

TITLE 1

ADMINISTRATION AND PERSONNEL

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ADMINISTRATION AND PERSONNEL

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Chapter 1.01

DEFINING THE ENTIRE CORPORATE BOUNDARIES OF THE TOWN OF TROY, INDIANA

Sections:

1.01.010 General annexation legal description

1.01.010 General annexation legal description. That there is no Ordinance in effect which presently defines the entire corporate boundaries of the Town of Troy, Indiana, and that therefore this Ordinance shall be the General Annexation Ordinance of the Town of Troy, Indiana, and that this Ordinance does hereby define and declare said entire corporate boundaries, and that the following described property be and the same is hereby annexed and the jurisdiction of the Town of Troy is hereby extended over the same, so as to incorporate all of said described property within the limits of the Town of Troy, Indiana, to wit:

A part of Section Thirteen (13), Township Six (6) South, Range Four (4) West in Perry County, Indiana and more particularly described as follows:

Legal Description

Beginning at a point in the intersection of Route #66 and the East right-of-way line of Hill Street Twenty two hundred forty (2,240.0) feet West of the East line of Section Thirteen (13), Township Six (6) South, Range Four (4) West and Thirty one hundred fifty (3,150.0) feet South of the North line of said section; thence Northeasterly along the East right-of-way line of Hill Street a distance of Twenty six hundred twenty (2,620.0) feet to a point on the North right-of-way line of McDaniel Avenue which is Fifty (50) feet East and Fifty (50) feet North of the Southeast corner of Block #12; thence Northwesterly along the North right-of-way line of McDaniel Avenue and parallel to the North line of Blocks 12, 11, 10, and 9 Twenty nine hundred forty five (2,945.0) feet to the East right-of-way line of the Southern Railroad; thence southwesterly along the said right-of-way line of said railroad Nine hundred sixty five (965.0) feet to a point which is Eight hundred (800.0) feet West and perpendicular to the centerline of Washington Street; thence Southwesterly and parallel to the center line of Washington Street Seventeen hundred (1,700.0) feet to the South right-of-way line of Route #66; thence Northwesterly along said right-of-way line of Route #66 One hundred fifty (150.0) feet; thence Southwesterly a distance

of Three hundred fifty (350.0) feet to the water's edge; thence Southeasterly along the water's edge a distance of Twenty seven hundred ninety (2,790.0) feet to the east right-of-way line of Hill Street extended; thence Northeasterly a distance of Two hundred fifty (250.0) feet to the place of beginning.

Note: Measurement from River North on Hwy 545 not correct due to high water at time measurement made.

Edwin O. Boyd, LS
Ind. Reg. No. 7873
3024 N. Fulton Ave.
Evansville, Indiana

(Ord. 3-67, S1, Apr. 8, 1967)

Chapter 1.02

RULES OF ORDER

Sections:

1.02.010	Rules to be observed in conducting town meetings
1.02.020	Meetings to be held in a convenient room
1.02.030	Day and time of meetings
1.02.040	President to preside at meetings
1.02.050	Questions of Order
1.02.060	Motions
1.02.070	Every trustee present shall vote, unless conflict of interest
1.02.080	No board member may leave, except upon leave of the President
1.02.090	Ayes and nays of every vote
1.02.100	Ordinary rules of proceedings, when not expressed in rules or ordinances
1.02.110	Addressing the Chairman
1.02.120	Presentation of Claims
1.02.170	Removal of Marshal for neglect of duty
1.02.180	Committees
1.02.190	Order of business

1.02.010 Rules to be observed in conducting town meetings. Be it ordained by the Board of Trustees of the Town of Troy, that the following rules shall be observed by the board for the conducting of their meetings. (Ord. 13, S1, June 6, 1873)

1.02.020 Meetings to be held in a convenient room. The Board shall have prepared in a suitable manner some convenient room where their meetings shall be legally held. (Ord. 13, S2, June 6, 1873)

1.02.030 Day and time of meetings. They shall meet on the first Friday in each month at 7 1/2 o'clock p.m. and at such other times as the Ordinance may direct or they may from time to time appoint. (Ord. 13, S3, June 6, 1873)

1.02.040 President to preside at meetings. The President shall take the chair at the appointed time and should he be absent some other member shall preside. The President at the request of any member may order the attendance of any absent member and any two members may on motion at any regular meeting of the Board order the attendance of the President. (Ord. 13, S4, June 6, 1873)

1.02.050 Questions of Order. The President shall decide all questions of order subject to any appeal to the Board and shall preserve order, and shall call to order any person who may transgress anytime. (Ord. 13, S5, June 6, 1873)

1.02.060 Motions. Every motion that may be presented to the Board in writing must be stated by the President and read by the Clerk, but may be withdrawn by the person offering same at anytime before the result of the vote is announced by conceit of the Board. (Ord. 13, S6, June 6, 1873)

1.02.070 Every trustee present shall vote, unless conflict of interest. Every Trustee present shall vote except the Chairman upon each question under consideration unless he has interest therein. (Ord. 13, S7, June 6, 1873)

1.02.080 No board member may leave, except upon leave of the President. No member may leave the Board during any meeting except upon leave of the President. (Ord. 13, S8, June 6, 1873)

1.02.090 Ayes and nays of every vote. Every vote shall be taken by Ayes and Nays and at the request of any two trustees the Ayes and Nays, shall be seconded. (Ord. 13, S9, June 6, 1873)

1.02.100 Ordinary rules of proceedings, when not expressed in rules or ordinances. The Board shall be governed by ordinary rules of proceedings in deliberate bodies when not expressed their rules or ordinances. (Ord. 13, S10, June 6, 1873)

1.02.110 Addressing the Chairman. All persons addressing the Chairman shall arise to their feet and if two arise at the same time, the President shall decide which is entitled to the floor. (Ord. 13, S11, June 6, 1873)

1.02.120 Presentation of Claims. All persons having business with the Trustees must present their claims in writing the same to be considered and acted upon at the next regular meeting of the Board. (Ord. 13, S12, June 6, 1873)

1.02.170 Removal of Marshal for neglect of duty. The Marshal may be removed at any time for neglect of duly. (Ord. 13, S17, June 6, 1873)

1.02.180 Committees. The President shall appoint the following standing committees:

- 1st Committee on Claims
- 2nd Committee on Public Property
- 3rd Committee on Assessment
- 4th Committee on “Streets and Alleys”

To whom shall be referred from time to time for examination, business that may be presented to the Board. (Ord. 13, S18, June 6, 1873)

1.02.190 Order of business. The business of each meeting shall be conducted in the following order:

- 1st Reading minutes of previous meetings
- 2nd Reports of Committees and action thereon
- 3rd Receiving and referring claims
- 4th Unfinished business
- 5th New Business (Ord. 13, S19, June 6, 1873)

Chapter 1.04

TOWN TRUSTEES ELECTED AT-LARGE

Sections:

1.04.010 At-Large candidacy for Town Trustees

1.04.010 At-Large candidacy for Town Trustees. Be it ordained by the Board of Town Trustees of the Town of Troy, Indiana, that the designation of Wards 1, 2, and 3 be abolished, and that all candidates for Trustees of the of the Town of Troy be designated as Trustees at Large, commencing with the next election from this date. (Ord. 1-86, Feb. 13, 1986) (Ord. 4-63, June 3, 1963) (Ord. 51, April 4, 1890)

Chapter 1.05

VOTING REGULATIONS

Sections:

- 1.05.010 Age of voter**
- 1.05.020 Residency**
- 1.05.030 Resident of Town at least 30 days prior to election**
- 1.05.040 Not necessary to be registered for Town elections as is necessary for National, State, and County elections**

1.05.010 Age of voter. The voter must be eighteen (18) years of age on or before the date of the election. (Ord. 1-76, S1, Feb. 10, 1976)

1.05.020 Residency. The voter must be a resident of the Town of Troy and thus reside within the corporate limits of the Town of Troy, Indiana. (Ord. 1-76, S2, Feb. 10, 1976)

1.05.030 Resident of Town at least 30 days prior to election. The voter must have been a resident of the Town of Troy at least thirty (30) days prior to the date of the election. (Ord. 1-76, S3, Feb. 10, 1976)

1.05.040 Not necessary to be registered for Town elections as is necessary for National, State, and County elections. The voter does not have to be a registered voter in the manner and requirement necessary for voting in the primary or general elections for National, State, and County elections. (Ord. 1-76, S4, Feb. 10, 1976)

Chapter 1.09

CLERK-TREASURER ADDITIONAL DUTIES AND COMPENSATION

Sections:

1.09.010 Additional duties and compensation

1.09.010 Additional duties and compensation. WHEREAS, an emergency situation exists now with respect to the absence of a Utility Department Superintendent and the subsequent duties performed by the Superintendent must be performed by the Clerk-Treasurer in order for basic requirements to be met and the business of the Utility to continue;

NOW, THEREFORE, to see that the basic operations of the Water, Sewer, and Electric Utilities continues from the beginning of the second week of May, 1978, and continuing for a period of time as so stated;

BE IT ORDAINED by the Board of Town Trustees at this, their regular meeting date of June 14, 1978, that the salary of the Clerk-Treasurer of the Town of Troy be increased as so set out in the following:

- (1) For taking daily tests of pH, Residual Chlorine, and flow check at the Sewage Treatment Plant, preparing the report and forwarding same to the Chemist - an amount of \$140.00 per month. This compensation to continue only so long as necessary.
- (2) For taking a sewage effluent sample to the Chemist at Midwestern Engineers, Inc. of Loogootee once each week - an amount of \$50.00 per month. This compensation to continue only so long as necessary.
- (3) For the reading of the Electric and Water meters for all customers each month, and the making of final readings and initial readings, and for the disconnections and reconnections in lien of unpaid bills - an amount of \$120.00 per month. This compensation to continue only so long as necessary, or to be adjusted if additional help becomes available.
- (4) For the additional amount of statistical information that must be compiled in form of reports, filings, and state requirements, and for the computation and filing of the Fuel Clause monthly - an amount of \$50.00 per month. This compensation shall become a permanent addition to the Salary of the Clerk-Treasurer, and was approved by the Utility Service Board at their meeting of Feb. 22, 1978 and was tabled by the Town Board at their regular meeting of March 8, 1978.

BE IT NOTED, that monies for said compensation as set out above shall be payable from the appropriate funds of the Troy Municipal Utilities; that the Utility Service Board shall

determine the "necessity" of continued monthly salary paid as set out in Items (1), (2), and (3); and that said compensation shall commence as of May 1, 1978. (Ord. 6-78, June 14, 1978)

Chapter 1.10

PRE-APPROVED PAYMENT OF CLAIMS

Sections:

- 1.10.010** Types of expenses pre-approved for Clerk-Treasurer to make claim payments
- 1.10.020** Fully itemized claim required
- 1.10.030** Review by Board or Council at next meeting

1.10.010 Types of expenses pre-approved for Clerk-Treasurer to make claim payments. With the prior written approval of the Board having jurisdiction over allowance of a particular claim, the Clerk-Treasurer of the Town may make claim payments in advance of allowance for the following types of expenses:

- (1) Property or services purchased or leased from the United States Government; or an agency or political subdivision of the United States Government.
- (2) License fees or permits.
- (3) Insurance premiums.
- (4) Utility payments or utility connection charges.
- (5) Federal grant programs if advance funding is not prohibited; and, the contracting party provides sufficient security for the amount advanced.
- (6) Grants of state funds authorized by statute.
- (7) Maintenance agreements or service agreements.
- (8) Lease agreements or rental agreements.
- (9) Principal and interest payments on bonds.
- (10) Payroll.
- (11) State, federal or county taxes. (Ord. 1-1-93, S1, Jan. 13, 1993)

1.10.020 Fully itemized claim required. Before payment of a claim for expenses is made under the previous section, the payment must be supported by a fully itemized claim. (Ord. 1-1-93, S2, Jan. 13, 1993)

1.10.030 Review by Board or Council at next meeting. The Town Council or the board having jurisdiction over the allowance of each particular claim shall review and allow the claim at the council's or board's next regular or special meeting following the pre-approved payment of the expense. (Ord. 1-1-93, S3, Jan. 13, 1993)

Chapter 1.15

TOWN MARSHAL

Sections:

