

2012 ORDINANCES

NUMBER	DATE	DESCRIPTION
2012-001	2/27/2012	ADOPTING SUPPLEMENT OF CODE OF ORDINANCES
2012-002	2/27/2012	223 POPP AVE., ZONING CHANGE R-1 TO R-2
2012-003	2/27/2012	8105 HIGHWAY 311 ZONING CHANGE, R-3 TO B-3
2012-004	3/26/2012	AMENDING BUILDING ORDINANCE
2012-005	5/14/2012	ADDITIONAL APPROPRIATIONS
2012-006	4/23/2012	ANNEXATION OF STONE GATE MANOR
2012-007	6/25/2012	POLICY PROHIBITING NEPOTISM
2012-008	6/25/2012	DISCLOSURE OF CONTRACTS WITH RELATIVES
2012-009	7/9/2012	ABOLISH DORMAN FUNDS & TRANSFER TO GENERAL FUND
2012-010	7/23/2012	333 POPP AVE., REZONING CHANGE R-1 TO R-2
2012-011	8/13/2012	AMENDING WEEDS, GRASS & RANK VEGETATION 95-48 REMOVAL NOTICE
2012-012	10/8/2012	RESCINDING SECTION 22 FROM ORDINANCE 2012-004
2012-013	10/8/2012	REFINANCING REFUNDING ECONOMIC BOND (EASTSIDE CHRISTIAN CHURCH)
2012-014	VOID	
2012-015	10/22/2012	2013 BUDGET ADOPTION
2012-016	10/22/2012	WATERWORKS REVENUE BONDS
2012-017	10/22/2012	2013 SALARY ORDINANCE
2012-018	11/26/2012	REVISED VOTER DISTRICTS
2012-019	VOID	WATER RATES-CHANGED TO ORDINANCE NO. 2013-001
2012-020	12/10/2012	TRANSFER OF FUNDS



E- Sellersburg

ORDINANCE 2012-001

**AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE
CODE OF ORDINANCES FOR THE TOWN OF SELLERSBURG, INDIANA
AND DECLARING AN EMERGENCY.**

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the 2011 supplement of Code of Ordinances of the Town of Sellersburg, Clark County, Indiana, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this Political Subdivision; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make reference to sections of the Indiana code; and

WHEREAS, it is necessary to provide for the usual daily operation of the Town of Sellersburg and for the immediate preservation of the public peace, health, safety and general welfare of the Town of Sellersburg that this ordinance take effect at an early date;

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY
OF THE TOWN OF SELLERSBURG;**

Section 1. That the 2011 supplement to the Code of Ordinances of the Town of Sellersburg, Clark County, Indiana as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

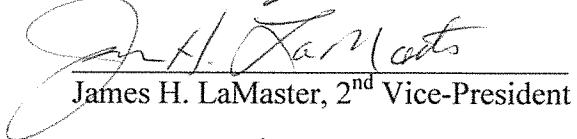
Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Town of Sellersburg,


Clark County, Indiana, is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk.

Section 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of the Town of Sellersburg, and shall take effect at the earliest date provided by law.

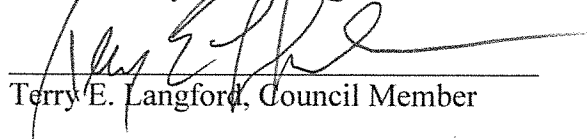
PASSED AND ADOPTED by the Sellersburg Town Council of the Town of Sellersburg, Clark County, Indiana on the 27th day of **February 2012.**

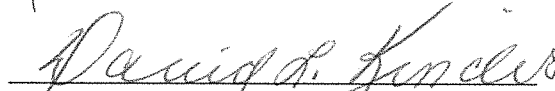

Paul J. Rhodes, Council President


James H. LaMaster, 2nd Vice-President


Michael N. Lockhart, Council Member


Brian K. Meyer, Council Vice- President


Terry E. Langford, Council Member


ATTEST: David L. Kinder
Clerk-Treasurer

E - Sellersburg

STATE OF INDIANA

BEFORE THE SELLERSBURG TOWN COUNCIL

ORDINANCE NO. 2012-002

**AN ORDINANCE CHANGING THE ZONING MAP DESIGNATION
FOR REAL PROPERTY LOCATED AT THE COMMONLY KNOWN
ADDRESS OF 223 POPP AVENUE IN THE TOWN OF SELLERSBURG, INDIANA**

WHEREAS, Newburg Ventures, LLC, a Kentucky limited liability company, has filed a petition before the Town of Sellersburg Plan Commission to change the zoning map designation of certain real property located at the commonly known address of 223 Popp Avenue, Sellersburg, Clark County, Indiana (the "Real Estate"), from R-1 to R-2, which Real Estate is more particularly described as follows:

All of Lot 13 in Block No. 3 of Edward Dold and Magdalena Popp's Addition to the Town of Sellersburg, Clark County, Indiana.

Subject to any and all easements and /or restrictions of record that may affect the above described real estate; and

WHEREAS, on February 20, 2012, the Town of Sellersburg Plan Commission conducted a public hearing on the petition following publication as required by applicable law; and,

WHEREAS, following the close of the public hearing, the Town of Sellersburg Plan Commission has certified to this Town Council a favorable recommendation of the petition for the proposed change to the Town's zoning map regarding the Real Estate; and,

WHEREAS, this matter is now properly before this Town Council at its first regular meeting following receipt of such certification of favorable recommendation regarding the proposed change of zoning map designation for the Real Estate pursuant to the provisions of IND. CODE § 36-7-4-608(f)(1); and,

NOW, THEREFORE, BE IT ORDAINED by this Town Council of the Town of Sellersburg, Indiana, that the zoning designation of the Real Estate located at the commonly known address of 223 Popp Avenue, Sellersburg, Clark County, Indiana, and which is more particularly described hereinabove, is hereby changed from R-1 to R-2 pursuant to the terms and conditions of the Town of Sellersburg Zoning Ordinance; and,

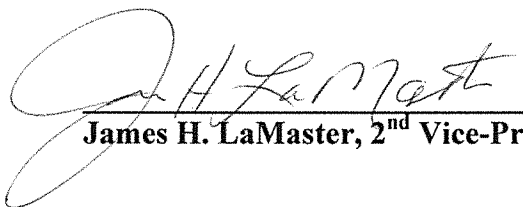
IT IS FURTHER ORDAINED that the zoning map of the Town of Sellersburg shall be amended to include the change of the zoning designation of the Real Estate enacted by this Ordinance; and,

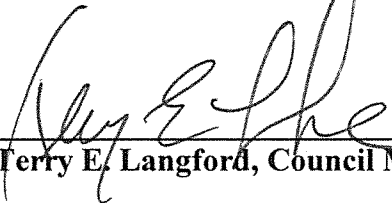
IT IS FURTHER ORDAINED that this Ordinance shall be in full force and effect upon its passage and adoption by a majority of the duly elected and serving members of this Town Council.


SO ORDAINED by the affirmative vote of the majority of the duly elected and serving members of the Town Council for the Town of Sellersburg, Indiana, this 27th day of February, 2012.

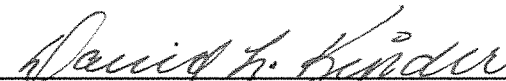

Paul J. Rhodes, Council President


Brian K. Meyer, Council Vice-President


James H. LaMaster, 2nd Vice-President


Terry E. Langford, Council Member


Michael N. Lockhart, Council Member


ATTEST: David L. Kinder
Clerk-Treasurer

- Sellersburg

STATE OF INDIANA
BEFORE THE SELLERSBURG TOWN COUNCIL
ORDINANCE NO. 2012-003

**AN ORDINANCE CHANGING THE ZONING MAP DESIGNATION
FOR A PORTION OF REAL PROPERTY LOCATED AT THE COMMONLY KNOWN
ADDRESS OF 8105 HIGHWAY 311, IN THE TOWN OF SELLERSBURG, INDIANA**

WHEREAS, ARC Property Investments, LLC, an Indiana Limited Liability company, has filed a petition before the Town of Sellersburg Plan Commission to change the zoning map designation of a portion of real property located at the commonly known address of 8105 Highway 311, Sellersburg, Clark County, Indiana (the "Real Estate"), from R-3 to B-3, which Real Estate is more particularly described as follows:

Part of Survey #108 of the Illinois Grant, Silver Creek Township, Clark County, Indiana, more particularly described as follows:

Commencing at the North corner of Survey #108, thence with the common survey line between Survey #108 and #110 South 34° 56' 59" East 826.86 feet, thence South 55° 49' 56" West 172.68 feet, thence South 34° 57' 00" East 571.42 feet, this being the point of beginning, thence South 33° 08' 47" West 63.25 feet, thence South 36° 13' 47" East 61.92 feet, thence South 72° 49' 29" East 18.47 feet, thence South 36° 13' 57" East 201.66 feet, thence North 14° 11' 27" East 130.21 feet, thence along a curve concave Northeasterly (said curve having a radius of 250.00 feet and whose long chord bears North 54° 41' 20" West, having a length of 168.87 feet) a distance of 172.26 feet, thence North 34° 57' 00" West 57.56 feet to the point of beginning, containing 0.400 Acre, more or less.

And being part of that property recorded in Instrument #200716228 in the Office of the Recorder of Clark County, Indiana.

Subject to any and all easements and /or restrictions of record that may affect the above described real estate. and,

WHEREAS, on February 20, 2012, the Town of Sellersburg Plan Commission conducted a public hearing on the petition following publication as required by applicable law; and,

WHEREAS, following the close of the public hearing, the Town of Sellersburg Plan Commission has certified to this Town Council a favorable recommendation of the petition for the proposed change to the Town's zoning map regarding the Real Estate; and,

WHEREAS, this matter is now properly before this Town Council at its first regular meeting following receipt of such certification of favorable recommendation regarding the proposed change of zoning map designation for the Real Estate pursuant to the provisions of IND. CODE § 36-7-4-608(f)(1); and,

WHEREAS, all interested persons having been given an opportunity to appear before this Town Council and be heard regarding this matter as required by law.

NOW, THEREFORE, BE IT ORDAINED by this Town Council of the Town of Sellersburg, Indiana that the zoning designation of the Real Estate located at the commonly known address of 8105 Highway 311, Sellersburg, Clark County, Indiana, and which is more particularly described hereinabove,


is hereby changed from R-3 to B-3 pursuant to the terms and conditions of the Town of Sellersburg Zoning Ordinance; and,


IT IS FURTHER ORDAINED that the zoning map of the Town of Sellersburg shall be amended to include the change of the zoning designation of the Real Estate enacted by this Ordinance; and,


IT IS FURTHER ORDAINED that this Ordinance shall be in full force and effect upon its passage and adoption by a majority of the duly elected and serving members of this Town Council.

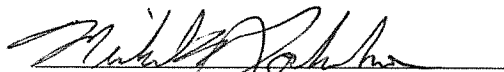
SO ORDAINED by the affirmative vote of the majority of the duly elected and serving members of the Town Council for the Town of Sellersburg, Indiana, this 27th day of February, 2012.

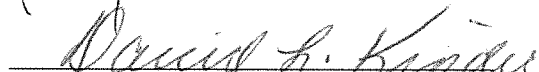

Paul J. Rhodes, Council President


Brian K. Meyer, Council Vice-President


James H. LaMaster, 2nd Vice-President


Terry E. Langford, Council Member


Michael N. Lockhart, Council Member


ATTEST: David L. Kinder
Clerk-Treasurer

ORDINANCE NO. 2012-004

AMENDED BUILDING ORDINANCE
OF THE TOWN OF SELLERSBURG

WHEREAS, THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG
ADOPTED ITS BUILDING CODE AND FEE PERMIT SCHEDULE ON THE 11th
DAY OF March 1996, UNDER ORDINANCE NO 96-640; AND

WHEREAS, THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG HAS
DETERMINED SAID ORDINANCE SHOULD BE AMENDED; AND
WHEREAS, SAID ORDINANCE WILL REGULATE THE CONSTRUCTION,
ALTERATION, REPAIR, LOCATION AND USE OF BUILDINGS AND
STRUCTURES IN THE TOWN OF SELLERSBURG, INDIANA; PROVIDING FOR
THE ISSUANCE OF PERMITS THEREFORE AND PROVIDING PENALTIES FOR
THE VIOLATION THEREOF; AND

WHEREAS, THIS MATTER WAS CONSIDERED IN AN OPEN MEETING OF THE
TOWN COUNCIL FOR THE TOWN OF SELLERSBURG AT WHICH THE PUBLIC
WAS INVITED TO ATTEND AND PARTICIPATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG,
CLARK COUNTY, INDIANA AS FOLLOWS:

SECTION 1: ADOPTION.

