody of such animal shall have the dog or cat inoculated against rabies and certify the same to the ~~Animal Control Officer~~ Management Department of Hancock County.

(G) *Failure to reclaim or redeem impounded animal.* It shall be unlawful for an owner or person having custody of an impounded dog, cat or other animal, who has been notified that such dog, cat or other animal may be reclaimed or redeemed, to fail to reclaim or redeem the same on or before the last day of impoundment before the disposition of such dog, cat or other animal under §50.09(H) below.

(H) *Impounded animal not registered, licensed, tagged or redeemed.* All dogs, cats or other animals impounded under this chapter and not registered, licensed, tagged, and redeemed shall be disposed of in a humane manner after the expiration of the following time periods:

- (1) Three days after notice is given to the owner or person having custody of such animal as required under division (D) of this section;
- (2) Five days after the impoundment when the owner or person having custody of such animal is unknown;
- (3) After the animal has been impounded for the third time within a 12 month period; or
- (4) At the time fixed by the court under division (B) of this section;

provided, however, that the dog, cat, or other animal which appears to be suffering from mange or other infectious or contagious disease, except rabies, may be disposed of immediately upon impoundment. Any animal destroyed which is believed to be suffering from mange or other infectious disease shall forthwith reported to the ~~Animal Control Officer~~ Management Department of Hancock County.

(I) *Extermination of vicious animals.* Whenever the ~~Animal Control~~ Management Department of Hancock County shall find any dog, cat or another animal running in packs, vicious or in such condition as to be too dangerous to capture, then the ~~Animal Control Officer~~ Management Department of Hancock County is authorized to dispose of the animal where it may be found.

(J) *Prohibition of experimentation on impounded animals.* No animal shall be sold or given to any person, procurer or agent for the purpose of experimentation.

§ 50.10 ENFORCEMENT FINES AND PENALTIES.

(A) *Enforcement of subchapter.* The Animal ~~Control Officer~~ Management Department of Hancock County or other persons authorized by the Town Council will have the full and unrestricted authority to enforce this chapter.

(B) *Interference with official.* It shall be a violation of this subchapter to interfere with the Animal ~~Control Officer~~ Management Department of Hancock County or any other person authorized by the Town Council authorized to enforce this subchapter, in the performance of ~~their~~his duties thereunder which shall be punishable in accordance with division (F) of this section.

(C) *Official warning and notice of code violation.* Upon information sufficient to establish a violation of the provisions of this subchapter, the Animal ~~Control Officer~~ Management Department of Hancock County or any other person authorized by the Town Council may issue to the person committing such violation, or to the owner or person having custody or control of any animal involved in such violation, either:

- (1) An official warning stating the name of the person to whom the warning is being issued, the nature of the violation, the date of the violation and any other pertinent information concerning the violation. Such official warning shall also state that it is only a warning and is neither a notice of code violation nor a notice to appear to answer to any such violation; or
- (2) A notice of code violation stating the name of the person to whom the notice is being issued, the nature of the violation, the fine imposed for such violation in accordance with division (D) of this section, the specific section of this chapter which has been violated, and any other information which is pertinent to the violation and necessary for a thorough understanding of the circumstances surrounding such violation. Such violation notice shall instruct the person to whom the violation is being issued that he or she shall appear at the Hancock Superior Court II to answer to such violation.

(D) *Fines.*

<i>Violation</i>	<i>Fine</i>
§ 50.06(A)	\$200
§ 50.06(B)	\$10
§ 50.06(C)	\$50
§ 50.06(D)	\$100
§ 50.06(E)	\$25
§ 50.06(F)	\$100
§ 50.06(G)	\$100

§ 50.06(H)	\$100
§ 50.06(I)	\$100
§ 50.06(J)	\$100
§ 50.06(K)	\$100
§ 50.07(A)	\$100
§ 50.07(B)	\$50
§ 50.07(C)	\$200
§ 50.07(D)	\$100
§ 50.07(E)	\$100
§ 50.07(F)	\$50
§ 50.08	\$50
§ 50.09(G)	\$50

Section 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

Section 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law.

[signature page to follow]

Duly ordained and passed this ____ day of ____, 2025, by the Town Council of the Town of New Palestine, Hancock County, Indiana, having been passed by a vote of ____ in favor and ____ opposed.