1.15.010 Duties

1.15.010 Duties. The Town Marshal shall attend all meetings of the Board of Trustees, and see that the criminal laws are enforced within town and he shall perform the duties of a road supervisor within the town and generally perform such duties within the law as the Board of Trustees may direct him to do. (Ord. 88, S1, Oct. 2, 1908)

Chapter 1.16

DEPUTY TOWN MARSHAL

Sections:

1.16.010 Appointment of the Deputy Town Marshal

1.16.020 Powers and liabilities

1.16.030 Bond, Compensation, Term

1.16.010 Appointment of the Deputy Town Marshal. The Town shall have one (1) deputy town marshal, who shall be appointed by the Town Council. (Ord. 2001-1, S1, Mar. 14, 2001)

1.16.020 Powers and liabilities. The deputy town marshal shall have the powers and liabilities of the Town Marshal in executing the orders of the Town Council or enforcing laws. (Ord. 2001-1, S2, Mar. 14, 2001)

1.16.030 Bond, Compensation, Term. The Town Council shall fix the amount of bond, compensation, and term of service of the deputy town marshal. The Town Council may dismiss the deputy town marshal at any time. However, a deputy town marshal who has been employed by the Town for more than six (6) months after completing the minimum basic training requirements adopted by the law enforcement training board under I.C. 5-2-1-9 may be dismissed only if the procedure prescribed by I.C. 36-5-7-6 is followed. (Ord. 2001-1, S3, Mar. 14, 2001)

Chapter 1.18

IMPRISONMENT FOR VIOLATING ORDINANCES

Sections:

- 1.18.010** Convicted of violating any ordinance
- 1.18.020** Failure to pay judgement and costs
- 1.18.030** Confinement in Town prison
- 1.18.040** Manual labor upon streets or public works
- 1.18.050** Authorization to appoint assistants to the Marshal

1.18.010 Convicted of violating any ordinance. Any person or persons violating the provision of any of the Ordinances, bylaws, rules or regulations of the corporation of the Town of Troy which has been enacted with the laws of the State of Indiana and to which there may be a penalty affixed. Shall be prosecuted before any Justice of the Peace of said town upon a warrant issued by such Justice of the Peace as in cases of misdemeanors. And such person or persons shall stand convicted until such Judgement and costs are paid or replevied. (Ord. 27, S1, July 2, 1880)

1.18.020 Failure to pay judgement and costs. And in default of the payment or repleving of such judgement and costs the defendant (unless a female) shall be adjudged and required to pay the same by manual labor upon the streets or other public works of the Town of Troy, under the control of the Marshal of said town, for which labor such defendant shall be allowed on such judgement and costs seventy five cents per day. (Ord. 27, S2, July 2, 1880)

1.18.030 Confinement in Town prison. And it shall be the duty of the Marshal to receive all persons adjudged guilty of a violation of any ordinance, rule or regulation of the Town of Troy when so ordered by a *mitlimus (sp?)* to the Marshal directed by a Justice of the Peace of the Town of Troy and to confine said person or persons (unless females) in the town prison. And the Marshal shall be the keeper of the town prison and he is hereby authorized and empowered to confine in the town jail upon a *mitlimus (sp?)* issued by a Justice of the Peace of said town for the violation of any Ordinance, rule or regulation of said town. (Ord. 27, S3, July 2, 1880)

1.18.040 Manual labor upon streets or public works. It shall be the duty of the Marshal where any defendant having been adjudged guilty of a violation of any of the ordinances, rules, or regulations, of the Town of Troy and having failed to pay or replevy the Judgement and costs as directed by the ordinances of the town of Troy to place such defendant in the town prison and to work such defendant upon the streets or public works of the Town of Troy not less than (6) six or more than (10) ten hours per day according to the season and each evening to return him or them to the town prison and upon the full payment as aforesaid of the Judgement and costs, and accrued costs, such defendant shall be fully discharged. (Ord. 27, S4, July 2, 1880)

1.18.050 Authorization to appoint assistants to the Marshal. And such Marshal is hereby authorized and required to perform all the duties herein prescribed and use all proper means thereto, may call to his aid the power of the town may appoint assistance with the consent of the Board of Trustees, and in short may use any reasonable means to secure the safe keeping of the prisoners under his control and to carry out the objects contemplated by this ordinance. (Ord. 27, S5, July 2, 1880)

Chapter 1.20

FIRE PROTECTION

Sections:

- 1.20.010 Agreement ratified**
- 1.20.020 Approval of the “Amendment to Agreement to provide Fire Protection Services”**
- 1.20.030 Prior Actions approved**
- 1.20.040 Authorization to execute**
- 1.20.050 “Amendment to Agreement to provide Fire Protection Services”**
- 1.20.060 Death benefit fund**

1.20.010 Agreement ratified. The Agreement to Provide Fire Protection Services entered into by and between the Town and the Fire Company as of January 17, 1979 is approved, ratified and continued in full force and effect, except as specifically modified by the Amendment to Agreement to Provide Fire Protection Services. (Ord. unnumbered, July 15, 1992) (Ord. 91-3, S1, Dec. 11, 1991) (Ord. 1-79, S1, Jan. 17, 1979) (Ord. 9-78, Dec. 13, 1978) (Ord. 2-61, July 3, 1961) (Ord. No. 100, June 6, 1913) (Ord. 91, Mar. 4, 1910) (Ord. 85, May 5, 1907) (Ord. No. 70, May 3, 1899)

1.20.020 Approval of the “Amendment to Agreement to provide Fire Protection Services”. The Amendment to Provide Fire Protection Services, an unexecuted copy of which is attached hereto and made a part hereof by reference as though fully set forth verbatim, is hereby, in all things, ratified, confirmed and approved. (Ord. 91-3, S2, Dec. 11, 1991) (Ord. 1-79, S2, Jan. 17, 1979)

1.20.030 Prior Actions approved. All actions heretofore taken by all representatives of the Town concerning any matters pertaining to the subject matter as set forth in the Amendment to Agreement to Provide Fire Protection Services is hereby, in all things ratified, confirmed and approved. (Ord. 91-3, S3, Dec. 11, 1991)

1.20.040 Authorization to execute. The President of the Town Council and the Clerk-Treasurer of the Town be and hereby are authorized on behalf of the Town to execute and deliver the Amendment to Agreement to Provide Fire Protection Services. (Ord. 91-3, S4, Dec. 11, 1991) (Ord. 1-79, S3, Jan. 17, 1979)

1.20.050 “Amendment to Agreement to provide Fire Protection Services”. THIS AGREEMENT, made and entered into as of the 11th day of December, 1991, by and between the Troy Fire Company, Inc., an Indiana Not-for-Profit Corporation, organized pursuant to the Indiana Not-for-Profit Corporation Act of 1971, (hereinafter referred to as the “Fire Company”) and, the Town of Troy, Indiana, an incorporated town organized under the laws of the State of Indiana (hereinafter referred to as the “Town”).

WITNESSETH:

WHEREAS, the Town and the Company entered into an Agreement to Provide Fire Protection Services dated as of January 17, 1979, (hereinafter referred to as the “Agreement”), pursuant to which the Town and Fire Company contracted with one another for the provision of fire protection services to the residents of the Town and surrounding areas upon the terms and conditions set forth in such Agreement; and,

WHEREAS, the Town and Fire Company have fully performed their respective obligations under the Agreement, but now find it necessary to enter into certain amendments to such Agreement, due to the Town’s receipt of a grant award through the Indiana Department of Commerce for the construction of a new fire station on certain real estate owned by the Town as more particularly described in Exhibit “1” attached hereto and made a part hereof by reference; and,

WHEREAS, the Town has accepted the grant from the Indiana Department of Commerce in the amount of One Hundred Fifty-Two Thousand Dollars (\$152,000.00) for the purpose of constructing the fire station, and as result is obligated to contribute a match of up to Twenty Thousand Dollars (\$20,000.00) for payment of costs associated with the construction of the fire station; and,

WHEREAS, the Fire Company has obtained a loan commitment from the Citizens National Bank of Tell City, Indiana to borrow Twenty Thousand Dollars (\$20,000.00) which the Fire Company, in turn, shall pay to the Town for its use in satisfying the grant match; and,

WHEREAS, the Town and Fire Company believe it is in the best interest, welfare, health and safety of the Town’s citizens and others, who benefit from the fire protection services provided by the Fire Company and the Town, to enhance their capabilities of providing such services by constructing a new fire station as called for under the Indiana Department of Commerce Grant.

NOW, THEREFORE, in consideration of the matters articulated in the preamble to this Agreement, and in consideration of the mutual promises, terms and conditions hereinafter set forth, the Town and Fire Company do hereby enter into the following agreement:

- (1) The Town shall undertake the planning, development of plans and specifications, engineering, solicitation and award of bids, construction, development, satisfaction of the terms and conditions of the grant from the Indiana Department of Commerce and such other lawful activities as are necessary to the successful completion of the new fire station.

- (2) The Fire Company shall close on the loan commitment with the Citizens National Bank of Tell City, Indiana in an amount of Twenty Thousand Dollars (\$20,000.00), upon such terms and conditions as the Fire Company has previously negotiated with Citizens National Bank of Tell City, Indiana, and upon receipt of the loan proceeds, the Fire Company shall pay the loan proceeds to the Town for its use in satisfying the grant match with the Indiana Department of Commerce.
- (3) At all times, the right, title and interest in and to the new fire station to be erected upon the real estate described in Exhibit "1" shall remain vested in the Town, and the Fire Company shall have no right, title or interest therein, except its use and occupancy in continuing to provide fire protection services to the Town, its citizens and surrounding areas as called for by the Agreement and this Amendment to Agreement to Provide Fire Protection Services.
- (4) The Fire Company shall provide services as a volunteer Fire Company for the Town as described in the Agreement and in this Amendment to Agreement to Provide Fire Protection Services continuously, until the indebtedness incurred by the Fire Company with the U.S. Department of Agriculture, Farmer's Home Administration under the Agreement, and the indebtedness with the Citizens National Bank of Tell City, Indiana incurred by the Fire Company under this Amendment to Agreement to Provide Fire Protection Services are paid in full, or until such time as the Town and Fire Company otherwise mutually agree in writing.
- (5) The Town shall appropriate in its annual budget and pay to the Fire Company the sum of Four Thousand Two Hundred Fifty Dollars (\$4,250.00) beginning in the year 1992 and each and every year thereafter, until such time as the indebtedness with the U.S. Department of Agriculture, Farmer's Home Administration and the Citizens National Bank of Tell City, Indiana are timely paid, in full, in accordance with the terms and conditions of the initial debt instruments with such creditors, the terms and conditions of which are incorporated herein by reference, and so long as the Fire Company continues to provide the fire protection services as called for under the Agreement and this Amendment to Agreement to Provide Fire Protection Services.
- (6) The annual payment to be made by the Town to the Fire Company as consideration for Fire Company serving as a volunteer fire company for the Town shall be used solely for the purposes of making the payments on the indebtedness incurred by the Fire Company with the U.S. Department of Agriculture, Farmer's Home Administration and the Citizens National Bank of Tell City, Indiana.
- (7) The Town's obligation as set forth in paragraph (8) of the Agreement to appropriate in the yearly budget of the Town, the sum the Three Hundred

Forty-Seven Dollars (\$347.00) for the payment of to Fire Company until such time as an amount of Three Thousand Four Hundred Fifty-Nine Dollars (\$3,459.00) was accumulated to be used solely and exclusively for the operation and maintenance expenses of the new fire truck, as needed, has been satisfied, and the Town is no longer obligated to make such appropriation or annual payment.

- (8) In the use and occupancy of the new fire station, the Fire Company shall not rent, lease or allow it to be occupied by persons other than the personnel of the Fire Company. None of the improvements as finally constructed shall be materially changed, remodeled, or altered without the prior written consent of the Town. No additional improvements shall be placed on the real estate described in Exhibit "1" without the prior written consent of the Town. The Fire Company shall use the fire station, other improvements and the real estate carefully, shall keep the same in good repair and shall not commit waste thereon. The Fire Company shall comply with all laws, ordinances and regulations of any governmental authority having jurisdiction thereof in the use and occupancy of the fire station.
- (9) The Town shall procure and maintain fire and extended coverage insurance with a responsible insurer upon the fire station and other improvements located on the real estate described in Exhibit "1". Additionally, the Town shall be responsible for maintenance of the fire station and improvements.
- (10) To the extent as specifically amended or modified herein, the terms and conditions of the Agreement shall remain in full force and effect.
- (11) This Amendment to Agreement to Provide Fire Protection Services shall extend to and be binding upon the heirs, personal representatives, successors and assigns of the parties.