THIS ORDINANCE IS HEREBY ADOPTED PURSUANT TO PROVISIONS OF
INDIANA LAW I.C. 22-11-1, I.C. 36-7-2 AND I.C. 36-7-10. THIS ORDINANCE
SHALL REPEAL ALL PREVIOUS ORDINANCES AND ALL AMENDMENTS
THERETO AND SHALL BECOME THE CODE OF ORDINANCES OF THE TOWN
OF SELLERSBURG, INDIANA.

SECTION 2: TITLE.

THIS ORDINANCE, AND ALL ORDINANCES SUPPLEMENTAL OR
AMENDATORY HERETO, SHALL BE KNOWN AS THE "BUILDING CODE OF THE
TOWN OF SELLERSBURG, INDIANA", MAY BE CITED AS SUCH, AND WILL BE
REFERRED TO HEREIN AS "THIS CODE".

SECTION 3: PURPOSE.

THE PURPOSE OF THIS CODE IS TO PROVIDE MINIMUM STANDARDS FOR
THE PROTECTION OF LIFE, LIMB, HEALTH ENVIRONMENT, PUBLIC SAFETY
AND WELFARE AND FOR THE CONSERVATION OF ENERGY IN THE DESIGN
AND CONSTRUCTION OF BUILDINGS AND STRUCTURES.

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5. ARTICLE 18 -- MECHANICAL CODES
 6. ARTICLE 19 -- ENERGY CONSERVATION CODES
 7. ARTICLE 20 -- SWIMMING POOL CODES
 8. ARTICLE 22 -- INDIANA FIRE CODE
 9. ARTICLE 25 -- INDIANA FUEL GAS CODE
 10. ARTICLE 28 -- NFPA STANDARDS
- B. COPIES OF ADOPTED BUILDING RULES, CODES AND STANDARDS ARE ON FILE IN THE OFFICE OF THE BUILDING COMMISSIONER.

SECTION 7: APPLICATION FOR PERMITS.

1. ANY PERSON REQUIRED TO HAVE PERMIT(S) SHALL SUBMIT A COMPLETE APPLICATION TO THE BUILDING COMMISSIONER.
2. THIS APPLICATION SHALL BE SUBMITTED ON A FORM PREPARED BY THE BUILDING COMMISSIONER, AND SHALL CONTAIN THE FOLLOWING:
 - (A) INFORMATION THAT THE BUILDING COMMISSIONER DETERMINES TO BE NECESSARY TO LOCATE AND CONTACT THE APPLICANT.
 - (B) A CLEAR AND UNDERSTANDABLE COPY OF DETAILED PLANS AND SPECIFICATIONS DRAWN TO SCALE WHICH INDICATE, IN A PRECISE MANNER, THE NATURE AND LOCATION OF ALL WORK TO BE ACCOMPLISHED.
 - (C) A PLOT PLAN DRAWN TO SCALE, HOWEVER SUCH PLOT PLAN SHALL NOT BE REQUIRED IN THE INSTANCE WHERE ALL SUCH CONSTRUCTION IS TO OCCUR ENTIRELY WITHIN AN EXISTING STRUCTURE. THIS PLOT PLAN SHALL REFLECT THE LOCATION OF THE STRUCTURE IN RELATION TO EXISTING PROPERTY LINES AND SHOW STREETS, CURBS AND SIDEWALKS AND PROPOSED CHANGES OR ADDITIONS TO SUCH STREETS, CURBS AND SIDEWALKS.
 - (D) IF REQUIRED BY INDIANA LAW OR ANY RULE OF THE FIRE PREVENTION AND BUILDING SAFETY COMMISSION, A COPY OF A DESIGN RELEASE FOR THE WORK TO BE DONE THAT HAS BEEN ISSUED BY THE BUILDING LAW COMPLIANCE OFFICER PURSUANT TO IC 22-15-3

(E) ANY ADDITIONAL INFORMATION THAT THE BUILDING COMMISSIONER FINDS TO BE NECESSARY TO DETERMINE THAT THE CONSTRUCTION WILL CONFORM TO ALL APPLICABLE BUILDING LAWS AND WILL NOT VIOLATE ANY OTHER APPLICABLE ORDINANCES OR LAWS.

(F) THE FEE ESTABLISHED BY ORDINANCE.

3. APPLICATION FOR A BUILDING PERMIT SHALL BE MADE BY THE PERSON ENTITLED TO OBTAIN THE PERMIT, OR BY AN EMPLOYEE OR AGENT OF THAT PERSON. THE BUILDING COMMISSIONER MAY REQUIRE THAT SUCH AN EMPLOYEE OR AGENT PROVIDE WRITTEN AUTHORITY TO APPLY FOR A PERMIT. NO BUILDING PERMIT WILL BE ISSUED TO A PERSON THAT WOULD CAUSE A VIOLATION OF IC 22-15-3-7.

SECTION 8: PERMIT REQUIRED.

ALL BUILDING PERMITS AND MECHANICAL PERMITS ARE REQUIRED TO BE OBTAINED PRIOR TO COMMENCING WORK FROM THE BUILDING COMMISSION IN THE FOLLOWING INSTANCES:

1. A. BUILDING PERMIT

1. ALL CONSTRUCTION, ALTERATION, REMODELING OR REPAIR OF ANY BUILDING OR STRUCTURE, THE COST OF WHICH EXCEEDS ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00)
2. ALL ROOFING AND SIDING INSTALLATIONS.
3. THE DEMOLITION OF ANY BUILDING OR STRUCTURE.
4. THE MOVING OF ANY BUILDING OR STRUCTURE.
5. THE CONSTRUCTION OF A PUBLIC SWIMMING POOL.
6. THE INSTALLATION OF A MODULAR OR MANUFACTURED HOME ON A PERMANENT FOUNDATION.

B. ELECTRICAL PERMIT

1. THE INSTALLATION, ALTERATION, EXTENSION OR REPLACEMENT OF ELECTRICAL WIRING, PANELS AND DEVICES WITHIN THE SERVICE AREA OF PUBLIC SERVICE INDIANA, INCLUDING ALL NEW, TEMPORARY OR REPLACEMENT ELECTRICAL SERVICE PROVIDED BY A PUBLIC ELECTRIC UTILITY COMPANY, NEW OR REPLACEMENT ELECTRIC DISTRIBUTION PANELS, WIRING FOR ADDITIONAL CIRCUITS, REQUIRING AND CIRCUIT REPLACEMENT, AND WIRING FOR APPLIANCES AND EQUIPMENT INCLUDING SIGNS.
2. THE INSTALLATION, ALTERATION, EXTENSION OR REPLACEMENT OF ALL HEATING AND AIR CONDITIONING SYSTEMS, EQUIPMENT, APPARATUS OR DEVICES.

3. THE INSTALLATION, ALTERATION, EXTENSION OR REPLACEMENT OF ALL PLUMBING, PIPING, FIXTURES, APPLIANCES AND APPURTENANCES IN CONNECTION WITH SANITARY DRAINAGE, LIQUID WASTE AND SEWERAGE SYSTEMS, VENTING SYSTEMS AND WATER SUPPLY SYSTEMS.

4. THE INSTALLATION OF ALL NEW OR REPLACEMENT WATER HEATERS, REGARDLESS OF COST.

5. THE INSTALLATION OR REPLACEMENT OF TANKS AND DISPENSING EQUIPMENT FOR FLAMMABLE AND COMBUSTIBLE LIQUIDS OR GASES.

6. MECHANICAL INSTALLATION PERMITS ARE NOT REQUIRED IN THE FOLLOWING INSTANCES:

(A) THE INSTALLATION OR REPLACEMENT OF LIQUID PETROLEUM GAS (LPG) STORAGE FACILITIES HAVING A TOTAL CAPACITY OF NOT MORE THAN FOUR THOUSAND (4,000) GALLONS AND NO SINGLE TANK HAVING A CAPACITY OF MORE THAN TWO THOUSAND (2,000) GALLONS MEASURED AS GALLONS OF WATER.

(B) THE INSTALLATION OR REPLACEMENT OF STORAGE TANKS FOR CLASS I, II IIIA OR IIIB LIQUIDS, HAVING A CAPACITY OF SIX HUNDRED SIXTY (660) GALLONS OR LESS, THAT MEET THE REQUIREMENTS OF SECTION 4-2 OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) STANDARD 20 AS INCORPORATED BY REFERENCE IN 675 IAC 22-1.

(C) PUBLIC UTILITIES: INSTALLATION OF PUBLIC UTILITIES WITH RESPECT TO CONSTRUCTION, MAINTENANCE AND DEVELOPMENT WORK PERFORMED IN THE EXERCISE OF THEIR PUBLIC FUNCTION.

(D) RAILWAY UTILITIES: INSTALLATION OF ELECTRICAL EQUIPMENT EMPLOYED BY A RAILWAY UTILITY DIRECTLY IN THE EXERCISE OF ITS FUNCTIONS AS A PUBLIC CARRIER AND LOCATED OUTDOORS OR IN BUILDINGS USED EXCLUSIVELY FOR THAT PURPOSE.

(E) PORTABLE APPLIANCES: THE INSTALLATION OF A PORTABLE HEATING APPLIANCE OR OF A PORTABLE AIR CONDITIONING APPLIANCE.

(F) RADIO TRANSMITTING STATIONS: EQUIPMENT USED FOR RADIO TRANSMISSION, WHETHER ERECTED ON A BUILDING OR ON THE GROUND. SUCH EXCEPTION DOES NOT EXTEND TO EQUIPMENT AND WIRING FOR POWER SUPPLY AND THE INSTALLATION OF RADIO TOWERS AND ANTENNA AND GROUNDING MEANS.

(G) MAINTENANCE: THE MAINTENANCE OR SERVICING OF AN EXISTING ELECTRICAL, HEATING, AIR CONDITIONING, FIRE EXTINGUISHING, FIRE ALARM OR PLUMBING SYSTEM OR FLAMMABLE AND COMBUSTIBLE LIQUID OR GAS TANK AND DISPENSING EQUIPMENT FOR THE PURPOSE OF MAINTAINING IT IN SAFE OPERATING CONDITION IN CONFORMANCE WITH THE PROVISIONS OF THIS CODE.

(H) WELL DRILLING AND WATER SOFTENING EQUIPMENT: THE DRILLING OF WELLS AND THE INSTALLATION OF PUMPS, PRESSURE TANKS AND PIPING INCIDENTAL TO A WELL SYSTEM. THE INSTALLATION OF WATER SOFTENING EQUIPMENT.

C. PERMIT OBTAINED PRIOR TO COMMENCING WORK. IT SHALL BE THE DUTY OF THE PROPERTY OWNER, OR HIS AUTHORIZED AGENT TO OBTAIN ALL NECESSARY PERMITS BEFORE ANY WORK HAS BEEN STARTED. EXCEPT THAT IN CASES WHERE THIS CODE REQUIRES THAT WORK BE PERFORMED BY A LICENSED CONTRACTOR IT SHALL BE THE RESPONSIBILITY OF THE LICENSED CONTRACTOR TO OBTAIN ALL NECESSARY PERMITS PRIOR TO COMMENCING WORK.

D. PERMIT TO BE POSTED ON SITE.

A BUILDING PERMIT CARD SHALL BE REQUIRED TO BE POSTED ON THE JOB SITE IN A CONSPICUOUS PLACE IN FULL VIEW OF THE PUBLIC DURING THE CONSTRUCTION, ALTERATION, REMODELING OR REPAIR OF A BUILDING OR STRUCTURE UNTIL SAID WORK SHALL BE COMPLETED AND FINALLY INSPECTED. A COPY OF THE RESPECTIVE PERMIT SHALL BE REQUIRED TO BE AVAILABLE ON THE JOB SITE PENDING INSPECTION. ON NEW CONSTRUCTION A WEATHER RESISTANT JOB BOX OR JOB BOARD SHALL BE POSTED WITH THE JOB NAME AND ADDRESS AFFIXED IN A MANOR TO INSURE THE PROPERTY CAN BE REDIALY IDENTIFIED.