TOWN OF NEW PALESTINE, INDIANA, BY ITS TOWN COUNCIL

Voting Affirmative:

Voting Opposed:

Ryan Hartley

Ryan Hartley

Ethan Maple

Ethan Maple

Bill Niemier

Bill Niemier

Chad Molinder

Chad Molinder

Teri Reed

Teri Reed

Attest:

Yvonne Jonas, Clerk-Treasurer

ORDINANCE NO. 070225B

AN ORDINANCE ESTABLISHING CHAPTER 49 OF THE TOWN OF NEW PALESTINE, INDIANA CODE OF ORDINANCES REGULATING HEAVY VEHICLE TRAFFIC

The Town Council (the “Council”) of the Town of New Palestine (the “Town”) met at a duly called and authorized meeting of the Council held on the date set forth below, such meeting being called pursuant to a notice stating the time, place and purpose of the meeting received by all of the Council Members, and the following Ordinances were made, seconded and adopted by a majority of those present at the meeting, which constituted a legal quorum of the Council.

WHEREAS, the Town recently completed construction of Bridge 120 on Bittner Road over the CSX Railroad; and

WHEREAS, the Council has determined that in order to enhance safety and protect the Town’s investment in infrastructure it is necessary to restrict heavy truck traffic on Bittner Road between US 52 and CR 400 South; and

WHEREAS, pursuant to Ind. Code §9-20-1-3, the Town is authorized to impose limitations on the weight of vehicles that may use streets located within the Town’s jurisdiction; and

WHEREAS, it is in the interests of public safety and will help lessen the deterioration of a public thoroughfare for the Town to now restrict the use of Bittner Road from its intersection with US 52 to its intersection with CR 400 South, to vehicles having a total gross weight of less than ten thousand (10,000) pounds.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of New Palestine that:

Section 1. The foregoing recitals are fully incorporated herein by this reference.

Section 2. A new Chapter 49 under Article 4 of the Code of Ordinances is hereby created to read as follows:

Title 4. Traffic Code

Chapter 49. HEAVY VEHICLE LIMITATIONS

- (A) No person shall operate any vehicle having a total gross weight of 10,000 pounds or more on any portion of Bittner Road that is located between its intersection with US 52 and its intersection with CR 400 South.
- (B) This section shall not apply to:

- (1) Emergency or medical services vehicles;

- (2) Trash service vehicles;
 - (3) Highway construction or maintenance vehicles or machinery used by the State of Indiana, an Indiana county or municipality;
 - (4) Farm drainage machinery or implements of husbandry;
 - (5) Construction vehicles entering or leaving a construction site which cannot reasonably be accessed by another route;
 - (6) Buses no longer than 45 feet in length;
 - (7) Any vehicle for which permission has been granted by the Town Street Commissioner
- (C) Any person operating a vehicle in violation of this Section shall be subject to a fine of Five Hundred Dollars (\$500.00) for the first offense. A second or any subsequent violation within a twelve (12) month period from the date of the first violation shall be subject to a fine of One Thousand Dollars (\$1000.00). Fines shall be paid to the Ordinance Violations Bureau Clerk.

Section 3. The Town Street Commissioner shall promptly prepare and post appropriate signage giving notice of the weight limitation imposed by this Chapter at each end of the part of any highway affected by this Ordinance and at intersecting highways. This Ordinance shall not be enforced until the signs are erected and maintained.

Section 4. All portions of prior Town ordinances inconsistent with any provision of this Ordinance are hereby repealed as of the effective date of this Ordinance.

Section 5. Should any provision (section, paragraph, sentence, clause, or any other portion) of this Ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this Ordinance. To this end the provisions of this Ordinance are severable.

Section 6. Effective Date. This Ordinance shall be in full force and effect from and after the date of its passage and public notice as required by law.

[Signature Page to Follow]

Duly ordained and passed this ____ day of July, 2025, by the Town Council of the Town of New Palestine, Hancock County, Indiana, having been passed by a vote of ____ in favor and ____ opposed.

TOWN OF NEW PALESTINE, INDIANA, BY ITS TOWN COUNCIL

Voting Affirmative:

Voting Opposed:

Ryan Hartley

Ryan Hartley

Ethan Maple

Ethan Maple

Bill Niemier

Bill Niemier

Chad Molinder

Chad Molinder

Teri Reed

Teri Reed

Attest:

Yvonne Jonas, Clerk-Treasurer