1.20.060 Death benefit fund. The Town of Troy hereby agrees to provide for the Troy Fire Company, Inc., volunteer firefighters special death benefit fund established by Indiana Law (IC 36-8-12.5-9)

This fund consists of contributions paid to the Auditor of the State of Indiana by the Town of Troy for the firemen in the amount of one dollar (\$1.00) per member per month for each member of the Troy Volunteer Fire Company, if no contract for fire protection service is in force with the Troy Township Trustee for fire protection service in the Township. The amount of the contributions to this fund will be fifty cents (.50) per firemen per month if the contract with the Troy Township is in force, as it will be the duty of the Troy Township Trustee to contribute one half of the contributions paid to this fund, as stated in IC 36-8-12.5 Section 15 – C. (Amendment unnumbered, July 15, 1992)

Chapter 1.27

FIRE CISTERNS

Sections:

1.27.010 Unlawful to take water from fire cistern

1.27.020 Penalty for refusal to comply

1.27.010 Unlawful to take water from fire cistern. Be it ordained by the Board of Trustees of the Town of Troy, that it shall be unlawful for any person or persons to take or use any water from the fire cisterns in the Town of Troy for any other purpose except for extinguishing fires. (Ord. 77, S1, Mar. 4, 1904)

1.27.020 Penalty for refusal to comply. Any person or persons who refuse to comply with or shall violate any provision of this Ordinance shall forfeit any pay for the use of the Town of Troy, Indiana, the sum of Ten (\$10.00) Dollars, for each and every offense and costs of prosecution. (Ord. 77, S2, Mar. 4, 1904)

Chapter 1.30

TROY UTILITY SERVICE BOARD

Sections:

1.30.010	Repealing former ordinances
1.30.020	Established
1.30.030	Members
1.30.040	Terms
1.30.050	Selection of Chairman
1.30.060	Compensation
1.30.070	Powers and duties

1.30.010 Repealing former ordinances. That there is hereby repealed and revoked Ordinances numbered 117 and 111, and all subsequent amendments and modifications. (Ord. 2-71, S1, Dec. 14, 1971)

1.30.020 Established. There is hereby established a Utility Service Board to be known as and is hereby designated the Troy Utility Service Board. (Ord. 2-71, S2, Dec. 14, 1971)

1.30.030 Members. The Utility Service Board herein created shall consist of Five (5) members of which not more than a majority shall be of the same political party. (Ord. 2-71, S3, Dec. 14, 1971)

1.30.040 Terms. That the current membership of the Troy Utility Service Board shall continue in office for a period of four (4) years, and that vacancies be filled by the submission to the Town Board the name of the proposed member for approval and appointment by said Town Board of Trustees. (Ord. 2-71, S4, Dec. 14, 1971)

1.30.050 Selection of Chairman. The Troy Utility Service Board is hereby empowered and authorized to select a chairman from among its members to serve for such a term as the members of the said board may designate not to exceed the length of time the member so selected has remaining in the term of his appointment as a member of the board. (Ord. 2-71, S5, Dec. 14, 1971)

1.30.060 Compensation. The members of the Utility Service Board shall receive a salary for their services. Said salary shall be determined by the Utility Service Membership with the approval of the Board of Town Trustees, and so set down in the minutes of both Boards. (Ord. 2-71, S6, Dec. 14, 1971)

1.30.070 Powers and duties. The Troy Utility Service Board shall have general supervision over all utilities owned by the Town of Troy, Indiana, and shall fix the policy of control and adopt such rules and regulations as are deemed necessary and proper for the management of said utilities so long as they are in accord with the laws of the State of Indiana approved by the majority of the Utility Service Board Membership, and so recorded. (Ord. 2-71, S7, Dec. 14, 1971)

Chapter 1.32

THE DEPRECIATION OR REPLACEMENT FUND FOR THE ELECTRIC AND WATER UTILITY DEPARTMENTS

Sections:

- 1.32.010 Created
- 1.32.020 Electric Operating Account

1.32.010 Created. Be it ordained, by the Board of Trustees of the Town of Troy, Indiana, that there is hereby created in the receipts accounts of the Electric and Water Utility Departments of the Town of Troy, Indiana a fund to be known as “The Depreciation or Replacement Fund” into which shall accrue and be deposited each month a sum amounting to five per cent (5%) of the operating water utility cash revenues; and one percent (1%) per month based upon the revenues from the sale of electric current. (Ord. 5-85, Aug. 14, 1985) (Ord. 2-62, Jan. 29, 1962) (Ord. 3-1960, Paragraph 1, Nov. 7, 1960)

1.32.020 Electric Operating Account. The expenses incurred for the line loss study be an allowable expenditure from the Depreciation Reserve Account, and that the Clerk-Treasurer be authorized to deposit to the Electric Operating Account an amount not to exceed fifty percent (50%) of the investments of the Depreciation Reserve Fund at such time as the Operating Account balance is in danger of being overdrawn.

This ordinance shall be in full force and effect from the date of its passage and shall be applied to the Utility accounts accordingly. (Ord. 5-85, Aug. 14, 1985)

Chapter 1.33

CASH RESERVE FUND FOR THE ELECTRIC AND WATER UTILITY DEPARTMENTS

Sections:

1.33.010 Created

1.33.020 Additional sums transferred from General Fund into Cash Reserve Fund

1.33.010 Created. There is hereby created and established a fund in the receipts accounts of the Electric and Water Utility of the Town of Troy, Indiana to be known and designated as the “Cash Reserve Fund” of surplus earnings, into which fund shall be transferred monthly contributions of seventeen per cent (17%) of said utility’s surplus earnings remaining after provision has been made to take care of current obligations, including those for operating expense, the depreciation or replacement fund of Five per cent (5%) of the operating cash revenues, sinking fund, bond and interest retirement funds, or any other priority fund requirements by ordinance or law. (Ord. 2-62, Jan. 29, 1962) (Ord. 3-1960, Paragraph 2, Nov. 7, 1960)

1.33.020 Additional sums transferred from General Fund into Cash Reserve Fund. The Board of Trustees of the Town of Troy, Indiana shall include in the annual municipal general fund budget, as revenue in lieu of taxes, an amount equal to the actual balance in aforesaid Cash Reserve Fund as of July 31st of the then current year, provided that said Board of Trustees may by ordinance transfer any additional sums in said cash reserve fund for additional appropriations as provided by law for such an emergency, said sums so transferred to be limited to the amount then in said “Cash Reserve Fund”. (Ord. 3-1960, Paragraph 3, Nov. 7, 1960)

Chapter 1.35

CASH RESERVE FUND FOR SEWAGE UTILITY DEPARTMENT

Sections:

- 1.35.010 Created**
- 1.35.020 Revenue in lieu of taxes**

1.35.010 Created. BE IT ORDAINED, by the Board of Trustees of the Town of Troy, Indiana, that since the Sewage Utility had created by Ordinance a Bond and Interest Fund and a Depreciation Fund, that there is now created and established a fund in the receipts accounts of the Sewage Utility of the Town of Troy, Indiana to be known and designated as the "Cash Reserve Fund" of surplus earnings. There shall be transferred monthly contributions of four hundred dollars (\$400.00) for the first six (6) months of 1989 so that there will be available for budgeting in 1990 the amount of \$2,400.00. Thereafter, from July 1989 there shall be transferred the amount of two hundred dollars (\$200.00) per month. (Ord. 8-88, Dec. 14, 1988)

1.35.020 Revenue in lieu of taxes. BE IT FURTHER ORDAINED that the Board of Trustees of the Town of Troy, Indiana shall transfer from the Sewage Utility Cash Reserve Fund \$4,800.00 annually in lieu of taxes to the General Fund. (Ord. 92-07-2, July 15, 1992) (Ord. 8-88, Dec. 14, 1988)

Chapter 1.36

CUMULATIVE CAPITAL IMPROVEMENT FUND

Sections:

- 1.36.010 Created
- 1.36.020 Capital improvements defined

1.36.010 Created. In accordance with the requirements of Section 8 of Chapter 225, Acts 1965 General Assembly, there is hereby created a special fund to be known as the Cumulative Capital Improvement Fund of the Town of Troy into which the cigarette taxes allotted to the Town of Troy by reason of subsection C (1) (C) of section 27 C and section 27d of the Indiana Cigarette Tax Law being Chapter 222 of the Acts of 1947 as amended shall be deposited. Said fund shall be a cumulative fund and all of the monies deposited into said fund shall be appropriated and used solely for capital improvements as hereinafter defined and none of such monies shall revert to the general fund or be used for any purposes other than capital improvements. (Ord. 3-65, S1, June 12, 1965)

1.36.020 Capital improvements defined. The term “capital improvements” means the construction or improvement of any property owned by the Town of Troy, Indiana including but not limited to streets, thoroughfares and sewers and the retirement of general obligation bonds of the Town of Troy issued, and the proceeds used for the purpose of constructing capital improvements. The term capital improvement shall not include salaries of any public officials or employees except those which are directly chargeable to a capital improvement. (Ord. 3-65, S2, June 12, 1965)

Chapter 1.38

USE OF CREDIT CARDS

Sections:

1.38.010	Application
1.38.020	Issuance and Compliance
1.38.030	Custody and Control
1.38.040	Responsibility
1.38.050	Use of Credit Card
1.38.060	Procedures and Recordkeeping
1.38.070	Receipt
1.38.080	Accounting Log/Supporting documents
1.38.090	Claims forms for all purchases
1.38.100	Payment
1.38.110	Proper documentation for timely payments
1.38.120	Fees

1.38.010 Application. The Town shall apply for and obtain a credit card account for the use of the town officials and employees authorized to use such credit card account pursuant to the terms and conditions of this ordinance. The application for such credit card account shall be prepared by the Clerk-Treasurer and shall be executed by the Troy Utility Service Board President and the Clerk-Treasurer. (Ord. UT-1-2012, S1, July 10, 2012)

1.38.020 Issuance and Compliance. Upon the approval of the credit card account and the receipt of the credit cards for use with such account, the further issuance and use of such credit cards, shall be subject to the terms and conditions of this ordinance. The compliance with the terms and conditions of the Ordinance by the users of such credit card account shall be monitored by the Office of the Clerk-Treasurer of the Town, who shall report periodically to the Troy Utility Service Board. (Ord. UT-1-2012, S2, July 10, 2012)

1.38.030 Custody and Control. A separate credit card for such credit account shall be kept in the custody and control of each of the following city officials and department heads, to wit:

Utility Department (Ord. UT-1-2012, S3, July 10, 2012)

1.38.040 Responsibility. The public official occupying each of the aforesaid positions, or the department head of each of the aforesaid departments, as the case may be, shall be responsible for the use of the credit card issued to such official office or department, in accordance with the terms and conditions of this ordinance. (Ord. UT-1-2012, S4, July 10, 2012)

1.38.050 Use of Credit Card. The credit cards which are the subject of this ordinance may be used only by officials and employees of the Town of Troy for the purchases of items for use in said official offices or departments, or for traveling expenses of city employees. (Ord. UT-1-2012, S5, July 10, 2012)

1.38.060 Procedures and Recordkeeping. The use of such credit cards shall be strictly in accordance with the following procedures:

- (1) An accounting log shall be kept in each public office or department in which a credit card is kept. The public official in said office or the department head, as the case may be, shall be responsible for the physical custody of the credit card, except when it is being used by another member of that office or a city employee working from that office.
- (2) The log shall include the following information:
 - A. The name and position of the individual using the card; the date of the usage of the card; the purpose for which the card is being used on each date of its usage; an estimate of the amount of the proposed charge to be made to the credit card; the fund or account which will be charged with the expense incurred with the credit card.
 - B. A record of the date, purpose, amount, and vendor, for each charge actually made to the card. (Ord. UT-1-2012, S6, July 10, 2012)