E. CHANGES NOT TO BE MADE IN PLANS AFTER PERMIT IS ISSUED.

NO CHANGES SHALL BE MADE IN ANY PLANS, SPECIFICATIONS, OR CONSTRUCTION, AFTER THE PLANS AND SPECIFICATIONS HAVE BEEN RELEASED BY THE STATE BUILDING COMMISSIONER AND/OR A BUILDING PERMIT OR MECHANICAL PERMIT HAS BEEN ISSUED, UNLESS SUCH CHANGE IS APPROVED IN WRITING BY THE STATE BUILDING COMMISSIONER AND/OR BY THE DEPARTMENT OF BUILDING COMMISSION.

F. NON-CONFORMITY TO LAW DISCOVERED AFTER PERMIT ISSUED OR PLANS APPROVED. THE ISSUANCE OF A PERMIT PURSUANT TO THE PROVISIONS OF THIS CODE OR THE APPROVAL OF PLANS, PRINTS, OR SPECIFICATIONS, SHALL NOT BE

DEEMED TO AUTHORIZE ANY ERECTION, CONSTRUCTION, ALTERATION OR REPAIR, OR THE PERFORMANCE OF ANY WORK, IN VIOLATION OF ANY OF THE PROVISIONS OF THIS CODE, NOR SHALL SUCH ISSUANCE OR APPROVAL, BE A GUARANTY, WARRANT OR ASSURANCE TO ANY PERSON THAT ANY SUCH PLANS, PRINTS OR SET OF SPECIFICATIONS, ARE IN CONFORMITY TO THE PROVISIONS OF THIS CODE AND TO ALL LAWS AND ORDINANCES. UPON THE DISCOVERY OF ANY DEPARTURE OF ANY SUCH PLANS, PRINTS, OR SPECIFICATIONS, FROM THE REQUIREMENTS OF THIS CODE, SUCH DEPARTURE SHALL BE CORRECTED IMMEDIATELY, AND THE ERECTION, CONSTRUCTION, REPAIR OR WORK SHALL BE MADE TO CONFORM TO THE PROVISIONS OF THIS CODE.

G. EXPIRATION OF PERMITS. EVERY PERMIT SHALL EXPIRE BY LIMITATION IF ACTIVE WORK SHALL NOT HAVE BEEN COMMENCED WITHIN SIXTY (60) DAYS OF THE DATE OF ISSUE THEREOF. IF THE WORK AUTHORIZED BY SUCH PERMIT IS SUSPENDED OR ABANDONED AT ANY TIME AFTER WORK IS COMMENCED, FOR A PERIOD OF NINETY (90) DAYS, SUCH WORK SHALL BE RECOMMENCED ONLY AFTER THE ISSUANCE OF A NEW PERMIT. IF NO CONSTRUCTION HAS BEGUN ABOVE THE FOUNDATION OF A PROPOSED BUILDING OR STRUCTURE WITHIN ONE (1) YEAR OF THE DATE OF ISSUE OF THE PERMIT, THE PERMIT SHALL EXPIRE BY LIMITATION.

H. REVOCATION OF A PERMIT. THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE MAY REVOKE A PERMIT IF IT IS DETERMINED THAT THE PERMIT WAS ISSUED IN ERROR OR IN VIOLATION OF ANY RULES OF THE STATE OF INDIANA OR PROVISIONS OF THIS CODE OR IF THE PERMIT IS BASED ON INCORRECT OR INSUFFICIENT INFORMATION OR IF THE PERSON TO WHOM THE PERMIT WAS ISSUED CEASES WORK AND ABANDONS THE JOB PRIOR TO SAID JOB BEING COMPLETED AND FINALLY INSPECTED. A WRITTEN NOTICE OF REVOCATION SHALL BE SERVED ON THE PERSON WHO OBTAINED THE PERMIT AND THE OWNER OF THE PROPERTY EITHER BY DELIVERY IN PERSON OR CERTIFIED MAIL.

I. PERMITS SHALL ONLY BE ISSUED TO INDIVIDUALS OR COMPANIES THAT HOLD A VALID LICENSE, THROUGH THE TOWN OF SELLERSBURG, IN THE FIELD IN WHICH TYPE OF PERMIT THEY WISH TO OBTAIN.

(A). EXCEPTION. IF THE SOLE OWNER AND RESIDENT OF A PRIVATE RESIDENCE CHOOSES TO DO THE PERMITTED WORK IN LIEU OF USING A LICENSED PROFESSIONAL HE SHALL FILL OUT AND SIGN AN AFFIDAVIT, PROVIDED BY THE BUILDING COMMISSIONER, AFFIRMING HIS WISH TO ASSUME THE LIABILITY FOR HIS WORK.

SECTION 9. OTHER ORDINANCES.

ALL WORK DONE UNDER ANY PERMIT ISSUED HEREUNDER SHALL BE IN FULL COMPLIANCE WITH ALL OTHER ORDINANCES PERTAINING THERETO, AND IN ADDITION TO THE FEES FOR PERMITS HEREINAFTER PROVIDED FOR, THERE SHALL BE PAID THE FEES PRESCRIBED IN SUCH ORDINANCES.

SECTION 10. FEE SCHEDULE.

A FEES PAID TO THE TOWN OF SELLERSBURG

1. ALL FEES FOR PERMITS REQUIRED TO BE PAID BY ANY SECTION IN THIS CHAPTER, APPENDIX A, OR ELSEWHERE IN THIS CODE SHALL BE PAID TO THE TOWN OF SELLERSBURG WHEN SUCH PERMITS ARE ISSUED WITH THE APPROVAL THEREOF BY THE BUILDING COMMISSIONER.

2. THE PERMIT FEE FOR ALL PUBLICLY OWNED STRUCTURES OR STRUCTURES OWNED AND WHOLLY OCCUPIED BY RELIGIOUS OR NON-PROFIT ORGANIZATIONS SHALL BE ONE-HALF THE FEE AS STATED IN APENDIX A

B. FEES FOR REINSPECTION.

1. WHENEVER SO REQUESTED, OR FOR ANY USE, IT BECOMES THE DUTY OF THE COMMISSIONER OF BUILDINGS, ON HIS OWN MOTION, TO REINSPECT, OR CAUSE TO BE REINSPECTED, ANY BUILDING, STRUCTURE, ELECTRICAL CIRCUIT, MACHINERY DEVICE, OR APPARATUS OR EQUIPMENT FOR COMBUSTION, THE OWNER, LESSEE OR TENANT, OR PERSON IN POSSESSION OR CONTROL THEREOF, OR OF THE PREMISES ON OR IN WHICH THE SAME MAY BE SITUATED, SHALL PAY IN ADVANCE A FEE FOR REINSPECTION AS STATED IN APENDIX A TO THE TOWN OF SELLERSBURG, IF HE REQUESTS SUCH REINSPECTION; OR HE SHALL PAY SUCH FEE WITHIN (10) TEN DAYS AFTER THE DELIVERY TO HIM OF A CERTIFICATE CERTIFYING THAT SUCH BUILDING, STRUCTURE, ELECTRICAL CIRCUIT, MACHINERY OR DEVISE, OR APPARATUS OR EQUIPMENT FOR COMBUSTION HAS BEEN REINSPECTED, WHEN IT WAS NOT DONE AT THE REQUEST OF SUCH PERSON.

2. UNLESS THE FEE PROVIDED BY SUBSECTION (1) OF THIS SECTION SHALL BE PAID AS HEREIN PRESCRIBED, NO REINSPECTION SHALL BE MADE WHEN SO REQUESTED BY ANY SUCH PERSON; OR IF NOT PAID AFTER REINSPECTION ON THE MOTION OF SAID COMMISSIONER OF BUILDINGS AND BEING BILLED THEREFOR, AS AFORESAID, SUCH CHARGES MAY EITHER BE COLLECTED BY SUIT, OR BE CERTIFIED BY SAID COMMISSIONER OF BUILDINGS TO THE TOWN CLERK-

TREASURER, WHO SHALL ENTER THE SAME ON THE TAX DUPLICATE OF THE OWNER OF SUCH PREMISES, TO BE A LIEN THEREON AND TO BE COLLECTED AS TAXES ARE COLLECTED.

3. SHOULD THE COMMISSIONER OF BUILDINGS BE REQUESTED TO INSPECT STRUCTURES FOR WHATEVER THE REASON BY THE OWNER/OCCUPANT OF SAID STRUCTURE THE FEE SHALL BE CHARGED IN ADVANCE AS STATED IN APENDIX A

C. FEES: WHEN DOUBLED.

SHOULD ANY PERSON, CO-PARTNERSHIP, OR ANY CORPORATION BEING WORK OF ANY KIND SUCH AS HEREIN BEFORE SET FORTH, OR FOR WHICH A PERMIT FROM THE BUREAU OF BUILDINGS IS REQUIRED BY ORDINANCE, WITHOUT HAVING SECURED THE NECESSARY PERMIT THEREFORE FROM THE BUREAU OF BUILDINGS EITHER PREVIOUS TO, OR DURING THE DAY OF COMMENCEMENT OF ANY SUCH WORK, OR ON THE NEXT SUCCEEDING DAY WHERE SUCH WORK IS COMMENCED ON A SATURDAY OR ON A SUNDAY OR A HOLIDAY, HE SHALL, WHEN SUBSEQUENTLY SECURING SUCH PERMIT BE REQUIRED TO PAY DOUBLE THE FEES IN ADDITION TO FLAT RATE FEE OF (\$100.00) ONE HUNDRED DOLLARS HEREIN BEFORE PROVIDE FOR SUCH PERMIT, AND SHALL BE SUBJECT TO ALL THE PENAL PROVISIONS OF THIS CODE.

D. CONTINUED VIOLATION.

THE CONTINUED VIOLATION OF ANY PROVISION OF THIS ORDINANCE SHALL BE AND CONSTITUTE A SEPARATE OFFENSE FOR EACH AND EVERY DAY SUCH VIOLATION SHALL CONTINUE.

SECTION 11. REVIEW OF APPLICATION.

PRIOR TO THE ISSUANCE OF ANY PERMIT HEREUNDER, THE BUILDING COMMISSIONER OR HIS AUTHORIZED AGENT SHALL:

- A. REVIEW ALL PERMIT APPLICATIONS TO DETERMINE FULL COMPLIANCE WITH THE PROVISIONS OF THIS ORDINANCE.
- B. REVIEW ALL PERMIT APPLICATIONS FOR NEW CONSTRUCTION OR SUBSTANTIAL IMPROVEMENTS TO DETERMINE WHETHER PROPOSED BUILDING SITES WILL BE REASONABLY SAFE FROM FLOODING.
- C. REVIEW PERMIT APPLICATIONS FOR MAJOR REPAIRS WITHIN THE FLOOD PLAIN AREA HAVING SPECIAL FLOOD HAZARDS TO DETERMINE

THAT THE SPECIAL FLOOD HAZARDS TO DETERMINE THAT THE PROPOSED REPAIR, (1) USES CONSTRUCTION MATERIALS AND UTILITY EQUIPMENT THAT ARE RESISTANT TO FLOOD DAMAGE, AND (2) USES CONSTRUCTION METHODS AND PRACTICES THAT WILL MINIMIZE FLOOD DAMAGE.

D. REVIEW PERMIT APPLICATIONS FOR NEW CONSTRUCTION OR

SUBSTANTIAL IMPROVEMENTS WITHIN THE FLOOD PLAIN AREA HAVING SPECIAL FLOOD HAZARDS TO ASSURE THAT THE PROPOSED CONSTRUCTION (INCLUDING PREFABRICATED AND MOBILE HOMES), (1) IS PROTECTED AGAINST FLOOD DAMAGE, (2) IS DESIGNED (OR MODIFIED) AND ANCHORED TO PREVENT FLOTATION, COLLAPSE, OR LATERAL MOVEMENT OF THE STRUCTURE, AND (3) USES CONSTRUCTION METHODS AND PRACTICES THAT WILL MINIMIZE FLOOD DAMAGE.