1.38.070 Receipt. The person making charges on the credit card shall provide the department head or public official, as the case may be, with a copy of the credit card receipt for each purchase made, when applicable. (Ord. UT-1-2012, S7, July 10, 2012)

1.38.080 Accounting Log/Supporting documents. Each public official or department head in charge of a credit card shall provide the Clerk-Treasurer on a monthly basis with a copy of the accounting log and all supporting receipts and documents for the previous month. (Ord. UT-1-2012, S8, July 10, 2012)

1.38.090 Claim forms for all purchases. The usage of credit cards by public officials or employees of the Town shall not be used to bypass or compromise the existing accounting system used for the town. In accordance therewith, claims forms shall continue to be used for all purchases made with the credit card, in the same manner that such claim forms are presently used for other purchases made on behalf of the Town. (Ord. UT-1-2012, S9, July 10, 2012)

1.38.100 Payment. Payment of the credit card charges shall not be made solely on the basis of a statement or credit card charge receipt, and payment shall only be made when the proper procedures for payments following the Towns existing accounting procedure of properly itemized claim forms and attached documentation. Supporting documentation of credit card charges shall include paid bills and receipts. (Ord. UT-1-2012, S10, July 10, 2012)

1.38.110 Proper documentation for timely payments. It shall be the responsibility of the public official or department head, as the case may be, in charge of each credit card issued in the name of the Town to provide proper documentation to the Clerk-Treasurer of all

charges made on the credit card, in order that the Clerk-Treasurer, through normal Town procedures, can pay the credit card charge in a timely fashion to avoid paying interest or penalty charges on the credit card. (Ord. UT-1-2012, S11, July 10, 2012)

1.38.120 Fees. The Clerk-Treasurer is authorized to pay any normal and customary fees charged by the issuer of the credit card, from the general fund of the Town. (Ord. UT-1-2012, S12, July 10, 2012)

Chapter 1.40

FIXED ASSET CAPITALIZATION POLICY

Sections:

- 1.40.010 Definitions and Provisions
- 1.40.020 Recording and accounting
- 1.40.030 Safeguarding of assets

1.40.010 Definitions and Provisions. For the purpose of this Ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- (1) **"Tangible Assets"**. Assets that can be observed by one or more of the physical senses. They may be seen and touched and, in some environments, heard and smelled.
- (2) **"Fixed Asset"**. Tangible assets of a durable nature employed in the operating activities of the unit and that are relatively permanent and are needed for the production or sale of goods and services are termed property, plant and equipment or fixed assets. These assets are not held for sale in the ordinary course of business. This broad group is usually separated into classes according to the physical characteristics of the items (e. g. land, buildings, improvements other than buildings, machinery and equipment, furniture and fixtures).
- (3) **"Capital Outlays"**. Expenditures which benefit both the current and future fiscal periods. This includes costs of acquiring land or structures; construction or improvement of buildings; structures or other fixed assets; and, equipment purchases having an appreciable and calculable period of usefulness. These are expenditures resulting in the acquisition of or addition to the government's general fixed assets.

A. **LAND:**

This Town will capitalize all land purchases, regardless of cost.

Exceptions to land capitalization are land purchased outright, such as easements, or right-of-way for infrastructure. Examples of infrastructures are roads and streets, street lighting systems, bridges, overpasses, sidewalks, curbs, parking meters, street signs, viaducts, wharfs, and storm water collection.

Original cost of land will include the full value given to the seller, including relocation, legal services incidental to the purchase (including title work and legal opinions), appraisal and negotiation

fees, surveying and costs for preparing the land for its intended purpose (including contractors and/or Town workers [salary and benefits]), such as demolishing buildings, excavating, clean up, and/or inspection.

A department will record donated land at fair market value on the date of transfer plus any associated costs.

Purchases made using Federal or State funding will follow the source funding policies and above procedures.

B. MACHINERY AND EQUIPMENT:

The definition of machinery and equipment is an apparatus, tool, or conglomeration of pieces to form a tool. The tool will stand alone and not become a part of a basic structure of building.

This Town will capitalize and tag items with an individual value equal to or greater than \$ 750.00. Machinery combined with other machinery to form one unit with a total value greater than the above mentioned limit will be one unit.

Shipping charges, consultant fees, and any other cost directly associated with the purchase, delivery, or set up, (including contractors and/or Town works [salary and benefits], which makes such equipment operable for its intended purpose will be capitalized.

Improvements or renovations to existing machinery and equipment will be capitalized only if the result of the change meets all of the following conditions:

1. total costs exceeds \$ 750.00,
2. the useful life is extended two (2) or more years, and
3. the total costs will be greater than the current book value and less than the fair market value.

Examples include:

A work truck being equipped with screens, lights, or radios for use as a single unit throughout its life expectancy is considered one unit.

If police cars are constantly changing light bars or radios to other vehicles, the Town will capitalize each piece of equipment separately, if it meets the required dollar amount.

A department's computer (CPU, monitor, keyboard, and printer) is considered one unit.

A department will record donated machinery and equipment at fair market value on the date of transfer with any associated costs.

Purchases made using Federal or State funding will follow the source funding policies and above procedures.

C. **BUILDINGS:**

A department will capitalize buildings at full cost with no subcategories for tracking the cost of attachments. Examples of attachments are roofs, heating, cooling, plumbing, lighting, or sprinkler systems, or any part of the basic building. The department will include the cost of items designed or purchased exclusively for the building.

A department's new building will be capitalized only if it meets the following conditions:

1. the total cost exceeds \$ 5000.00, and
2. the useful life is greater than two years.

A department improving or renovating an existing building will capitalize the cost only if the result meets all of the following conditions:

1. the total cost exceeds \$ 5000.00,
2. the useful life is extended two or more years, and
3. the total cost will be greater than the current book value and less than the fair market value.

Capital building costs will include preparation of land for the building, architectural and engineering fees, bond issuance fees, interest cost (while under construction), accounting costs if material, and any costs directly attributable to the construction of a building.

A department will record donated buildings at fair market value on the date of transfer with any associated costs.

Purchase made using Federal or State funding will follow the source funding policies and above procedures.

D. **IMPROVEMENTS OTHER THAN BUILDINGS:**

The definitions of this group is improvements to land for better enjoyment, attached or not easily removed, and will have a life expectancy of greater than two (2) years.

Examples are walks, parking areas and drives, golf cart paths, fencing, retaining walls, pools, outside fountains, planters, underground sprinkler systems, and other similar items.

Improvements do not include roads, streets, or assets that are of value only to the public. For example, Main Street is a public street with greatest value to the public. Roads or drives upon Town-owned land that provide support to our facilities are assets. A sidewalk down the road for public enjoyment is an infrastructure improvement and is not capitalized. However, sidewalks installed upon Town-owned land for use by the public and for the support of our facility are capital assets.

The Town will capitalize new improvements other than buildings only if it meets the following conditions:

1. the total cost exceeds \$ 5000.00, and
2. the useful life is greater than two (2) years.

A department will capitalize improvements or renovations to existing improvements other than buildings only if the result meets the following conditions:

1. the total cost exceeds \$ 5000.00,
2. the asset's useful life is extended two (2) or more years,
3. and the total cost will be greater than the current book value and less than the fair market value.

A department's donated improvements other than buildings will be recorded at fair market value on the date of transfer with any associated costs.

Purchases made using Federal or State funding will follow the source funding policies and above procedures.

- (4) **"Historical Cost"**. The cash equivalent price exchanged for goods or services at the date of acquisition. Land, buildings, equipment, and most inventories are common examples of items recognized under the historical cost attribute.

- (5) **"Enterprise Funds"**. Those funds used to account for operations
- A. that are financed and operated in a manner similar to private business enterprise-where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges; or
 - B. where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability and other purposes.

The enterprise funds of the Town shall include the municipally owned water and sewage utilities. Operation of these utilities shall require enterprise fund accounting and reporting. (Ord. 9-1-96, S1, Sept. 11, 1996)

1.40.020 Recording and accounting. The Town and its various departments shall classify capital expenditures as capital outlays within the fund from which the expenditure was made in accordance with the Chart of Accounts of the Cities and Towns Accounting manual. The cost of property, plant and equipment includes all expenditures necessary to put the asset into position and ready for use. For purposes of recording fixed assets of the Town and its Departments, the valuation of assets shall be based on historical cost or where the historical cost is indeterminable, by estimation for those assets in existence.

The Town's municipally owned utilities shall record acquisition of Fixed Assets in accordance with generally accepted accounting principles. When an asset is purchased for cash, the acquisition is simply recorded at the amount of cash paid, including all outlays relating to its purchase and preparation for intended use. Assets may be acquired under a number of other arrangements including:

- (1) Assets acquired for a lump-sum purchase price
- (2) Purchase on deferred payment contract
- (3) Acquisition under capital lease
- (4) Acquisition by exchange of nonmonetary assets
- (5) Acquisition by issuance of securities
- (6) Acquisition by self-construction
- (7) Acquisition by donation or discovery

Some of these arrangements present special problems relating to the cost to be recorded, for example, in utility accounting, interest during a period of construction has long been recognized as a part of the asset cost. Reference to an immediate accounting manual will illustrate the recording of acquisition of assets under the aforementioned acquisition arrangements. For purposes of recording fixed assets of the utilities the valuation of assets shall be based on historical cost.

In addition, an asset register (prescribed form 211) shall be maintained to provide a detail record of the capital assets of the governmental unit. (Ord. 9-1-96, S2, Sept. 11, 1996)

1.40.030 Safeguarding of assets. Accounting controls shall be designed and implemented to provide reasonable assurances that:

- (1) Capital expenditures made by the Town, its various Departments and Utilities be in accordance with management's authorization as documented in the minutes.
- (2) Transactions of the utilities be recorded as necessary to permit preparation of financial statements in conformity with generally accepted principles.
- (3) Adequate detail records be maintained to assure accountability for Town and utility owned assets.
- (4) Access to assets be permitted in accordance with management's authorization.
- (5) The recorded accountability for assets be compared with the existing assets at least every two (2) years and appropriate action be taken with respect to any differences. (Ord. 9-1-96, S3, Sept. 11, 1996)

Chapter 1.43

BURIAL IN TOWN CEMETERY

Sections:

- 1.43.010 Burial permit
- 1.43.020 Permit fee
- 1.43.030 Available grave sites
- 1.43.040 Purchase of grave sites
- 1.43.050 Supervision of grave yard
- 1.43.060 Money received to repair grave yard

1.43.010 Burial permit. Be it ordained by the Board of Trustees of the Town of Troy, that hereafter no person shall be buried in the Town graveyard belonging to the Town of Troy without a permit be first obtained. (Ord. 17, S1, Oct. 2, 1874)

1.43.020 Permit fee. Before any permit shall be granted the person applying shall pay the sum of one dollar for each person to be buried unless the person be under 14 years of age. If under 14 years of age permit must issue for 50¢. Provided that in the opinion of the Marshal any person a resident of the Town of Troy is unable to pay he shall issue a person without charge. (Ord. 17, S2, Oct. 2, 1874)

1.43.030 Available grave sites. All ground fenced-in in said graveyard not filled with graves, shall be open for burial the same as any other ground provided that persons having lots fenced in may retain the same for their own use by paying at the rate of ten cents per square foot of surface for all ground not occupied by graves. Provided further that persons who subscribed towards the purchase of said grave yard shall be allowed to fence in lots at the foregoing rate and shall have credit for the amount subscribed. (Ord. 17, S3, Oct. 2, 1874)

1.43.040 Purchase of grave sites. Any person desiring to lay off lots for private use may do so by paying at the rate of ten (10) cents for square foot of surface. (Ord. 17, S4, Oct. 2, 1874)

1.43.050 Supervision of grave yard. The Marshal shall issue all permits and shall have general supervision of the grave yard and it shall be his duty to prevent any graves being made that will be an obstruction to the passageways. (Ord. 17, S5, Oct. 2, 1874)

1.43.060 Money received to repair grave yard. All money received under this Ordinance shall be expended for no other purpose than to keep in repair said grave yard. (Ord. 17, S6, Oct. 2, 1874)

Chapter 1.46

PUBLIC CEMETERY REGULATIONS

Sections:

- 1.46.010 Hours permitted to enter cemetery**
- 1.46.020 Vehicles to remain upon paved areas**
- 1.46.030 Reporting vandalism**
- 1.46.040 Town Marshal to report offender to Perry County Prosecutor**

1.46.010 Hours permitted to enter cemetery. No vehicles shall be permitted entrance to the cemetery grounds between the hours of sundown to sunrise. (Ord. 1-84, S1, July 11, 1984)

1.46.020 Vehicles to remain upon paved areas. Vehicles entering the cemetery during permissible hours must operate upon the paved areas, except for vehicles involved in the preparation of a gravesite or those as part of a funeral procession. (Ord. 1-84, S2, July 11, 1984)

1.46.030 Reporting vandalism. Any driver observed or apprehended, either by a private citizen or a law enforcement official, shall be reported to the Town Marshal. Any person observed or apprehended in the act of vandalizing any grave site, grave marker, or permanent fixture, either by a private citizen or a law enforcement official, shall be reported to the Town Marshal. (Ord. 1-84, S3, July 11, 1984) (Ord. 29, S2, June 3, 1881)

1.46.040 Town Marshal to report offender to Perry County Prosecutor. Any person reported to the Town Marshal for violation of the provisions of this ordinance shall be immediately reported to the Prosecutor of Perry County for the filing of charges. (Ord. 1-84, S4, July 11, 1984) (Ord. 29, S4, June 3, 1881)

Chapter 1.49

ALCOHOL AND SUBSTANCE ABUSE POLICY

Sections:

1.49.005	Notice to Employee
1.49.010	Coverage
1.49.020	Policy
1.49.030	Pre-employment Substance Screening
1.49.040	Employee Responsibilities
1.49.050	Consequences of Sale, Distribution or Use of Illegal Substances
1.49.060	Use of Medication and Prescription Drugs
1.49.070	Confidentiality
1.49.080	Severability

1.49.005 Notice to Employee. The Troy Town Council is committed to providing a drug-free workplace and we expect the cooperation of all employees and a similar commitment from them. Pursuant to the Drug-Free Workplace Act of 1988, the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the workplace is prohibited. Any employee who violates the above rule may be subject to discipline, up to and including termination. As a condition of employment, all employees must abide by this rule. In addition, any employee who is convicted of a drug statute violation arising out of conduct occurring in the workplace must notify the Town Council of such conviction at least five (5) days after the conviction. (Res., Oct. 12, 1994)

1.49.010 Coverage. This policy applies to all employees of the Town and its operated facilities and all applicants for such employment. (Res., Oct. 12, 1994)

1.49.020 Policy. All employees are expected to be in a state of mind and physical condition fit to complete their assigned duties safely and completely during work hours and to do so without use and effect of illegal controlled substances and/or alcoholic beverages. (Res., Oct. 12, 1994)

1.49.030 Pre-Employment Substance Screening. All applicants for full-time or part time employment with the Town are required to submit to a medical examination prior to their appointment to a Town position. As part of this medical examination, prospective employees will be screened for a range of chemical substances, those chemical substances shall include but not necessarily be limited to the following:

- (1) Amphetamine/Methamphetamine (e.g. Speed)
- (2) Benzodiazepines (e.g. Valium, Librium, Dalmane, Ativan)
- (3) Barbiturates (e.g. Amobarbital, Butobarbital, Pentobarbital, Phenobarbital)
- (4) Cocaine

- (5) Methadone
- (6) Methaqualone (e.g. Quaalude)
- (7) Opiates (e.g. Codeine, Heroin, Morphine)
- (8) Phencyclidine (PCP)
- (9) TDC (Marijuana and other cannabanoids)
- (10) Alcohol
- (11) Lysergic Acid Diethylamide (LSD)

These substance groups were selected based upon known abuse in the general area of the Town and the ability of each substance to adversely affect physical and mental performance. All controlled substances listed above are illegal under State and Federal Law.

At the time of the medical examination applicants for full-time or part-time employment will be told of the substance or controlled substance and alcohol screening and will be told and will be required to sign a consent form to permit such screening and provide appropriate bodily fluids for such screening. Applicants who refuse to consent to substance screening, who refuse to provide appropriate bodily fluids for such screening or who attempt to tamper with screening samples will not be eligible for employment with the Town.

Any applicant whose initial substance screen shows a positive result will have that result confirmed by additional studies. If the second screen of the same sample shows a negative result the individual will not be disqualified from Town employment on account of the substance screen. If the second screen confirms the positive test result the applicant may be disqualified from consideration for Town employment. The applicant will be notified of the positive results from the second screen and be given the opportunity, at the applicant's expense, to have a third screen conducted on the same sample within seventy-two (72) hours after the applicant is notified of the results of the second screen. If this final screen again confirms the positive test result the prospective employee will be disqualified from employment with the Town.

All screens will be made on the same sample by a firm selected by the Town. An applicant whose screen shows positive result will have twenty-four (24) hours after receiving such notification of positive screen results to provide verification of a current verification of a current valid prescription in the applicant's name.

The required medical examination, and screening of bodily fluids for chemical substances, except for the third screen as herein provided, shall be at the sole expense of the Town.

To the extent possible, confidentiality will be maintained by the Town for all records and reports of the testing of an applicant's bodily fluids. (Res., Oct. 12, 1994)

1.49.040 Employee Responsibilities. Employees who have a substance abuse problem are expected to obtain treatment and counseling through the numerous treatment agencies available throughout the area of Perry County, Indiana and the area within 60 miles of the Town.

Given the importance of maintaining a work environment without the presence of alcohol and drugs and the opportunities that employees have to address substance dependencies through treatment and counseling programs offered through various treatment facilities throughout the area of Perry County, Indiana and the area within 60 miles of the Town, substance abuse which adversely effects job performance will not be tolerated. This applies to on duty employees as well as employees who are on call. Employees whose on or off duty use of substances impacts job performance will be appropriately disciplined including but not limited to the sanction of termination from employment with the Town.

- (1) EMPLOYEE RESPONSIBILITIES include but are not necessarily limited to the following:
 - A. An employee must not report to work or be subject to duty while its ability to perform job duties is impaired due to alcohol or illegal drug or substance use, on or off duty;
 - B. An employee shall not possess or use illegal drugs or illegal substances during working hours, on breaks, during meal periods, while on Town property in an official or unofficial capacity or while operating any Town vehicle or machinery;
 - C. An employee shall not possess or use an alcoholic beverage or have the odor of an alcoholic beverage on its breath during working hours, on breaks, during meal periods, while on Town property in an official or unofficial capacity or while operating any Town vehicle or machinery;
 - D. An employee shall not directly or through a third-party sell or provide illegal drugs or substances or alcoholic beverage to any person or to any other employee while either or both employees are on duty during working hours, on breaks, during meal periods, while on Town property in an official or unofficial capacity, while operating any Town vehicle or machinery, or on call;
 - E. An employee shall submit immediately to reasonable request for alcohol or drug analysis when requested by a first line supervisor and/or department head;
 - F. An employee shall notify his or her supervisor before beginning work, when taking any medication or drugs, (prescription, or non-prescription) which may interfere with the safe and effective performance of duties or operations of the Town equipment;

- G. An employee shall provide within twenty-four (24) hours of request, a current valid prescription for any drug or medication identified when that employee's drug screen/analysis is positive. The prescription must be in the employee's name.
 - H. An employee shall notify its supervisor or department head or any conviction of a federal or state criminal drug statute for a violation occurring in the employee's work place, not later than five (5) days after such conviction.
- (2) **SUBSTANCE SCREENING FOR CURRENT EMPLOYEES.** Town employees are subject to substance screening if there is a reasonable suspicion that while on duty they are impaired. Impaired is defined as being unable to perform duties safely and completely due to the use of alcohol and/or controlled substances. Reasonable suspicion is a belief based on objective fact sufficient to lead a reasonably prudent person to suspect that an employee is under the influence of drugs and/or alcohol so that the employee's ability to perform the functions of the job is impaired or so the employee's ability to perform his job safely is reduced. Observations which constitute a factual basis for determining reasonable suspicion may include but are not limited to the following:
- A. Odor of alcoholic beverage upon the employee's breath
 - B. Erratic behavior
 - C. Violent mood swings
 - D. Excessive absenteeism
 - E. Repeated tardiness
 - F. Inability to walk a straight line
 - G. Open and obvious possession of alcohol and/or illegal controlled substances
 - H. Slurred speech
 - I. An accident which is caused by the apparent action or inaction of the employee under circumstances giving rise to a reasonable inference that the accident was caused or was a result of the use of alcohol and/or illegal controlled substances
 - J. Possession of drug paraphernalia or alcohol beverage containers
 - K. A report of a reliable witness indicating use or possession of drugs or alcohol.

A supervisor who has reasonable suspicion that an employee is impaired by alcohol or other illegal controlled substances on the job will, with the approval of the department head, immediately arrange for a substance screening through a medical facility that has been designed to perform such screening for the Town.

Employees who are scheduled for a substance screening must be transported to the designated medical facility by the employee's first line supervisor and/or department head. The employee to be tested shall sign a consent form to permit such screening and shall provide appropriate bodily fluids for such screening. The screening for substances will be made on a sample provided at the clinic. The procedures for such sample collection and testing will be made based upon the medically accepted procedure developed by the chosen medical facility and in order to ensure results of tests no less than a highly sensitive methodology shall be utilized. Such testing shall be based on medically acceptable testing procedures and shall include but not necessarily be limited primarily to tests utilizing enzyme amino acid techniques followed up by more specific confirmation testing such as gas chromatography (GC) or gas chromatography/mass spectrophotometry (GCMS) or other highly sophisticated methods which are accepted by the medical facility and/or by the Courts. After the sample is given as outlined above, the supervisor will see to it that the employee is safely transported home. In addition, for alcoholic beverage testing, the facilities at the Perry County Police Department or the Indiana State Police and the use of that Department's breath test instrument shall be a sufficient determination for blood alcohol content provided statutorily approved procedures are followed.

At the testing as outlined above, if the sample provides a negative result the conclusion will be that the sample contains no alcohol and/or a controlled substance. However, if the first screen shows a positive result, and a second screen using a more sophisticated testing technique shows a positive result then the employee will be assumed to be under the influence of alcohol and/or illegal controlled substances. An employee whose test shows a positive result will have twenty-four (24) hours after receiving notification of the positive result to provide a bona fide and verified current valid prescription which may have caused the positive result. The prescription must be in the employee's name.

The discipline for failing to sign a consent form to permit screening, for failure to provide appropriate bodily fluids for screening or for being under the influence of alcohol and/or non-prescribed controlled substances will be the basis for appropriate employee sanctions including the sanction of termination. Such determination will be made on the basis of the employee's prior work related history, previous disciplinary actions, and any prior identification of substance abuse problems. An employee who receives a positive result in substance abuse screening will receive at a minimum of five (5) day suspension without pay. An employee who refuses to sign a consent form to permit screening, or who fails to provide appropriate bodily fluids for screening will receive at a minimum of a five (5) day suspension without pay.

In addition to the disciplinary procedure as outlined above and if an employee substance abuse problem has been identified, the supervisor and/or department head will immediately refer the employee to a reputable substance abuse entity for an evaluation. Based on the determination of that substance abuse entity, the employee may be required to undergo a

drug or alcohol evaluation and treatment program as a condition of continued employment any and all expenses incurred as a result of the evaluation and/or treatment program undertaken by the employee as a condition of its continued employment, shall be paid by the employee.