E. DETERMINE IF THE PERMIT APPLICANT MEETS THE NECESSARY LICENSING OR REGISTRATION REQUIREMENTS OF THIS CODE.

SECTION 12. INSPECTIONS.

AFTER THE ISSUANCE OF ANY PERMIT HEREUNDER, THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE SHALL MAKE INSPECTIONS OF THE WORK BEING DONE UNDER SUCH PERMIT AS ARE NECESSARY TO INSURE FULL COMPLIANCE WITH THE PROVISIONS OF THIS CODE AND THE TERMS OF THE PERMIT.

ANY PERSON, FIRM OR CORPORATION WHO HAS OBTAINED A PERMIT FROM THE BUILDING COMMISSIONER SHALL BE REQUIRED TO REQUEST AN INSPECTION OF THE WORK PERFORMED IN THE FOLLOWING INSTANCES. THE INSPECTION SHALL BE REQUESTED AT LEAST TWENTY FOUR (24) HOURS IN ADVANCE OF THE NEED FOR SUCH INSPECTION. IT SHALL BE THE DUTY OF THE PERSON REQUESTING THE INSPECTION TO PROVIDE ACCESS TO AND MEANS FOR THE PROPER INSPECTION OF SUCH WORK THE PERSON RESPONSIBLE FOR PERFORMING THE WORK OR HIS REPRESENTATIVE SHALL BE PRESENT ON THE JOB SITE DURING THE INSPECTION. NO PORTION OF ANY WORK SHALL BE COVERED OR CONCEALED UNTIL INSPECTED AND APPROVED. THE TOWN SHALL NOT BE LIABLE FOR ANY EXPENSE ENTAILED IN THE REMOVAL OR REPLACEMENT OF MATERIAL REQUIRED TO PERMIT INSPECTION. IT SHALL BE THE RESPONSIBILITY OF THE PERSON OBTAINING THE PERMIT TO INSURE THAT ALL PHASES OF THE WORK ARE COMPLETED BEFORE REQUESTING A FINAL INSPECTION.

A. THE INSTALLATION OF A TEMPORARY ELECTRICAL SERVICE ON A POLE.

B. FOOTING AND FOUNDATION EXCAVATIONS PRIOR TO THE PLACEMENT OF CONCRETE.

C. THE INSTALLATION OF ALL UNDERGROUND AND UNDERSLAB ELECTRICAL, HEATING AND AIR CONDITIONING, PLUMBING SYSTEMS, TANKS AND DISPENSING EQUIPMENT PRIOR TO BEING COVERED.

D. THE CONSTRUCTION OF STRUCTURAL COMPONENTS OF A NEW BUILDING OR STRUCTURE OR OF AN ADDITION TO A BUILDING OR STRUCTURE, INCLUDING FLOORS, WALLS, CEILINGS AND ROOF, PRIOR TO SAID STRUCTURAL COMPONENTS BEING COVERED.

F. THE INSTALLATION OF AN ELECTRICAL METER ON A BUILDING OR STRUCTURE.

G. THE FINAL INSTALLATION OF A NEW OR REPLACEMENT TANK OR DISPENSING EQUIPMENT FOR FLAMMABLE AND COMBUSTIBLE LIQUIDS OR GASES.

H. THE INSTALLATION OF REPLACEMENT FURNACES, HEAT PUMPS, AND CENTRAL AIR CONDITIONING SYSTEMS.

I. THE DEMOLITION OF A BUILDING OR STRUCTURE IN THE FOLLOWING INSTANCES:

(1) AFTER THE BASEMENT FLOOR IS BROKEN AND THE WATER AND SEWER SERVICES ARE SEALED.

(2) AFTER BACKFILLING IS COMPLETED AND THE SITE IS UNIFORMLY GRADED AND ALL DEBRIS HAS BEEN REMOVED.

J. THE EXCAVATION OF AN INGROUND SWIMMING POOL AND THE ELECTRICAL BONDING AND GROUNDING OF ALL METAL COMPONENTS PRIOR TO THE PLACEMENT OF CONCRETE.

K. THE INSTALLATION OF A MODULAR OR MANUFACTURED HOME ON A PERMANENT FOUNDATION.

L. CERTIFICATION OF AIR SEALING COMPLIANCE

A CERTIFICATE OF COMPLIANCE SHALL BE PROVIDED TO THE BUILDING COMMISSIONER FOR ONE OF THE FOLLOWING;

(1) TESTED AIR LEAKAGE IS <7 ACH WHEN TESTED WITH A BLOWER DOOR AT PRESSURE OF 50 PA, OR

- (2) ITEMS LISTED IN TABLE N1102.4.2 (2009 IRC), APPLICABLE TO THE METHOD OF CONSTRUCTION, ARE FIELD VARIFIED BY A THIRD PARTY INDEPENDENT CONTRACTOR.

SECTION 13. ENTRY.

UPON PRESENTATION OF PROPER CREDENTIALS, WHENEVER NECESSARY TO MAKE AN INSPECTION TO ENFORCE ANY OF THE PROVISIONS OF THIS CODE OR WHENEVER THERE IS REASONABLE CAUSE TO BELIEVE THAT THERE EXISTS IN ANY BUILDING, STRUCTURE OR PREMISES ANY CONDITION OR CODE VIOLATION WHICH MAKES SUCH BUILDING, STRUCTURE OR PREMISES UNSAFE, DANGEROUS OR HAZARDOUS, THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVES MAY ENTER AT REASONABLE TIMES ANY BUILDING, STRUCTURES OR PREMISES IN THE TOWN OF SELLERSBURG TO PERFORM ANY DUTY IMPOSED UPON HIM BY THIS CODE.

SECTION 14. STOP ORDER.

WHENEVER ANY WORK IS BEING DONE CONTRARY TO THE PROVISIONS OF THIS CODE OR WHENEVER SATISFACTORY PROGRESS IS NOT BEING MADE IN CORRECTING WORK ORDERED BY THE BUILDING COMMISSION OR HIS DULY AUTHORIZED REPRESENTATIVE, SAID BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE MAY ORDER THE WORK STOPPED ON THAT PORTION DEEMED TO BE IN VIOLATION, OR ON THE ENTIRE PROJECT, BY POSTING A STOP WORK CARD ON THE JOB SITE. ANY PERSON, FIRM OR CORPORATION WHO SHALL CONTINUE ANY WORK ON A STOPPED PROJECT, OR PORTION THEREOF, OTHER THAN CORRECTIVE WORK, SHALL BE LIABLE TO PENALTY FOR VIOLATIONS AS SET FORTH IN THIS CODE. EACH DAY, OR PORTION THEREOF, OF ANY CONTINUED WORK SHALL BE CONSIDERED A SEPARATE OFFENSE.

SECTION 15. CERTIFICATE OF OCCUPANCY.

AFTER THE ADOPTION OF THIS CODE, IT SHALL BE UNLAWFUL FOR ANY OWNER LESSEE OR TENANT TO OCCUPY, USE OR PERMIT THE USE OF ANY BUILDING, STRUCTURE OR PART THEREOF THAT IS CONSTRUCTED, ERECTED, ALTERED, REPAIRED OR THE USE OF WHICH IS CHANGED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY BY THE BUILDING COMMISSION.

NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED UNLESS SUCH BUILDING OR STRUCTURE WAS CONSTRUCTED, ERECTED, ALTERED, REPAIRED OR CHANGED IN COMPLIANCE WITH THE PROVISIONS OF THIS CODE. THE BUILDING COMMISSION MAY REQUIRE THAT THE OWNER

AND/OR THE PROFESSIONAL INSPECTING ARCHITECT OR ENGINEER OF A CONSTRUCTION PROJECT SUBMIT TO THE DEPARTMENT, PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY, A STATEMENT INDICATING THAT THE PROJECT CONSTRUCTION WORK IS SUBSTANTIALLY COMPLETE IN ACCORDANCE WITH THE CONSTRUCTION DOCUMENTS RELEASED BY THE STATE BUILDING COMMISSIONER SAID STATEMENT SHALL ALSO LIST ALL REMAINING ITEMS THAT REQUIRE COMPLETION OR CORRECTION.

SECTION 16. STANDARDS.

ALL WORK ON THE CONSTRUCTION, ALTERATION AND REPAIR OF BUILDINGS AND OTHER STRUCTURES SHALL BE PERFORMED IN A GOOD AND WORKMANLIKE MANNER ACCORDING TO ACCEPTED STANDARDS AND PRACTICES IN THE TRADE.

SECTION 17. LICENSE REQUIREMENTS.

- A. ELECTRICAL LICENSE
1. ALL PERSONS PERFORMING ANY INSTALLATION, ALTERATION OR REPAIR OF ANY ELECTRICAL WIRING. DEVICES, PANELS OR EQUIPMENT IN THE TOWN OF SELLERSBURG SHALL BE REQUIRED TO BE LICENSED BY THE TOWN OF SELLERSBURG AS AN ELECTRICAL CONTRACTOR OR SHALL BE IN THE EMPLOY OF A LICENSED ELECTRICAL CONTRACTOR WORKING UNDER THE SUPERVISION, DIRECTION AND RESPONSIBILITY OF SAID LICENSED CONTRACTOR.
 2. NON-TRANSFERABILITY AND NON-NEGOTIABILITY. ANY LICENSE ISSUED UNDER THIS SECTION MAY NOT BE TRANSFERRED, ASSIGNED, SOLD OR NEGOTIATED TO ANOTHER PERSON. IT SHALL BE UNLAWFUL TO TRANSFER, ASSIGN, SELL OR LOAN SUCH LICENSE TO THE USE OF ANY OTHER PERSON, FIRM OR CORPORATION TO ENABLE SUCH PERSON, FIRM OR CORPORATION TO WORK ON A JOB WITHOUT OBTAINING THE PROPER LICENSE OR PERMIT.
 3. ISSUANCE OF PERMITS. IT SHALL BE THE RESPONSIBILITY OF LICENSED ELECTRICAL CONTRACTORS TO SECURE PERMITS REQUIRED BY THE PROVISIONS OF THIS CODE PRIOR TO COMMENCING WORK. ALL WORK PERFORMED PURSUANT TO A PERMIT ISSUED TO A LICENSED CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF SAID CONTRACTOR AND THE CONTRACTOR'S LICENSE BOND SHALL PAY ALL DAMAGES, COSTS AND EXPENSES CAUSED BY NEGLIGENCE THROUGH FAILURE TO COMPLY WITH THE PROVISIONS OF THIS CODE. NO LICENSED CONTRACTOR SHALL ALLOW ANY OTHER PERSON TO DO OR CAUSE TO BE DONE ANY WORK UNDER A PERMIT SECURED BY SAID CONTRACTOR EXCEPT PERSONS IN HIS EMPLOY.