If the Town receives notification of any employee conviction of a drug offense which occurred in the employee's work place, or if the Town receives notification of an employee violation of the terms of the Policy herein stated, the Town shall, within thirty (30) days after receipt of said notice either;

- (1) Impose a sanction on the employee, which may include employee termination; or
- (2) Require the employee to satisfactorily participate in a drug or alcohol abuse assistance or rehabilitative program approved by the Town Council of the Town. (Res., Oct. 12, 1994)

1.49.050 Consequences of Sale, Distribution or Use of Illegal Substances. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance or illegal substance by an employee during working hours while on duty, during meal periods, during breaks or at any time while the employee is on the Town's work site or on Town working time, constitutes cause for dismissal. Appropriate law enforcement agencies will be notified of any such unlawful manufacture, distribution, dispensing, possession or use of a controlled substance or illegal substance by employees. (Res., Oct. 12, 1994)

1.49.060 Use of Medication and Prescription Drugs. All employees who are using a prescription or non-prescription drug which may in any way impact their job performance must notify their first line supervisor. The department head, and/or first line supervisor may require a doctor's statement if the employee indicates that there is need to use the prescription drug for an extended period of time. (Res., Oct. 12, 1994)

1.49.070 Confidentiality. The confidentiality of laboratory reports or test results shall appear in employee's confidential file. Reports or test results may be disclosed to Town department heads and first line supervisors on a strictly need to know basis and to the tested employee upon request. Disclosures without employee consent may also occur when (1) the information is compelled by law or by judicial or administrative process, (2) the information has been placed at issue and there is a formal dispute between the employer and employee, (3) the information is to be used in administering any employee benefit plan and (4) information is needed by medical personnel for the diagnosis or treatment of the employee who is unable to authorize such disclosure. (Res., Oct. 12, 1994)

1.49.080 Severability. The provisions of the policy are severable and if any of its provisions shall be held invalid by any court with competent jurisdiction, the decision of such court shall not affect or impair any remaining provision. (Res., Oct. 12, 1994)

Chapter 1.54

FAIR HOUSING

Sections:

- 1.54.010 Policy Statement
- 1.54.020 Definitions
- 1.54.030 Unlawful Practice
- 1.54.040 Discrimination in the Sale or Rental of Housing
- 1.54.050 Discrimination in Residential Real Estate-Related Transactions
- 1.54.060 Discrimination in the Provision of Brokerage Service
- 1.54.070 Interference, Coercion, or Intimidation
- 1.54.080 Prevention of Intimidation in Fair Housing Cases
- 1.54.090 Exemptions
- 1.54.100 Administrative Enforcement of Ordinance
- 1.54.110 Separability of Provisions
- 1.54.120 Certification of Adoption

1.54.010 Policy Statement. It shall be the policy of the Town of Troy, Indiana to provide, within constitutional limitation, for fair housing throughout its corporate limits as provided for under the federal Civil Rights Act of 1968, as amended, the federal Housing and Community Development Act of 1974, as amended, and Indiana Code 22-9.5-1 et. seq. (Ord. 03-01-2013, S1, Mar. 13, 2013) (Ord. 10-1-1994, S1, Oct. 10, 1994)

1.54.020 Definitions

The definitions set forth in this Section shall apply throughout this Ordinance:

- (1) Dwelling means any building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as, a residence by one (1) or more families; or any vacant land which is offered for sale or lease for the construction or location of a building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as a residence by one (1) or more families (I.C. 22-9.5-2-8). (Ord. 03-01-2013, S2a, Mar. 13, 2013) (Ord. 10-1-1994, S2a, Oct. 10, 1994)
- (2) Family includes a single individual (IC. 22-9.5-2-9), with the status of such family being further defined in subsection (8) of this Section or subsection (H) of the Ordinance. Also, pursuant to 24 CFR Part 5, the definition of "family" is revised to include families regardless of the actual or perceived sexual orientation, gender identity, or marital status of its members. (Ord. 03-01-2013, S2b, Mar. 13, 2013) (Ord. 10-1-1994, S2b, Oct. 10, 1994)
- (3) Person (IC. 22-9.5-2-11), includes one (1) or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, non-incorporated organizations, trustees, trustees in cases under Title 11 of the United States Code, receivers,

and fiduciaries. (Ord. 03-01-2013, S2c, Mar. 13, 2013) (Ord. 10-1-1994, S2c, Oct. 10, 1994)

- (4) To Rent (I.C. 22-9.5-2-13), includes to lease, to sublease, to let and otherwise to grant for a consideration the rights to occupy the premises owned by the occupant. (Ord. 03-01-2013, S2d, Mar. 13, 2013) (Ord. 10-1-1994, S2d, Oct. 10, 1994)
- (5) Discriminatory Housing Practice means an act that is unlawful under Sections 1.54.040, 1.54.050, 1.54.060, 1.54.070, or 1.54.080 of this Chapter, or Sections 4, 5, 6, 7, or 8 of this Ordinance or I.C. 22-9.5-5. (Ord. 03-01-2013, S2e, Mar. 13, 2013) (Ord. 10-1-1994, S2e, Oct. 10, 1994)
- (6) Handicap means, with respect to a person:
 - A. a physical or mental impairment which substantially limits one or more of such person's major life activities.
 - B. a record of having such an impairment, or
 - C. being regarded as having such an impairment,
 - D. an impairment described or defined pursuant to the federal Americans with Disabilities Act of 1990.
 - E. Any other impairment defined under I.C. 22-9.5-2-10

The term 'Handicap' shall not include current illegal use of or addictions to a controlled substance as defined in Section 802 of Title 21 of the United States Code (I.C. 22-9.5-2-10(b); nor does the term 'Handicap' include an individual solely because that individual is a transvestite (I.C. 22-9.5-2-10(c). (Ord. 03-01-2013, S2f, Mar. 13, 2013) (Ord. 10-1-1994, S2f, Oct. 10, 1994)

- (7) An Aggrieved Person includes any person who (I.C. 22-9.5-2-2):
 - A. claims to have been injured by a discriminatory housing practice; or
 - B. believes that such person will be injured by a discriminatory housing practice that is about to occur. (Ord. 03-01-2013, S2g, Mar. 13, 2013) (Ord. 10-1-1994, S2g, Oct. 10, 1994)
- (8) Familial Status means one or more individuals who have not attained the age of 18 years being domiciled with a parent or another person having legal custody of such individual or the written permission of such parent or other person.

The protections afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing

legal custody of any individual who has not attained the age of 18 years. (Ord. 03-01-2013, S2h, Mar. 13, 2013) (Ord. 10-1-1994, S2h, Oct. 10, 1994)

- (9) Commission (I.C. 22-9.5-2-3) means the Indiana Civil Rights Commission created pursuant to I.C. 22-9-1-4, et. Seq. (Ord. 03-01-2013, S2i, Mar. 13, 2013) (Ord. 10-1-1994, S2i, Oct. 10, 1994)
- (10) Complainant (I.C. 22-9.5-2-4) means a person, including the Commission, who files a complaint under I.C. 22-9.5-6. (Ord. 03-01-2013, S2j, Mar. 13, 2013) (Ord. 10-1-1994, S2j, Oct. 10, 1994)

1.54.030 Unlawful Practice. Subject to the provisions of subsection (2) of this Section, or subsection (B) of this Ordinance, Section 1.54.090 of this Chapter or Section 9 of this Ordinance and Title 22-9.5-3 of Indiana Code, the prohibitions against discrimination in the sale or rental of housing set forth Title 22-9.5-5-1 of Indiana Code and in 1.54.040 of this Chapter or Section 4 of this Ordinance shall apply to:

- (1) All dwellings except as exempted by subsection (2) of this Chapter or subsection (B) of this Ordinance, and Title 22-9.5-3 of Indiana Code. (Ord. 03-01-2013, S3a, Mar. 13, 2013) (Ord. 10-1-1994, S3a, Oct. 10, 1994)
- (2) Other than the provisions of subsection (3) of this Section, or subsection (C) of this Ordinance nothing in Section 1.54.040 of this Chapter or Section 4 of the Ordinance shall apply to:
 - A. Any single-family house sold or rented by an owner where the private individual owner does not own more than three such single-family houses at any one time; provided that in the sale of such single family house by a private individual owner not residing in the house at the time of sale or exemption shall apply only to one such sale within any twenty-four (24) month period. The private individual owner may not own any interest in, nor have owned or reserved on his behalf, title to or any right to all or a portion of the proceeds from the sale or rental of more than three such single-family houses at any one time. The sale or rental of any such single family house shall be exempted from application of this section only if such house is sold or rented:
 - 1. without the use in any manner of the sales or rental facilities or services of any real estate broker, agent or salesman, or any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent or salesman, or person and
 - 2. without the publication, posting or mailing, after notice of advertisement or written notice in violation of Section 1.54.040(3) of this Chapter or Section 4 (c) of this Ordinance, but noting in this provision shall prohibit the use of attorneys, escrow agents, abstracters, title companies and

other such professional assistance as necessary to perfect or transfer this title; or

- B. Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence. (Ord. 03-01-2013, S3b, Mar. 13, 2013) (Ord. 10-1-1994, S3b, Oct. 10, 1994)
- (3) For the purposes of subsection (2) of this Chapter, or subsection (B) of this Ordinance, a person shall be deemed to be in the business of selling or renting dwellings if:
- A. They have, within the preceding twelve (12) months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein, or
 - B. They have, within the preceding twelve (12) months, participated as agent, other than in the sale of his own personal residence, in providing sales or rental facilities or services in two or more transactions involving the sale or rental of any dwelling or any interest therein, or
 - C. They are the owner of any dwelling unit designed or intended for occupancy by, or occupied by, five (5) or more families. (Ord. 03-01-2013, S3c, Mar. 13, 2013) (Ord. 10-1-1994, S3c, Oct. 10, 1994)

1.54.040 Discrimination in the Sale or Rental of Housing. As made applicable by Section 1.54.030 and except as exempted by Section 1.54.030(2) and 1.54.090 of this Chapter, or Section 3 and except as exempted by Section 3(B) and 9 of this Ordinance, it shall be unlawful:

- (1) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, handicap, familial status or national origin. (Ord. 03-01-2013, S4a, Mar. 13, 2013) (Ord. 10-1-1994, S4a, Oct. 10, 1994)
- (2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, handicap, familial status or national origin. (Ord. 03-01-2013, S4b, Mar. 13, 2013) (Ord. 10-1-1994, S4b, Oct. 10, 1994)
- (3) To make, print, or publish, or cause to be made, printed, or published any notice, statement or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status or national origin, or an

intention to make any such preference, limitation or discrimination. (Ord. 03-01-2013, S4c, Mar. 13, 2013) (Ord. 10-1-1994, S4c, Oct. 10, 1994)

- (4) To represent to any person because of race, color, religion, sex, handicap, familial status or national origin that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available. (Ord. 03-01-2013, S4d, Mar. 13, 2013) (Ord. 10-1-1994, S4d, Oct. 10, 1994)
- (5) For profit, to induce or attempt to induct any person to sell or rent any dwelling by representations regarding the entry or perspective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, handicap, familial status or national origin. (Ord. 03-01-2013, S4e, Mar. 13, 2013) (Ord. 10-1-1994, S4e, Oct. 10, 1994)
- (6) To discriminate in the sale or rental, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a handicap of:
 - A. that buyer or renter;
 - B. a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or
 - C. any person associated with that person. (Ord. 03-01-2013, S4f, Mar. 13, 2013) (Ord. 10-1-1994, S4f, Oct. 10, 1994)
- (7) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a handicap of:
 - A. that person; or
 - B. a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or
 - C. any person associated with that person. (Ord. 03-01-2013, S4g, Mar. 13, 2013) (Ord. 10-1-1994, S4g, Oct. 10, 1994)
- (8) For purposes of this subsection, discrimination includes:
 - A. a refusal to permit, at the expense of the handicapped person, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises except that, in the case of a rental, the landlord may where it is reasonable to do so condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modifications, reasonable wear and tear excepted;

- B. a refusal to make reasonable accommodations in rules, policies, practices, or services when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling; or
- C. in connection with the design and construction of covered multi-family dwellings for first occupancy after the date that is 30 months after September 13, 1998, a failure to design and construct those dwellings in such a manner that;
 - 1. the public use and common use portions of such dwellings are readily accessible to and usable by handicapped persons;
 - 2. all the doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by handicapped persons in wheelchairs; and
 - 3. all premises within such dwellings contain the following features of adaptive design:
 - (a) an accessible route into and through the dwelling;
 - (b) light, switches, electrical outlets, thermostats, and other environmental controls in accessible locations;
 - (c) reinforcements in bathrooms such that an individual in a wheelchair can maneuver about the space. (Ord. 03-01-2013, S4h, Mar. 13, 2013) (Ord. 10-1-1994, S4h, Oct. 10, 1994)

Compliance with the appropriate requirement Americans with Disabilities Act of 1990 and of the American National Standard for Buildings and Facilities providing accessibility an usability for physically handicapped people (commonly cited as ANSI A117.1") suffices to satisfy the requirements of paragraph (3)(3)(c) of this Chapter or (3)(c)(iii) of this Ordinance.

Nothing in this subsection requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health of safety of other individuals of whose tenancy would result in substantial physical damage to the property of others. (Ord. 03-01-2013, S4h, Mar. 13, 2013) (Ord. 10-1-1994, S4h, Oct. 10, 1994)

1.54.050 Discrimination in Residential Real Estate-Related Transactions.

- (1) It shall be unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available such a transaction, or in the terms or

conditions of such a transaction, because of race, color, religion, sex, handicap, familial status, or national origin. (Ord. 03-01-2013, S5a, Mar. 13, 2013) (Ord. 10-1-1994, S5a, Oct. 10, 1994)

- (2) As used in this section, the term residential real estate-related transaction means any of the following:
 - A. The making or purchasing of loans or providing other financial assistance:
 1. for purchasing, constructing, improving, repairing, or maintaining a dwelling; or
 2. secured by residential real estate.
 - B. The selling, brokering, or appraising of residential real property. (Ord. 03-01-2013, S5b, Mar. 13, 2013) (Ord. 10-1-1994, S5b, Oct. 10, 1994)
- (3) Nothing in this Ordinance prohibits a person engaged in the business of furnishing appraisals of real property to take into consideration factors other than race, color, religion, national origin, sex, handicap, or familial status. (Ord. 03-01-2013, S5c, Mar. 13, 2013) (Ord. 10-1-1994, S5c, Oct. 10, 1994)

1.54.060 Discrimination in the Provision of Brokerage Service. It shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership, or participation, on account of race, color, religion, sex, handicap, familial status or national origin. (Ord. 03-01-2013, S6, Mar. 13, 2013) (Ord. 10-1-1994, S6, Oct. 10, 1994)

1.54.070 Interference, Coercion, or Intimidation. It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by sections 1.54.030, 1.54.040, 1.54.050 or 1.54.060 of this Chapter or Sections 3, 4, 5, or 6 of this Ordinance. (Ord. 03-01-2013, S7, Mar. 13, 2013) (Ord. 10-1-1994, S7, Oct. 10, 1994)

1.54.080 Prevention of Intimidation in Fair Housing Cases. Whoever, whether or not acting under code or law, by force or threat of force willfully injures, intimidates, or interferes with, or attempt to injure, intimidate or interfere with:

- (1) any person because of his race, color, religion, sex, handicap, familial status, or national origin and because he is or has been selling, purchasing, renting, financing, occupying, or contracting or negotiating for the sale, purchase, rental, financing or occupation of any dwelling, or applying for or participating in any service, organization, or facility relating to the business of

selling or renting dwellings; or (Ord. 03-01-2013, S8(a), Mar. 13, 2013) (Ord. 10-1-1994, S8(a), Oct. 10, 1994)

- (2) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from:
 - A. participating, without discrimination on account of race, color, religion, sex, handicap, familial status, or national origin, in any of the activities, services, organizations or facilities described in subsection (A); or
 - B. affording another person or class of persons opportunity or protection so to participate; or (Ord. 03-01-2013, S8(b), Mar. 13, 2013) (Ord. 10-1-1994, S8,(b) Oct. 10, 1994)
- (3) any citizen because he is or has been, or in order to discourage such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion, sex, handicap, familial status, or national origin, in any of the activities, services, organizations or facilities described in subsection (1) above or subsection (A) of this Ordinance, or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to participate shall be fined according to local, state and federal law; and if bodily injury results shall be fined not more than \$10,000 or imprisoned not more than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life. (Ord. 03-01-2013, S8(c), Mar. 13, 2013) (Ord. 10-1-1994, S8(c), Oct. 10, 1994)

1.54.090 Exemptions

- (1) Exemptions defined or set forth under Title 22-9.5-3 et. seq. of Indiana Code shall be exempt from the provisions of this Ordinance to include those activities or organizations set forth under subsections (2) and (3) of this Section or subsection (B) and (C) of this Ordinance. (Ord. 03-01-2013, S9(a), Mar. 13, 2013) (Ord. 10-1-1994, S9(a), Oct. 10, 1994)
- (2) Nothing in this Ordinance shall prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color or national origin. Nor shall anything in this Ordinance prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodging to its members or from giving preference to its members. (Ord. 03-01-2013, S9(b), Mar. 13, 2013) (Ord. 10-1-1994, S9(b), Oct. 10, 1994)

- (3) Nothing in this Ordinance regarding familial status shall apply with respect to housing for older persons. As used in this Section, 'housing for older persons' means housing:
 - A. provided under any state or federal program that the Secretary of the Federal Department of Housing and Urban Development or the state civil rights commission determines is specifically designed and operated to assist elderly person (as defined in the state or federal program) or;
 - B. intended for, and solely occupied by, person 62 years of age or older; or
 - C. intended and operated for occupancy by at least one person 55 years of age or older per unit. (Ord. 03-01-2013, S9(c), Mar. 13, 2013) (Ord. 10-1-1994, S9(c), Oct. 10, 1994)

1.54.100 Administrative Enforcement of Ordinance.

- (1) The authority and responsibility for properly administering this Ordinance and referral of complaints hereunder to the Commissioner as set forth in subsection (2) hereof and subsection (B) of this Ordinance shall be vested in the Chief Elected Official of the Town of Troy, Indiana. (Ord. 03-01-2013, S10(a), Mar. 13, 2013) (Ord. 10-1-1994, S10(a), Oct. 10, 1994)
- (2) Notwithstanding the provisions of I.C. 22-9.5-4-8, the Town of Troy, Indiana, because of lack of financial and other resources necessary to fully administer enforcement proceedings and possible civil actions under the Ordinance, herein elects to refer all formal complaints of violation of the articles of this Ordinance by complainants to the Indiana Civil Rights Commission for administrative enforcement actions pursuant to Title 22-9.5-6 of Indiana Code and the Chief Elected Official of the Town of Troy, Indiana, shall refer all said complaints to the Commission as provided for under subsection (1) of this Section or subsection (A) of this Ordinance, to said Commission for purposes of investigation, resolution and appropriate relief as provided for under Title 22-9.5-6 of Indiana Code. (Ord. 03-01-2013, S10(b), Mar. 13, 2013) (Ord. 10-1-1994, S10(b), Oct. 10, 1994)
- (3) All executive departments and agencies of the Town of Troy, Indiana shall administer their departments, programs and activities relating to housing and urban development in a manner affirmatively to further the purposes of this Ordinance and shall cooperate with the Chief Elected Official and the Commission to further such purposes. (Ord. 03-01-2013, S10(c), Mar. 13, 2013) (Ord. 10-1-1994, S10(c), Oct. 10, 1994)
- (4) The Chief Elected Official of the Town of Troy, Indiana, or the Chief Elected Official's designee, shall provide information on remedies available to any aggrieved person or complainant requesting such information. (Ord.

03-01-2013, S10(d), Mar. 13, 2013) (Ord. 10-1-1994, S10(d), Oct. 10, 1994)

1.54.110 Separability of Provisions. If any provision of this Ordinance or the application thereof to any person or circumstances shall be determined to be invalid, the remainder of the Ordinance and the application of its provisions to other persons not similarly situated or to other circumstances shall not be affected thereby. (Ord. 03-01-2013, S11, Mar. 13, 2013) (Ord. 10-1-1994, S11, Oct. 10, 1994)

1.54.120 Certification of Adoption. It is hereby certified that this Ordinance Number 03-01-2013 was passed by the Common Council of the Town of Troy, Indiana, at its legally convened meeting on March 13, 2013. (Ord. 03-01-2013, S12, Mar. 13, 2013)

Chapter 1.56

PARK AND RECREATION DEPARTMENT

Sections:

1.56.010	Created
1.56.020	Members
1.56.030	Terms
1.56.040	Election of Officers
1.56.050	Powers and duties
1.56.060	Preparation of annual budget

1.56.010 Created. Under the provisions of IC 36-10-3 there is hereby created a town Department of Parks and Recreation. (Ord. 7-90, SI, Dec. 12, 1990)

1.56.020 Members. A Park and Recreation Board shall be composed of:

- (1) Four (4) members appointed by the Town Council President on the basis of their interest in and knowledge of parks and recreation. No more than two members shall be of the same political party.
- (2) One (1) ex officio member who is a member of and appointed by the board of school trustees.
- (3) One (1) ex officio member who is a member of and appointed by the library district board.

The library district and school boards shall fill any vacancies of their ex officio members. Ex officio board members have all the rights of regular members, including the right to vote.* (Ord. 7-90, SII, Dec. 12, 1990)

* The two ex officio members are optional for a municipal park and recreation board. Either or both the school or library boards may be represented, but if one or both are to be included the provision must be written in the ordinance.

1.56.030 Terms. Upon establishment of the board, the terms of the members initially appointed shall be:

1. One (1) member for a term of one (1) year,
2. One (1) member for a term of two (2) years,
3. One (1) member for a term of three (3) years, and
4. One (1) member for a term of four years.

As a term expires, each new appointment shall be made by the Town Council President for a term of (4) years. All terms expire on the first Monday in January, but a member shall continue in office until his successor is appointed. If an appointment for a new term is not made by the executive by the first Monday in April, the incumbent shall serve another term. If a vacancy occurs, the executive shall appoint a new member for the remainder of the unexpired term. (Ord. 7-90, SIII, Dec. 12, 1990)

1.56.040 Election of Officers At its first regular meeting in each year, the Park Board shall elect a president and vice-president. The vice-president shall have authority to act as the president of the Board during the absence or disability of the president. The Board may select a secretary either from within or without its own membership. (Ord. 7-90, SIV, Dec. 12, 1990)

1.56.050 Powers and duties. The Board shall have the power to perform all acts necessary to acquire and develop sites and facilities and to conduct such programs as are generally understood to be to be park and recreation functions. In addition the Board shall have all the powers and duties listed in IC 36-10-3 et seq. (Ord. 7-90, SV, Dec. 12, 1990)

1.56.060 Preparation of annual budget. The Board shall prepare and submit an annual budget in the same manner as other departments of town government as prescribed by the State Board of Accounts. The Board may accept gifts, donations, and subsidies for park and recreation purposes. (Ord. 7-90, SVI, Dec. 12, 1990)

Chapter 1.59

JURISDICTION OVER FULTON HILL AND BURKE PARK

Sections:

1.59.010	Dedicated real-estate for park and recreation purposes
1.59.020	Jurisdiction for purposes within I.C. 36-10-3
1.59.030	Fulton Hill property description
1.59.040	Burke Park property description
1.59.050	Alcoholic beverages in Burke Park
1.59.060	Maximum speed limit at parks
1.59.062	Speed limit signs
1.59.064	Penalty for violating Section 1.59.060
1.59.066	All fines collected under 1.59.064 be deposited in General Fund

1.59.010 Dedicated real-estate for park and recreation purposes. The real estate and improvements situated thereon, as described in Exhibits 1 and 2, be and hereby are dedicated to the development and use of park and recreation programs, facilities and related services. (Ord. 6-2-96, S1, June 12, 1996)

1.59.020 Jurisdiction for purposes within I.C. 36-10-3. The Town of Troy Park and Recreation Board is hereby granted jurisdiction over the real estate and improvements described in Exhibits 1 and 2 for the purposes recognized under I.C. § 36-10-3 et seq. (Ord. 6-2-96, S2, June 12, 1996)

1.59.030 Fulton Hill property description. Henceforth the real estate and improvements described in Exhibit 1 shall be known as, "Fulton Hill". (Ord. 6-2-96, S3, June 12, 1996)

1.59.040 Burke Park property description. Henceforth the real estate and improvements described in Exhibit 2 shall be known as, "Burke Park". (Ord. 6-2-96, S4, June 12, 1996)

1.59.050 Alcoholic beverages in Burke Park.

- (1) During the festival known as the "Trojan Fest", the consumption, display, sale, furnishing, giving away, possession or use of an alcoholic beverage within Burke Park and surrounding vicinity is prohibited, except pursuant to a permit issued by the Indiana Alcoholic Beverage Commission. (Ord. 6-3-96, S1, June 12, 1996)
- (2) A person who violates this ordinance upon conviction shall be guilty of an infraction and may be fined up to Five Hundred Dollars (\$500.00). (Ord. 6-3-96, S2, June 12, 1996)
- (3) All fines assessed for violations of this Ordinance shall be deposited into the general fund of the Town. (Ord. 6-3-96, S3, June 12, 1996)