4. EXEMPTIONS. NO LICENSE UNDER THIS SECTION IS REQUIRED FOR THE EXECUTION OR PERFORMANCE OF THE FOLLOWING ELECTRICAL WORK.
- (A) INSTALLATION OF COMMUNICATIONS SYSTEMS, INSTALLATIONS IN RECREATIONAL VEHICLES, AND INSTALLATIONS NOT COVERED BY THE INDIANA ELECTRICAL CODE (CURRENT NATIONAL ELECTRICAL CODE WITH INDIANA AMENDMENTS).
 - (B) THE PERFORMANCE OF ELECTRICAL WORK IN A ONE (1) FAMILY DWELLING BY THE OWNER-OCCUPANT OF THE DWELLING; PROVIDED, HOWEVER, THAT THIS EXEMPTION DOES NOT APPLY TO ANY PERSON HIRED BY THE OWNER-OCCUPANT FOR COMPENSATION TO ASSIST OR TO PERFORM SUCH ELECTRICAL WORK ON THAT DWELLING, AND THAT SAID APPLICANT SIGN SUCH WAIVER REQUIRED BY THE BUILDING COMMISSIONER.
 - (C) THE MAINTENANCE OR SERVICING OF AN EXISTING ELECTRICAL SYSTEM FOR THE PURPOSE OF MAINTAINING IT IN A SAFE OPERATING CONDITION IN CONFORMANCE WITH THE PROVISIONS OF THIS CODE.
5. APPLICATION. EACH APPLICANT SHALL APPLY IN WRITING TO THE BUILDING COMMISSIONER. THE APPLICANT SHALL INCLUDE:
- (A) THE APPLICANTS NAME, ADDRESS, TELEPHONE NUMBER AND AGE.
 - (B) THE APPLICANTS NUMBER OF YEARS OF EXPERIENCE.
 - (C) THE APPLICANTS PRESENT PLACE OF EMPLOYMENT.
 - (D) PAYMENT OF TWENTY FIVE DOLLARS (\$25.00) LICENSE FEE.
 - (E) ASKING APPLICANT IF THEY ARE FAMILIAR WITH THE INDIANA ELECTRICAL CODE AND/OR THE INDIANA MECHANICAL CODE.
 - (F) ASKING APPLICANT IF THEY HAVE BEEN CONVICTED OF A FELONY WITHIN THE PAST FIVE (5) YEARS.
 - (G) ASKING APPLICANT IF A JUDGMENT HAS EVER BEEN ENTERED AGAINST THEM OR A LAWSUIT EVER SETTLED IN WHICH THEY OR THE FIRM WHERE THEY WORKED FOR AN AMOUNT IN EXCESS OF TEN THOUSAND (\$10,000.00) DOLLARS.
 - (H) INFORMING APPLICANT THAT INSURANCE IS REQUIRED BEFORE A LICENSE CAN BE GRANTED.

(I) APPLICANT MUST SHOW PROOF OF CERTIFICATION FROM AN INSTITUTION OF HIGHER LEARNING IN THE FIELD OF ELECTRICAL WIRING AND COMPONENT INSTALLATION OR CURRENT CERTIFICATION FROM THE CITY OF JEFFERSONVILLE INDIANA, CITY OF NEW ALBANY INDIANA, OR THE CITY OF LOUISVILLE KENTUCKY.

6. INSURANCE REQUIREMENTS. EACH LICENSE-HOLDER ACTIVELY EMPLOYED FOR HIRE IN THE TOWN OF SELLERSBURG AND DOING WORK OF THEIR RESPECTIVE TRADE SHALL, AT THE TIME APPLICATION IS MADE FOR RENEWAL AND/OR LICENSING, PROVIDE THE BUILDING COMMISSIONER WITH EVIDENCE OF LIABILITY INSURANCE FOR EACH OCCURRENCE IN THE AMOUNT OF ONE HUNDRED THOUSAND/THREE HUNDRED THOUSAND (\$100,000/\$300,000.) DOLLARS BY AN INSURANCE COMPANY LICENSED TO DO BUSINESS IN THE STATE OF INDIANA.

THE FOLLOWING EXCEPTIONS TO THIS REQUIREMENT MAY BE ALLOWED:

(A) IF THE LICENSE-HOLDER IS CURRENTLY EMPLOYED BY A FIRM THAT CARRIES INSURANCE ON SAID INDIVIDUAL AND HE DOES NOT DO WORK FOR HIRE IN THE TOWN, HE, THEREFORE, MAY RETAIN HIS LICENSE BY RENEWAL, AND SAID LICENSE BEING INDICATED BY THE OFFICE OF THE BUILDING COMMISSIONER IN SUCH A MANNER THAT THIS INDIVIDUAL SHALL NOT BE ALLOWED TO OBTAIN PERMITS FOR WORK WITHIN THE TOWN LIMITS OF SELLERSBURG WITHOUT PROOF OF INSURANCE, EXCEPT ON THE PREMISES OF THE FIRM MAINTAINING THE INSURANCE.

(B) IF THE LICENSE-HOLDER IS CURRENTLY NOT ACTIVELY ENGAGED IN APPLYING HIS TRADE BUT WISHES TO RETAIN HIS LICENSE BY RENEWAL, SAID LICENSE SHALL BE INDICATED BY THE OFFICE OF THE BUILDING COMMISSIONER IN SUCH A MANNER THAT THIS INDIVIDUAL SHALL NOT BE ALLOWED TO OBTAIN PERMITS FOR WORK WITHIN THE TOWN LIMITS OF SELLERSBURG WITHOUT PROOF OF INSURANCE AS PREVIOUSLY SET FORTH IN SECTION 17 OF THIS ORDINANCE.

7. ALL LICENSES SHALL BE RENEWED ON OR BEFORE JANUARY 2 OF EACH YEAR.

8. THE LICENSE FEE SHALL BE TWENTY FIVE DOLLARS (\$25.00).

B. HEATING AND AIR CONDITIONING LICENSE.

1. ALL HEATING, VENTILATING AND AIR CONDITION SYSTEMS, EQUIPMENT, APPARATUS, OR DEVICES, AND ALL INSTALLATIONS, ALTERATIONS, IMPROVEMENTS, SHALL CONFORM TO THE INDIANA MECHANICAL CODE EXCEPT ONE AND TWO FAMILY DWELLING CODE ADOPTED IN SECTION 6.

THE INSTALLATION OF ALL ELECTRICAL EQUIPMENT AND WIRING IN CONNECTION WITH ANY HEATING, VENTILATING OR AIR CONDITIONING SYSTEM, APPARATUS OR DEVICE, SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE INDIANA ELECTRICAL CODE AS ALREADY ADOPTED.

2. NON-TRANSFERABILITY AND NON-NEGOTIABILITY. ANY LICENSE ISSUED UNDER THIS SECTION MAY NOT BE TRANSFERRED, ASSIGNED, SOLD OR NEGOTIATED TO ANOTHER PERSON. IT SHALL BE UNLAWFUL TO TRANSFER, ASSIGN, SELL OR LOAN SUCH LICENSE TO THE USE OF ANY OTHER PERSON, FIRM OR CORPORATION TO ENABLE SUCH PERSON, FIRM OR CORPORATION TO WORK ON A JOB WITHOUT OBTAINING THE PROPER LICENSE OR PERMIT.
3. ISSUANCE OF PERMITS. IT SHALL BE THE RESPONSIBILITY OF LICENSED HEATING AND AIR CONDITIONING CONTRACTORS TO SECURE PERMITS REQUIRED BY THE PROVISIONS OF THIS CODE PRIOR TO COMMENCING WORK. ALL WORK PERFORMED PURSUANT TO A PERMIT ISSUED TO A LICENSED CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF SAID CONTRACTOR AND THE CONTRACTOR'S LICENSED BOND SHALL PAY ALL DAMAGES, COSTS AND EXPENSES CAUSED BY NEGLIGENCE THROUGH FAILURE TO COMPLY WITH THE PROVISIONS OF THIS CODE. NO LICENSED CONTRACTOR SHALL ALLOW ANY OTHER PERSON TO DO OR CAUSE TO BE DONE ANY WORK UNDER A PERMIT SECURED BY SAID CONTRACTOR EXCEPT PERSONS IN HIS EMPLOY.
4. APPLICATION. EACH APPLICANT SHALL APPLY IN WRITING TO THE BUILDING COMMISSIONER. THE APPLICATION SHALL INCLUDE:
 - (A) THE APPLICANTS NAME, ADDRESS, TELEPHONE NUMBER AND AGE.
 - (B) THE APPLICANT'S NUMBER OF YEARS OF EXPERIENCE.
 - (C) THE APPLICANTS PRESENT PLACE OF EMPLOYMENT.
 - (D) PAYMENT OF TWENTY FIVE DOLLARS (\$25.00) LICENSE FEE
 - (E) ASKING APPLICANT IF THEY ARE FAMILIAR WITH THE INDIANA ELECTRIC CODE AND/OR THE INDIANA MECHANICAL CODE.
 - (F) ASKING APPLICANT IF THEY HAVE BEEN CONVICTED OF A FELONY WITHIN THE PAST FIVE (5) YEARS.
 - (G) ASKING APPLICANT IF A JUDGMENT HAS EVER BEEN ENTERED AGAINST THEM OR A LAWSUIT EVER SETTLED IN WHICH THEY OR THE FIRM WHERE THEY WORKED FOR AN AMOUNT IN EXCESS OF TEN THOUSAND (\$10,000.00) DOLLARS.

(H) INFORMING APPLICANT THAT INSURANCE IS REQUIRED BEFORE A LICENSE CAN BE GRANTED.

(I) APPLICANT MUST SHOW PROOF OF CERTIFICATION FROM AN INSTITUTION OF HIGHER LEARNING FOR HVAC COMPONENT INSTALLATION OR CURRENT CERTIFICATION FROM THE CITY OF JEFFERSONVILLE INDIANA, CITY OF NEW ALBANY INDIANA, OR THE CITY OF LOUISVILLE KENTUCKY.

5. INSURANCE REQUIREMENTS. EACH LICENSE-HOLDER ACTIVELY EMPLOYED FOR HIRE IN THE TOWN OF SELLERSBURG AND DOING WORK ON THEIR RESPECTIVE TRADE SHALL, AT THE TIME APPLICATION IS MADE FOR RENEWAL AND/OR LICENSING, PROVIDE THE BUILDING COMMISSIONER WITH EVIDENCE OF LIABILITY INSURANCE FOR EACH OCCURRENCE IN THE AMOUNT OF ONE HUNDRED THOUSAND /THREE HUNDRED THOUSAND (\$100,000. / \$300,000.) DOLLARS BY AN INSURANCE COMPANY LICENSED TO DO BUSINESS IN THE STATE OF INDIANA.

THE FOLLOWING EXCEPTIONS TO THIS REQUIREMENT MAY BE ALLOWED:

(A) IF THE LICENSE-HOLDER IS CURRENTLY EMPLOYED BY A FIRM THAT CARRIES INSURANCE ON SAID INDIVIDUAL AND HE DOES NOT DO WORK FOR HIRE IN THE TOWN, HE, THEREFORE, MAY RETAIN HIS LICENSE BY RENEWAL, AND SAID LICENSE BEING INDICATED BY THE OFFICE OF THE BUILDING COMMISSIONER IN SUCH A MANNER THAT THIS INDIVIDUAL SHALL NOT BE ALLOWED TO OBTAIN PERMITS FOR WORK WITHIN THE TOWN LIMITS OF SELLERSBURG WITHOUT PROOF OF INSURANCE AS PREVIOUSLY SET FORTH IN PARAGRAPH (5) OF THIS SECTION, EXCEPT ON THE PREMISES OF THE FIRM MAINTAINING THE INSURANCE.

(B) IF THE LICENSE HOLDER IS CURRENTLY NOT ACTIVELY ENGAGED IN APPLYING HIS TRADE BUT WISHES TO RETAIN HIS LICENSE BY RENEWAL, SAID LICENSE SHALL BE INDICATED BY THE OFFICE OF THE BUILDING COMMISSIONER IN SUCH A MANNER THAT THIS INDIVIDUAL SHALL NOT BE ALLOWED TO OBTAIN PERMITS FOR WORK WITHIN THE TOWN LIMITS OF SELLERSBURG WITHOUT PROOF OF INSURANCE AS PREVIOUSLY SET FORTH IN PARAGRAPH (5) OF THIS SECTION.

6. ALL LICENSES SHALL BE RENEWED ON OR BEFORE JANUARY 2 OF EACH YEAR.

7. THE LICENSE FEE SHALL BE TWENTY FIVE DOLLARS (\$25.00).

C. GENERAL CONTRACTORS LICENSE

1. APPLICATION. EACH APPLICANT SHALL APPLY IN WRITING TO THE BUILDING COMMISSIONER. THE APPLICANT SHALL INCLUDE:

- (A) THE APPLICANTS NAME, ADDRESS, TELEPHONE NUMBER AND AGE.
- (B) THE APPLICANTS NUMBER OF YEARS OF EXPERIENCE.
- (C) THE APPLICANTS PRESENT PLACE OF EMPLOYMENT.
- (D) PAYMENT OF TWENTY FIVE DOLLARS (\$25.00) LICENSE FEE.
- (E) ASKING APPLICANT IF THEY ARE FAMILIAR WITH THE INDIANA RESIDENTIAL CODE AND/OR THE INDIANA BUILDING CODE.
- (F) ASKING APPLICANT IF THEY HAVE BEEN CONVICTED OF A FELONY WITHIN THE PAST FIVE (5) YEARS.
- (G) ASKING APPLICANT IF A JUDGMENT HAS EVER BEEN ENTERED AGAINST THEM OR A LAWSUIT EVER SETTLED IN WHICH THEY OR THE FIRM WHERE THEY WORKED FOR AN AMOUNT IN EXCESS OF TEN THOUSAND (\$10,000.00) DOLLARS.
- (H) INFORMING APPLICANT THAT INSURANCE IS REQUIRED BEFORE A LICENSE CAN BE GRANTED.

2. INSURANCE REQUIREMENTS. EACH LICENSE-HOLDER ACTIVELY EMPLOYED FOR HIRE IN THE TOWN OF SELLERSBURG AND DOING WORK ON THEIR RESPECTIVE TRADE SHALL, AT THE TIME APPLICATION IS MADE FOR RENEWAL AND/OR LICENSING, PROVIDE THE BUILDING COMMISSIONER WITH EVIDENCE OF LIABILITY INSURANCE FOR EACH OCCURRENCE IN THE AMOUNT OF ONE HUNDRED THOUSAND /THREE HUNDRED THOUSAND (\$100,000. / \$300,000.) DOLLARS BY AN INSURANCE COMPANY LICENSED TO DO BUSINESS IN THE STATE OF INDIANA.

THE FOLLOWING EXCEPTIONS TO THIS REQUIREMENT MAY BE ALLOWED:

- (A) IF THE LICENSE-HOLDER IS CURRENTLY EMPLOYED BY A FIRM THAT CARRIES INSURANCE ON SAID INDIVIDUAL AND HE DOES NOT DO WORK FOR HIRE IN THE TOWN, HE, THEREFORE, MAY RETAIN HIS LICENSE BY RENEWAL, AND SAID LICENSE BEING INDICATED BY THE OFFICE OF THE BUILDING COMMISSIONER IN SUCH A MANNER THAT THIS INDIVIDUAL SHALL NOT BE ALLOWED TO OBTAIN PERMITS FOR WORK WITHIN THE TOWN LIMITS OF SELLERSBURG WITHOUT PROOF OF INSURANCE AS PREVIOUSLY SET FORTH IN PARAGRAPH (2) OF THIS

SECTION, EXCEPT ON THE PREMISES OF THE FIRM MAINTAINING THE INSURANCE.

(B) IF THE LICENSE HOLDER IS CURRENTLY NOT ACTIVELY ENGAGED IN APPLYING HIS TRADE BUT WISHES TO RETAIN HIS LICENSE BY RENEWAL, SAID LICENSE SHALL BE INDICATED BY THE OFFICE OF THE BUILDING COMMISSIONER IN SUCH A MANNER THAT THIS INDIVIDUAL SHALL NOT BE ALLOWED TO OBTAIN PERMITS FOR WORK WITHIN THE TOWN LIMITS OF SELLERSBURG WITHOUT PROOF OF INSURANCE AS PREVIOUSLY SET FORTH IN PARAGRAPH (2) OF THIS SECTION.

3. ALL LICENSES SHALL BE RENEWED ON OR BEFORE JANUARY 2 OF EACH YEAR.

4. THE LICENSE FEE SHALL BE TWENTY FIVE DOLLARS (\$25.00).

SECTION 18: LICENSING OF PLUMBING CONTRACTORS.

A. DEFINITIONS

1. PLUMBING MEANS THE PRACTICE OF, AND THE MATERIALS AND FIXTURES USED IN THE INSTALLATION, MAINTENANCE, EXTENSION, AND ALTERATION OF ALL PIPING, FIXTURES, APPLANCES AND APPURTENANCES IN CONNECTION WITH ANY STRUCTURE WITHIN THE TOWN OF SELLERSBURG.

B. PLUMBING LICENSE

ALL PLUMBING RULES AND REGULATIONS SHALL BE IN COMPLIANCE WITH 860 IAC 1-5-1 Scope of rule Authority: IC 25-28.5-1-7 Affected: IC 25-28.5-1-27.1 (Indiana Plumbing Commission; 860 IAC 1-5-1; filed Nov 21, 1989, 1:15 p.m.: 13 IR 630; readopted filed May 29, 2001, 10:00 a.m.: 24 IR 3237)

1. THE PRACTICE OF, AND THE MATERIALS AND FIXTURES USED IN THE INSTALLATION, MAINTENANCE, EXTENSION, AND ALTERATION OF ALL PIPING, FIXTURES, APPLIANCES AND APPURTENANCES IN CONNECTION WITH ANY STRUCTURE, SHALL CONFORM TO THE INDIANA PLUMBING CODE EXCEPT ONE AND TWO FAMILY DWELLING CODE ADOPTED IN SECTION 6.

THE INSTALLATION OF ALL MATERIALS AND FIXTURES USED IN THE INSTALLATION, MAINTENANCE, EXTENSION, AND ALTERATION OF ALL PIPING, FIXTURES, APPLANCES AND APPURTENANCES IN CONNECTION WITH ANY STRUCTURE, SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE INDIANA PLUMBING CODE AS ALREADY ADOPTED.

2. NON-TRANSFERABILITY AND NON-NEGOTIABILITY. ANY LICENSE ISSUED UNDER THIS SECTION MAY NOT BE TRANSFERRED, ASSIGNED, SOLD OR NEGOTIATED TO ANOTHER PERSON. IT SHALL BE UNLAWFUL TO TRANSFER, ASSIGN, SELL OR LOAN SUCH LICENSE TO THE USE OF ANY OTHER PERSON, FIRM OR CORPORATION TO ENABLE SUCH PERSON, FIRM OR CORPORATION TO WORK ON A JOB WITHOUT OBTAINING THE PROPER LICENSE OR PERMIT.
3. ISSUANCE OF PERMITS. IT SHALL BE THE RESPONSIBILITY OF LICENSED HEATING AND AIR CONDITIONING CONTRACTORS TO SECURE PERMITS REQUIRED BY THE PROVISIONS OF THIS CODE PRIOR TO COMMENCING WORK. ALL WORK PERFORMED PURSUANT TO A PERMIT ISSUED TO A LICENSED CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF SAID CONTRACTOR AND THE CONTRACTOR'S LICENSED BOND SHALL PAY ALL DAMAGES, COSTS AND EXPENSES CAUSED BY NEGLIGENCE THROUGH FAILURE TO COMPLY WITH THE PROVISIONS OF THIS CODE. NO LICENSED CONTRACTOR SHALL ALLOW ANY OTHER PERSON TO DO OR CAUSE TO BE DONE ANY WORK UNDER A PERMIT SECURED BY SAID CONTRACTOR EXCEPT PERSONS IN HIS EMPLOY.
4. APPLICATION. EACH APPLICANT SHALL APPLY IN WRITING TO THE BUILDING COMMISSIONER. THE APPLICATION SHALL INCLUDE:
- (A) THE APPLICANTS NAME, ADDRESS, TELEPHONE NUMBER AND AGE.
 - (B) THE APPLICANT'S NUMBER OF YEARS OF EXPERIENCE.
 - (C) THE APPLICANTS PRESENT PLACE OF EMPLOYMENT.
 - (D) PAYMENT OF TWENTY FIVE DOLLARS (\$25.00) LICENSE FEE.
 - (E) ASKING APPLICANT IF THEY ARE FAMILIAR WITH THE INDIANA PLUMBING CODE AND/OR THE INDIANA MECHANICAL CODE.
 - (F) ASKING APPLICANT IF THEY HAVE BEEN CONVICTED OF A FELONY WITHIN THE PAST FIVE (5) YEARS.
 - (G) ASKING APPLICANT IF A JUDGMENT HAS EVER BEEN ENTERED AGAINST THEM OR A LAWSUIT EVER SETTLED IN WHICH THEY OR THE FIRM WHERE THEY WORKED FOR AN AMOUNT IN EXCESS OF TEN THOUSAND (\$10,000.00) DOLLARS.
 - (H) INFORMING APPLICANT THAT INSURANCE IS REQUIRED BEFORE A LICENSE CAN BE GRANTED.

(I) APPLICANT MUST SHOW PROOF OF CERTIFICATION FROM THE STATE OF INDIANA.

5. INSURANCE REQUIREMENTS. EACH LICENSE-HOLDER ACTIVELY EMPLOYED FOR HIRE IN THE TOWN OF SELLERSBURG AND DOING WORK ON THEIR RESPECTIVE TRADE SHALL, AT THE TIME APPLICATION IS MADE FOR RENEWAL AND/OR LICENSING, PROVIDE THE BUILDING COMMISSIONER WITH EVIDENCE OF LIABILITY INSURANCE FOR EACH OCCURRENCE IN THE

AMOUNT OF ONE HUNDRED THOUSAND /THREE HUNDRED THOUSAND (\$100,000. / \$300,000.) DOLLARS BY AN INSURANCE COMPANY LICENSED TO DO BUSINESS IN THE STATE OF INDIANA.

THE FOLLOWING EXCEPTIONS TO THIS REQUIREMENT MAY BE ALLOWED:

- (A) IF THE LICENSE-HOLDER IS CURRENTLY EMPLOYED BY A FIRM THAT CARRIES INSURANCE ON SAID INDIVIDUAL AND HE DOES NOT DO WORK FOR HIRE IN THE TOWN, HE, THEREFORE, MAY RETAIN HIS LICENSE BY RENEWAL, AND SAID LICENSE BEING INDICATED BY THE OFFICE OF THE BUILDING COMMISSIONER IN SUCH A MANNER THAT THIS INDIVIDUAL SHALL NOT BE ALLOWED TO OBTAIN PERMITS FOR WORK WITHIN THE TOWN LIMITS OF SELLERSBURG WITHOUT PROOF OF INSURANCE AS PREVIOUSLY SET FORTH IN PARAGRAPH (5) OF THIS SECTION, EXCEPT ON THE PREMISES OF THE FIRM MAINTAINING THE INSURANCE.
- (B) IF THE LICENSE HOLDER IS CURRENTLY NOT ACTIVELY ENGAGED IN APPLYING HIS TRADE BUT WISHES TO RETAIN HIS LICENSE BY RENEWAL, SAID LICENSE SHALL BE INDICATED BY THE OFFICE OF THE BUILDING COMMISSIONER IN SUCH A MANNER THAT THIS INDIVIDUAL SHALL NOT BE ALLOWED TO OBTAIN PERMITS FOR WORK WITHIN THE TOWN LIMITS OF SELLERSBURG WITHOUT PROOF OF INSURANCE AS PREVIOUSLY SET FORTH IN PARAGRAPH (5) OF THIS SECTION.

6. ALL LICENSES SHALL BE RENEWED ON OR BEFORE JANUARY 2 OF EACH YEAR.

7. THE LICENSE FEE SHALL BE TWENTY FIVE DOLLARS (\$25.00).

SECTION 19: WRECKING BUILDINGS AND STRUCTURES.

A. WRECKING PERMITS

BEFORE PROCEEDING WITH THE WRECKING OR TEARING DOWN OF ANY BUILDING OR STRUCTURE, IN WHOLE OR PART, A PERMIT THEREFORE SHALL FIRST BE OBTAINED BY THE OWNER OR HIS AGENT FROM THE BUILDING COMMISSIONER, UPON A FORM PRESCRIBED BY SAID DEPARTMENT. IT SHALL BE UNLAWFUL TO PROCEED WITH SUCH WORK UNLESS SUCH PERMIT SHALL HAVE BEEN FIRST OBTAINED.