1.59.060 Maximum speed limit at parks. The maximum speed limit on all streets and highways located in the Town's public parks, known as, "Fulton Hill" shall be Fifteen (15) miles per hour, and "Burke Park" shall be five (5) miles per hour. (Ord. 6-4-96, S1, June 12, 1996)

1.59.062 Speed limit signs. The Town shall erect as soon as practicable after the passage of this ordinance signs in various locations in the Town's public parks, known as, "Fulton Hill" and "Burke Park" giving notice to vehicular traffic on all streets and highways located in the Town's public parks that the maximum speed limit is Fifteen (15) miles per hour, and five (5) miles per hour, respectively. The sign or signs shall read "Fifteen Mile Per Hour Speed Limit" or "Five Mile Per Hour Speed Limit", as applicable. (Ord. 6-4-96, S2, June 12, 1996)

1.59.064 Penalty for violating Section 1.59.060. Any person who violates this ordinance upon conviction shall be guilty of a Class A Infraction and may be fined up to Five Hundred Dollars (\$500.00) . (Ord. 6-4-96, S3, June 12, 1996)

1.59.066 All fines collected under 1.59.064 be deposited in General Fund. All fines assessed for violations of this ordinance shall be deposited into the general fund of the Town. (Ord. 6-4-96, S4, June 12, 1996)

EXHIBIT 1

TRACT NO. 1

All that part of Lots 42, 43, 44, 45, 46, 57, 58, 59, 60 and 61 in the Indiana Pottery Company Addition to the Town of Troy, Indiana, and part of vacated Market Street, Monument Street and Fulton Street as platted in said addition and vacated by order of the Circuit Court of Perry County, Indiana, in Cause No. 6165 on February 20, 1946, which order is entered in Civil Order Book No. 31 at page 160, of the record of said Court, more particularly described and bounded as follows, to wit: Commencing at the Southwest corner of said Lot No. 61; thence North 26 degrees East along the Northwest line of said Lot for a distance of 120 feet to the Northwest corner thereof; thence south 64 degrees East along the Northeast lines of said Lots 61, 60, 59, 58, and 57 and the extension of said line 330 feet to the center of vacated Monument Street; thence South 26 degrees West along said center line of vacated Monument Street 223.75 feet more or less to the Northeast right-of-way line of State Highway No. 66; thence Northwestwardly and Westwardly along said right-of-way line to the center of vacated Fulton street; thence North 26 degrees East along said center of vacated Fulton Street to the intersection with the extended Northeast line of vacated Market Street; thence South 64 degrees East along said extended North-East line 25 feet to the place of beginning.

EXCEPT therefrom the tract of land used by the City of Troy as a site for a reservoir and described as follows: A part of Lots 58, 59, and 60, in the Indiana Pottery Company Addition to the Town of Troy, described and bounded as follows, to wit: Commencing at a point which is located as follows: Begin at the point in the Southeast line of Lot No. 57 of said addition, said point being 112.72 feet Northeast of the Southeast corner of said Lot; thence North 84 degrees 20 minutes West a distance of 91 feet to the beginning point for the boundary description heretofore mentioned; thence from said beginning point North 84 degrees 20 minutes West a distance of 80 feet; thence at right angles Northwardly 60 feet; thence at right angles Eastwardly (South 84 degrees 20 minutes East) a distance of 80 feet; thence at right angles Southwardly 60 feet to the place of beginning.

TRACT NO. 2

Lots Number Thirty Five (35) and Thirty Six (36) as described in the Indiana Pottery Addition to the Town of Troy, Indiana, and also all of Lot Number Thirty Four (34) in said Indiana Pottery Addition to the Town of Troy, excepting that part of said lot conveyed by previous grantor to Urban John Bender and Mary Bender, husband and wife, by deed dated June 18, 1969 and recorded in Deed Record 65, Page 40 in the Office of the Record of Perry County, Indiana. Grantee assumes reasonable maintenance of a statute located on the above real estate known as "Christ of the Ohio".

TRACT NO. 3

Lots Number Seventy Eight (78), Seventy Nine (79), and Eighty (80) in the Indiana Pottery Company Addition to the Town of Troy, Indiana. Also, parts of Lots Number Fifty Nine (59), Sixty (60), and Sixty One (61) in the Indiana Pottery Company Addition to the Town of Troy, Indiana, more particularly described as follows: Beginning at the Southwest corner of

Lot Number Sixty One (61); thence North Eighty Six (86) degrees East a distance of One Hundred Sixty Eight (168) feet; thence North Seven (7) degrees West a distance of Sixty (60) feet; thence North Eighty Three (83) degrees East to the intersection of the North line of Lot Number Fifty Nine (59); thence in a Northwesterly direction along the North lines of Lots Number Fifty Nine (59), Sixty (60), and Number Sixty One (61) to the Northwest corner of Lot Number Sixty One (61); thence South along the West line of Lot Number Sixty One (61) to the place of beginning.

All of the above described real estate covered by this land is located in the Indiana Pottery Company Addition to the Town of Troy, Troy Township, Perry County, Indiana, and contains one and one-half (1 1/2) acres more or less.

TRACT NO. 4

Lots Number Thirty Seven (37), Thirty Eight (38), Thirty Nine (39), Forty (40), Forty One (41), Sixty Four (64), Sixty Five (65), Sixty Six (66), Sixty Seven (67), Sixty Eight (68), Sixty Nine (69), Seventy One (71), Seventy Two (72), Seventy Three (73), Seventy Four (74) and Seventy Five (75) in the Indiana Pottery Company's Addition to the Town of Troy.

Also a parcel of land lying East of Spring Street between Walnut Street and Market Street adjoining the Town of Troy, Indiana and extending East to Lots Number Sixty Nine (69) and Seventy (70) in the Indiana Pottery Company's Addition to the Town of Troy, Indiana. Said parcel of land being a rectangle bounded by Walnut Street (also known as Indiana Street) on the North, Market Street on the South, Spring Street on the West, and the West lot line of Lots Number Sixty Nine (69) and Seventy (70) in the Indiana Pottery Company's Addition to the Town of Troy, Indiana on the East. EXCEPTING from this parcel of land a portion thereof sold by Walter Scott and Myrtle Scott to Philbert Scott and Jane Scott on August 27, 1963 and recorded in Deed Record 61 at page 520, and further EXCEPTING Lots Number Seventy Seven (77), Seventy Eight (78), Seventy Nine (79), Eighty Two (82), Eighty Three (83) and Eighty Four (84) in the Town of Troy, Indiana.

TRACT NO. 5

Lots Number Sixty Two (62), Sixty Three (63), Seventy Six (76) and Seventy Seven (77) in the Indiana Pottery Company Addition to the Town of Troy.

TRACT NO. 6

One Half (1/2) acre lying North of Walnut Street, South of Troy and Paoli Road, West of a parcel of land owned and belonging to Benno Feldpausch, four feet West of a line continuing through the West side of Lot Number 82 to a stone on the South side of Troy-Paoli Road, in Fractional Section 13, Township 6 south, Range 4 West.

A parcel of land in Section 13, Township 6 South, Range 4 West, described as follows: Beginning at a point on the North side and near the East end of Walnut Street, in Pottery Addition to said Town of Troy, Indiana, as platted in the original plat of said Town of Troy, and running in a Westerly direction along the North side of said Walnut Street, to the land now owned by Edward Meunier, thence in a Northerly direction along the line of the land of

said Edward Meunier, and to the South side of the Troy and Paoli Highway, thence in an Easterly direction along the South side of said Troy and Paoli Highway, and to the point of beginning, said parcel of land to contain one-fourth acre, more or less.

Also Lots Number 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 81, 82, 83, 84, 85, 86 and 87 in the Indiana Pottery Addition to the Town of Troy, as shown by the original plat of said Town. Also all our right, title and interest in and to Lots Number 57 and 58 in the Indiana Pottery Addition to the Town of Troy, except that portion heretofore conveyed to Henry Koch and the Town of Troy, Indiana. The above conveyances are made subject to right of way agreement with the Indiana Bell Telephone Company and the Missouri-Kansas Pipe Line Company.

TRACT NO. 7

A certain tract of land in Fractional Sections Number Thirteen (13), Township Six (6) South, Range (4) West, and Eighteen (18), Township Six (6) South, Range Three (3) West, containing Eight (8) acres, more or less, subject to all legal highways, the Southern Railway Company right of way and telephone right of way, and being the same real estate conveyed by Frederick Mueller and wife to Jacob Leingang, by deed dated October 6, 1881 and recorded in Deed Record 14 at page 414 in the office of the Recorder of Perry County, Indiana, excepting and reserving from the above described eight acre tract that portion that lies between Indiana State Highway Number 66 and the Ohio River, said exception containing two acres, more or less. (Ord. 6-2-96, Exhibit 1, June 12, 1996)

EXHIBIT 2

A Part of Section Thirteen (13), Township Six (6) South, Range Four (4) West, lying immediately West and adjoining the Town of Troy and more particularly described as follows, to-wit: Beginning on the West line of Washington Street in the Town of Troy at a point where said line intersects the dividing line between the tract herein conveyed and property now owned by Judd Grass and which point is approximately on the extension of the North line of Walnut Street in the Town of Troy, Indiana, and which point is the point of beginning of the tract herein conveyed; thence in a Northwesterly direction along the South line of the property owned by Judd Grass, a distance of approximately Seven Hundred Forty (740) feet to the East right-of-way line of the Southern Railway Company; thence in a Southerly direction along the East right-of-way line of the Southern Railway Company a distance of Four Hundred Fifty (450) feet; thence in an Easterly direction a distance of approximately Five Hundred Fifty (550) feet to a point on the West line of said Walnut Street which is Three Hundred Fifty (350) feet from the place of beginning; thence Northerly along the West line of said Walnut Street a distance of Three Hundred Fifty (350) feet to the place of beginning and containing 5.5 acres more or less.

The above described real estate being the same real estate conveyed by warranty deed dated 23 March 1951 and recorded in Deed Record 55 at Page 569, Recorder's Office Perry County, Indiana, and conveyed to Victor Walk and Leonard Hall Trustees. (Ord. 6-2-96, Exhibit 2, June 12, 1996)

Chapter 1.70

RAINY DAY FUND

Sections:

1.70.010	Established
1.70.020	Percent of Budget into Rainy Day Fund
1.70.030	Appropriation Process
1.70.040	Allocation and Expenditure of the Fund

1.70.010 Established. There is hereby established a "Rainy Day Fund" to receive transfers of unused and unencumbered funds under Indiana Code 36-1-8-5. (Ord. 2008-2, S1, June 11, 2008)

1.70.020 Percent of Budget into Rainy Day Fund. Not more than ten percent (10%) of any fiscal year's total budget shall be transferred into the "Rainy Day Fund". (Ord. 2008-2, S2, June 11, 2008)

1.70.030 Appropriation Process. The "Rainy Day Fund" shall be subject to the same appropriation process as other funds that receive tax money. (Ord. 2008-2, S3, June 11, 2008)

1.70.040 Allocation and Expenditure of the Fund. The Town Council of the Town of Troy hereby intends to utilize its decision making power regarding fiscal affairs and set priorities for allocation and expenditure of the "Rainy Day Fund" as deemed necessary to best serve the residents of the Town of Troy. (Ord. 2008-2, S4, June 11, 2008)

Chapter 1.83

SCHOOL TRUSTEES

Sections:

1.83.010 Compensation

1.83.010 Compensation. The Trustees of the School Corporation of the Town of Troy shall receive for their services as such trustees the following compensation to be paid out of the special school revenue of said town on the certificate of the Board of Trustees, signed by the President thereof and attested by the Clerk.

- (1) For taking the enumeration of the district ten dollars (\$10.00)
- (2) For services as Secretary of School Board for one year six dollars (\$6.00)
- (3) For services as Treasurer of School Board for one year (\$5.00) five dollars.
- (4) For services as President of School Board for one year five dollars (\$5.00).

That no other compensation be allowed any member of said School Board for any services not herein mentioned unless upon itemized bill sported by affidavit of claimant. (Ord. 46, S1, March 4, 1887)