B. LIABILITY FOR PROPERTY DAMAGE AND BODILY INJURY.
ALL PERSONS ENGAGED IN THE DEMOLITION OF A BUILDING OR STRUCTURE, INCLUDING THE PROPERTY OWNER AND HIS AGENT, SHALL BE LIABLE FOR ANY BODILY INJURY OR DAMAGE TO PUBLIC OR PRIVATE PROPERTY OCCURRING AS A RESULT OF THE DEMOLITION WORK. SAID PERSONS SHALL INDEMNIFY AND SAVE HARMLESS THE TOWN OF SELLERSBURG AGAINST ANY LOSS, DAMAGE, EXPENSE, CLAIM, DEMAND, ACTION, JUDGMENT OR LIABILITY OF ANY KIND WHATSOEVER WHICH MAY ARISE OR RESULT FROM THE DEMOLITION WORK BEFORE ANY DEMOLITION PERMIT IS ISSUED TO ANY PERSON, FIRM OR CORPORATION WHO OFFERS TO DEMOLISH A BUILDING OR STRUCTURE FOR ANOTHER PERSON AND/OR WHO ENGAGES IN THE BUSINESS OF DEMOLITION CONTRACTING, SAID PERSON, FIRM OR CORPORATION SHALL FURNISH TO THE BUILDING COMMISSIONER, A CERTIFICATE OF INSURANCE, INDICATING THE APPROPRIATE ENDORSEMENT FOR WRECKING OR DEMOLITION WORK. THE MINIMUMS OF SUCH INSURANCE SHALL BE AS FOLLOWS:

	EACH OCCURRENCE	AGGREGATE
LIABILITY FOR BODILY INJURY	\$100,000.00	\$300,000.00
LIABILITY FOR PROPERTY DAMAGE	\$100,000.00	\$300,000.00

OR COMBINED SINGLE LIMIT COVERAGE AS FOLLOWS:

	EACH OCCURRENCE	AGGREGATE
LIABILITY FOR BODILY INJURY AND PROPERTY DAMAGE	\$300,000.00	\$300,000.00

C. MINIMUM STANDARDS FOR DEMOLITION

ALL PERSONS ENGAGED IN THE DEMOLITION OF A BUILDING OR STRUCTURE SHALL COMPLY WITH THE FOLLOWING MINIMUM STANDARDS:

1. CONTROL SHALL BE MAINTAINED OVER THE SITE AND OPERATION TO ELIMINATE HAZARDS TO THE PUBLIC. NAILS OR OTHER TIRE PUNCTURING ITEMS SHALL NOT BE DROPPED ON STREETS, ALLEYS AND ADJACENT PROPERTY. PUBLIC STREETS, CURBS AND SIDEWALKS SHALL BE PROTECTED FROM DAMAGE. THE PERSON ENGAGED IN THE DEMOLITION WORK SHALL BE LIABLE FOR ANY AND ALL DAMAGE TO CURBS, STREETS, SIDEWALKS AND OTHER PUBLIC OR PRIVATE PROPERTY AND FOR ANY BODILY INJURY OCCURRING AS A RESULT OF THE DEMOLITION WORK.
2. BASEMENT WALLS AND ALL OTHER CONCRETE SLABS AND FOOTINGS NOT INTENDED OR NOT ABLE TO BE REUSED SHALL BE REMOVED TWO (2) FEET BELOW FINISHED GRADE. MATERIAL USED FOR BACKFILL SHALL BE FREE OF WOOD AND COMPACTED THOROUGHLY.
3. ALL SEWER AND DRAIN LINES SHALL BE REMOVED FOR A DISTANCE OF TWO (2) FEET OUTSIDE OF THE BASEMENT WALL AND SHALL BE THOROUGHLY PLUGGED AND SEALED WITH CEMENT. ALL WATER SERVICE SHALL BE TURNED OFF AT THE SERVE VALVE AND WATER LINES SHALL BE REMOVED FOR A DISTANCE OF TWO (2) FEET OUTSIDE OF THE BASEMENT WALL AND SHALL BE THOROUGHLY PLUGGED AND SEALED TO PREVENT LEAKAGE.
4. BASEMENT FLOORS SHALL BE BROKEN TO PROVIDE POSITIVE DRAINAGE FOR A MINIMUM TWENTY (20%) PERCENT OF THE FLOOR AREA UNIFORMLY DISTRIBUTED.
5. ALL DEBRIS RESULTING FROM THE DEMOLITION WORK SHALL BE PROPERLY DISPOSED OF.
6. ALL UNDERGROUND TANKS PRESENT ON THE SITE SHALL BE REMOVED. CISTERNS PRESENT ON THE SITE SHALL BE FILLED IN ACCORDANCE WITH THE REQUIREMENTS FOR BASEMENTS.
7. THE DEMOLITION SITE SHALL BE LEFT WITH A UNIFORM GRADE AND SHALL BE FREE OF DEBRIS.

8. THE PERSON ENGAGED IN THE DEMOLITION WORK SHALL BE RESPONSIBLE FOR REQUESTING TWO (2) INSPECTIONS DURING THE COURSE OF THE WORK. THE FIRST INSPECTION SHALL BE MADE AFTER THE BASEMENT FLOOR IS BROKEN AND THE WATER AND SEWER SERVICES ARE SEALED. THE SECOND INSPECTION SHALL BE MADE AFTER THE BACKFILL IS COMPLETED, THE SITE IS UNIFORMLY GRADED, AND ALL DEBRIS HAS BEEN REMOVED.

SECTION 20: MOVING BUILDINGS AND STRUCTURES.

A. APPROVAL AND PERMIT REQUIRED FOR MOVING BUILDINGS AND STRUCTURES.

1. NO BUILDING OR STRUCTURE SHALL BE MOVED TO A NEW LOCATION OVER ANY STREET, BRIDGE, OTHER PUBLIC PROPERTY OR PRIVATE PROPERTY WITHIN THE CORPORATE LIMITS OF THE TOWN OF SELLERSBURG WITHOUT FIRST OBTAINING THE APPROVAL OF THE BOARD OF PUBLIC WORKS AND SAFETY OF THE TOWN OF SELLERSBURG, AND OBTAINING A PERMIT FROM THE BUILDING COMMISSIONER.

2. ANY PERSON DESIRING TO MOVE A BUILDING OR STRUCTURE SHALL SUBMIT AN APPLICATION TO THE BUILDING COMMISSIONER ON SUCH FORMS AS MAY BE PRESCRIBED BY SAID DEPARTMENT. THE APPLICATION SHALL BE ACCOMPANIED BY THE FOLLOWING:

(A) A MAP INDICATING THE PROPOSED ROUTE.

(B) A LETTER FROM ALL PUBLIC UTILITY COMPANIES, RAILROADS AND CABLE TELEVISION COMPANIES WITH FACILITIES ALONG THE PROPOSED ROUTE INDICATED THAT THE APPLICANT HAS DEPOSITED WITH SUCH COMPANY ADEQUATE SURETY TO COVER THE COST OF ANY DAMAGES OR CHANGES IN FACILITIES RESULTING FROM MOVING THE BUILDING OR STRUCTURE.

(C) A LETTER FROM THE TRAFFIC DIVISION OF THE SELLERSBURG POLICE DEPARTMENT WITH RECOMMENDATIONS REGARDING THE PROPOSED ROUTE AND TRAFFIC CONTROL.

(D) A LETTER FROM THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS INDICATING ANY PROBLEMS OR RECOMMENDATIONS REGARDING PUBLIC FACILITIES AND IMPROVEMENTS.

(E) A LETTER FROM THE BUILDING COMMISSIONER REGARDING THE OVERALL STRUCTURAL CONDITION OF THE BUILDING OR STRUCTURE PROPOSED TO BE MOVED.

(F) APPROVAL FROM THE COUNTY HIGHWAY ENGINEER IF THE PROPOSED ROUTE INCLUDES ANY COUNTY HIGHWAY OR BRIDGE.

(G) APPROVAL FROM THE INDIANA DEPARTMENT OF TRANSPORTATION IF THE PROPOSED ROUTE INCLUDES ANY STATE HIGHWAYS.

(H) WRITTEN AUTHORIZATION FROM ANY PRIVATE PROPERTY OWNER WHOSE LAND MUST BE CROSSED DURING THE MOVE.

(I) A CERTIFICATE OF INSURANCE AND PERFORMANCE BOND AS REQUIRED BELOW.

3. ALL APPLICATIONS FOR A PERMIT TO MOVE A BUILDING OR STRUCTURE SHALL BE REFERRED TO THE CHIEF OF POLICE AND MUNICIPAL WORKS DIRECTOR OF THE TOWN OF SELLERSBURG. THE TOWN'S REPRESENTATIVES SHALL REVIEW THE APPLICATION AND RECOMMENDATIONS MADE BY ALL INTERESTED PARTIES. IF THE TOWN'S REPRESENTATIVES DETERMINES THAT THE MOVING AND RELOCATION OF THE BUILDING OR STRUCTURE CAN BE MADE WITHOUT INJURY TO PERSONS OR TO CURBS, SIDEWALKS, BRIDGES, SEWERS, OR OTHER PUBLIC OR PRIVATE PROPERTY AND IMPROVEMENTS, THE REPRESENTATIVES MAY APPROVE THE MOVING PERMIT APPLICATION AND THE BUILDING COMMISSIONER MAY ISSUE A MOVING PERMIT.

4. THE CHIEF OF POLICE AND MUNICIPAL WORKS DIRECTOR SHALL APPROVE THE ROUTE TO BE UTILIZED FOR THE MOVE, AT THE TIME AND DATE SUCH MOVE SHALL TAKE PLACE AND THE TIME AND DATE WHEN SUCH MOVE SHALL BE COMPLETED. THE BOARD MAY REQUIRE OTHER REASONABLE CONDITIONS AS NECESSARY TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE.

5. NO APPLICATION FOR MOVING SHALL BE APPROVED BY THE BOARD IF THE BUILDING OR STRUCTURE PROPOSED TO BE MOVED HAS BEEN DAMAGED BY WEAR OR TEAR OF OTHER CAUSE TO AN EXTENT EXCEEDING FIFTY (50%) PERCENT OF ITS ORIGINAL COST.

6. ANY BUILDING OR STRUCTURE THAT HAS BEEN MOVED TO A NEW LOCATION SHALL BE REHABILITATED OR RECONSTRUCTED SO AS TO BE MADE TO CONFORM TO THE PROVISIONS OF THIS CODE FOR NEW CONSTRUCTION.

B. INSURANCE AND BONDING REQUIREMENTS.

1. THE APPLICANT FOR A MOVING PERMIT SHALL AGREE TO ASSUME THE RESPONSIBILITY FOR ANY PERSONAL INJURY OR ANY DAMAGE TO PUBLIC OR PRIVATE PROPERTY OCCURRING AS A RESULT OF MOVING A

BUILDING OR STRUCTURE. THE APPLICANT SHALL AGREE TO DEFEND, INDEMNIFY AND HOLD HARMLESS THE TOWN OF SELLERSBURG, INDIANA, ITS DEPARTMENTS, BOARDS, EMPLOYEES, OFFICERS AND AGENTS FROM AND AGAINST ALL CLAIMS, CHARGES, DAMAGES, DEMANDS, COSTS, SUITS, LIABILITIES AND PAYMENTS, EXPENSES (INCLUDING COUNSEL FEES), FINES, JUDGMENTS, PENALTIES, AND/OR LOSSES OF ANY KIND OR NATURE WHATSOEVER, RESULTING FROM OR IN RESPECT OF ANY INJURY OR DAMAGE TO PERSON OR PROPERTY CAUSED NEGLIGENTLY OR OTHERWISE FROM THE MOVING OF ANY BUILDING OR STRUCTURE, AND/OR THE GRANTING OF A MOVING PERMIT.

THE APPLICANT SHALL SUBMIT TO THE BUILDING COMMISSIONER, A CERTIFICATE OF INSURANCE AS EVIDENCE THAT SAID APPLICANT HAS LIABILITY INSURANCE COVERAGE PROPERLY ENDORSED FOR MOVING OF A BUILDING OR STRUCTURE IN THE FOLLOWING MINIMUM AMOUNTS:

	EACH OCCURRENCE	AGGREGATE
LIABILITY FOR BODILY INJURY	\$500,000.00	\$1,000,000.00
LIABILITY FOR PUBLIC AND PRIVATE PROPERTY DAMAGE	\$500,000.00	\$1,000,000.00

OR COMBINED SINGLE LIMIT COVERAGE AS FOLLOWS:

	EACH OCCURRENCE	AGGREGATE
LIABILITY FOR BODILY INJURY AND PROPERTY DAMAGE	\$1,000,000.00	\$1,000,000.00

2 A BUILDING OR STRUCTURE SHALL BE REQUIRED TO BE PLACED ON ITS PERMANENT FOUNDATION WITHIN THIRTY (30) DAYS AFTER BEING MOVED TO A NEW LOCATION. AN APPLICATION FOR A MOVING PERMIT SHALL BE SUBMITTED TO THE BOARD OF PUBLIC WORKS AND SAFETY. A PERFORMANCE BOND, OR OTHER FORM OF SURETY ACCEPTABLE TO SAID BOARD, IN AN AMOUNT TO BE DETERMINED BY THE BOARD, GUARANTEEING THAT THE MOVING OF THE BUILDING OR STRUCTURE SHALL BE COMPLETED WITHIN THE TIME SPECIFIED BY THE BOARD AND THAT THE BUILDING OR STRUCTURE SHALL BE PLACED ON ITS PERMANENT FOUNDATION WITHIN THIRTY (30) DAYS AFTER BEING MOVED TO A NEW LOCATION.

3. IN THE EVENT OF ADVERSE WEATHER CONDITIONS OR OTHER UNFORESEEN CIRCUMSTANCES, THE BOARD MAY, UPON THE REQUEST OF THE APPLICANT, GRANT AN EXTENSION OF TIME TO COMPLETE THE MOVE OR TO PLACE THE BUILDING OR STRUCTURE ON ITS PERMANENT FOUNDATION. THE BOARD SHALL RELEASE THE PERFORMANCE BOND UPON THE SATISFACTORY COMPLETION OF THE MOVE AND THE PLACEMENT OF THE BUILDING OR STRUCTURE ON ITS PERMANENT FOUNDATION.

SECTION 21: MINIMUM STANDARDS FOR EXTERIOR MAINTENANCE.

A. EXTERIOR MAINTENANCE STANDARDS

THE EXTERIOR OF ALL PREMISES AND THE CONDITION OF ALL BUILDINGS AND STRUCTURES THEREON SHALL BE MAINTAINED SO THAT THE APPEARANCE THEREOF SHALL REFLECT A LEVEL OF MAINTENANCE IN KEEPING WITH THE STANDARDS OF THE TOWN AND SO AS TO AVOID BLIGHTING EFFECTS AND HAZARDS TO HEALTH, SAFETY, AND WELFARE.

THE OWNER AND OPERATOR SHALL KEEP THE EXTERIOR OF ALL PREMISES AND EVERY STRUCTURE THEREON INCLUDING BUT NOT LIMITED TO WALLS, ROOFS, CORNICES, CHIMNEYS, DRAINS, TOWERS, PORCHES, LANDINGS, FIRE ESCAPES, STAIRS, REFUSE AND GARBAGE CONTAINERS, STORE FRONTS, SIGNS, WINDOWS, DOORS, AWNINGS AND MARQUEES, IN GOOD REPAIR, AND ALL SURFACES THEREOF SHALL BE KEPT PAINTED OR PROTECTED WITH OTHER APPROVED COATINGS OR MATERIALS WHERE NECESSARY FOR THE PURPOSE OF PRESERVATION AND AVOIDING A BLIGHTING INFLUENCE ON ADJOINING PROPERTIES. EXTERIOR WOOD COMPOSITION OR METAL SURFACES SHALL BE PROTECTED FROM THE ELEMENTS BY PAINT OR OTHER PROTECTIVE COVERINGS. SURFACES SHALL BE MAINTAINED SO AS TO BE KEPT CLEAN AND FREE OF FLAKING, LOOSE OR PEELING PAINT OR COVERINGS. THOSE SURFACE MATERIALS WHOSE APPEARANCE AND MAINTENANCE WOULD BE ENHANCED BY A NATURAL WEATHERING EFFECT OR OTHER NATURAL EFFECT MAY REMAIN UNTREATED.

ALL SURFACES SHALL BE MAINTAINED FREE OF BROKEN GLASS, LOOSE SHINGLES, CRUMBLING STONE OR BRICK, PEELING PAINT, WHEN SUCH PEELING CONSISTS OF AT LEAST THIRTY THREE AND ONE THIRD (33 1/3%) PERCENT OF THE SURFACE AREA, OR OTHER CONDITIONS REFLECTIVE OF DETERIORATION OR INADEQUATE MAINTENANCE, AND NOT SHOWING EVIDENCE OF WEATHERING DISCOLORATION, RIPPING, TEARING, OR OTHER HOLES OR BREAKS, TO THE END THAT THE PROPERTY ITSELF MAY BE PRESERVED SAFELY AND FIRE HAZARDS ELIMINATED FROM ADJOINING PROPERTIES AND THE NEIGHBORHOOD PROTECTED FROM BLIGHTING INFLUENCE.

ALL PREMISES SHALL BE MAINTAINED AND LAWN, HEDGES, BUSHES, TREES, AND OTHER VEGETATION SHALL BE KEPT TRIMMED AND FROM BECOMING OVERGROWN AND UNSIGHTLY WHERE EXPOSED TO PUBLIC VIEW OR WHERE SUCH VEGETATION MAY CONSTITUTE A BLIGHTING INFLUENCE ON ADJOINING PROPERTY.

ALL PREMISES SHALL BE MAINTAINED FREE OF ALL DEBRIS, TRASH, RUBBISH, LITTER, GARBAGE, REFUSE, JUNK AND FOUNDATION REMNANTS. NO PREMISES SHALL BE USED FOR STORAGE OF INOPERABLE MOTOR VEHICLES, MACHINERY, JUNK VEHICLES OR MACHINERY AND VEHICLE PARTS WHEN SUCH STORAGE IS WITHIN VIEW OF ANY PUBLIC PREMISES OR PUBLIC ALLEY, STREET OR HIGHWAY SO AS NOT TO CAUSE A BLIGHTING PROBLEM OR ADVERSELY EFFECT THE PUBLIC HEALTH OR SAFETY.

ALL VACANT STRUCTURES AND PREMISES THEREOF OR VACANT LAND SHALL BE MAINTAINED IN A CLEAN, SAFE, SECURE, AND SANITARY CONDITION AS PROVED HEREIN.

B. REMEDIES

THE BUILDING COMMISSIONER SHALL REQUEST THE TOWN ATTORNEY TO BRING ACTION ON BEHALF OF THE TOWN IN THE CIRCUIT OR SUPERIOR COURTS OF CLARK COUNTY, INDIANA, FOR MANDATORY AND INJUNCTIVE RELIEF IN THE ENFORCEMENT OF AND TO SECURE COMPLIANCE WITH ANY ORDER OR ORDERS MADE BY THE BUILDING COMMISSIONER OR HIS AUTHORIZED REPRESENTATIVE, AND ANY SUCH ACTION FOR MANDATORY OR INJUNCTIVE RELIEF MAY BE JOINED WITH AN ACTION TO RECOVER THE PENALTIES PROVIDED FOR IN THIS ORDINANCE. ANY PERSON ADJUDGED GUILTY OF A VIOLATION OF THIS ORDINANCE MAY ALSO BE ADJUDGED TO PAY THE COSTS OF PROSECUTION.

THE OWNER OF THE PROPERTY SHALL BE NOTIFIED IN WRITING STATING THAT THE PROPERTY OWNER SHALL HAVE A MAXIMUM OF THIRTY (30) DAYS TO COMPLY WITH THE STANDARDS OF MAINTENANCE AS OUTLINED IN THIS SECTION, AFTER WHICH TIME IF THE PROPERTY OWNER HAS NOT COMPLIED, A FINE SHALL BE ASSESSED AS PROVIDED FOR IN SUBSECTION (C) BELOW.

C. PENALTIES

IF ANY PROPERTY OWNER VIOLATES THE PROVISIONS OF THIS SECTION, SAID PROPERTY OWNER SHALL BE NOTIFIED IN WRITING OF SUCH VIOLATION.

THE BUILDING COMMISSIONER OR HIS AUTHORIZED REPRESENTATIVE, SHALL SEND A "VIOLATION NOTICE" BY CERTIFIED MAIL OR BY DELIVERY IN PERSON TO THE PROPERTY OWNER FOUND TO BE IN VIOLATION OF THIS SECTION, AND THAT SAID PERSON SHALL HAVE A MAXIMUM OF FIFTEEN (15) DAYS TO COMPLETE AND RETURN A FORM LETTER INDICATING AGREEMENT TO "CORRECT THE VIOLATION" WITHIN THIRTY (30) DAYS: OR TO "APPEAL THE VIOLATION".

UPON RECEIPT OF A REQUEST FOR AN APPEAL THE BUILDING COMMISSIONER SHALL NOTIFY THE APPELLANT IN WRITING OF THE PLACE AND DATES TO SCHEDULE AN APPEAL. THE PROPERTY OWNER MAY APPEAL "THE VIOLATION", "THE COMPLIANCE REQUIREMENTS", OR "THE COMPLETION DATE".

UPON PRESENTATION OF CONVINCING EVIDENCE. THE PLANNING AND ZONING COMMISSION MAY NEGOTIATE AN ADJUSTED "COMPLIANCE SCHEDULE" COMMENSURATE WITH THE EVIDENCE PRESENTED AND IN KEEPING WITH THIS SECTION.

PROOF OF HARDSHIP: UPON PROOF OF HARDSHIP A RESIDENT-OWNER MAY BE GRANTED A CONTINUANCE AND BE EXEMPTED FROM FINES FOR THOSE VIOLATIONS REQUIRING THE EXPENDITURE OF UNAVAILABLE FUNDS PROVIDED THAT SAID VIOLATIONS DO NOT ADVERSELY AFFECT THE PUBLIC HEALTH AND SAFETY.

FAILURE TO COMPLY: IN THE EVENT THE OWNER FAILED TO RESPOND TO ANY OF THE ABOVE PROCEDURES THE OWNER WOULD BE FOUND IN VIOLATION OF THIS SECTION AND FINED ACCORDINGLY. HE SHALL BE CITED BEFORE A COURT OF COMPETENT JURISDICTION, AND UPON CONVICTION OF THE VIOLATION SHALL BE FINED NOT LESS THAN ONE HUNDRED (\$100.00) DOLLARS NOR MORE THAN TWENTY-FIVE HUNDRED (\$2,500.00) DOLLARS.

D. RIGHT TO APPEAL

THE BOARD OF ZONING APPEALS SHALL HAVE THE AUTHORITY TO GRANT SPECIAL VARIANCES OR RELIEF TO ANY PROVISIONS OR REQUIREMENTS OF THIS SECTION AND MAY PRESCRIBE ANY CONDITIONS OR REQUIREMENTS DEEMED NECESSARY TO MINIMIZE ADVERSE EFFECTS UPON THE COMMUNITY.

THE PLANNING AND ZONING COMMISSION MAY DEVELOP STANDARDS AND PROCEDURES FOR THE IMPLEMENTATION AND ENFORCEMENT OF THESE PROVISIONS.

SECTION 22:

GENERAL PROVISIONS.

A. TEMPORARY BUILDINGS OR USES

NO TEMPORARY BUILDING OR STRUCTURE TRAILER, MOBILE OR MANUFACTURED HOME, OR MOBILE OR MANUFACTURED OFFICE OR CLASSROOM UNIT SHALL BE USED FOR ANY PURPOSE BY A COMMERCIAL, INDUSTRIAL OR INSTITUTIONAL OCCUPANT WITHIN THE CORPORATE LIMITS OF THE TOWN OF SELLERSBURG, INDIANA UNLESS SUCH BUILDING, STRUCTURE, TRAILER, OR MOBILE OR MANUFACTURED HOME OR UNIT IS PLACED ON A PERMANENT FOUNDATION AND PLANS AND SPECIFICATIONS FOR SUCH CONSTRUCTION AND USE ARE SUBMITTED TO AND APPROVED BY THE STATE BUILDING COMMISSIONER.

EXCEPT THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY IN THE FOLLOWING INSTANCES: (1) CONTRACTOR TRAILERS AND SHEDS USED IN CONJUNCTION WITH CONSTRUCTION OR DEMOLITION WORK; (2) ACCESSORY BUILDINGS AND STRUCTURES WITH AN AREA EQUAL TO OR LESS THAN ONE HUNDRED TWENTY (120) SQUARE FEET; AN) (3) THE INSTALLATION OF A COMMERCIAL MOBILE UNIT BEARING AN INDIANA SEAL OF COMPLIANCE UNDER PUBLIC LAW 135, WHEN THE PERIOD OF TIME NOT EXCEEDING TWELVE (12) MONTHS DURATION AND WHEN SUCH INSTALLATION COMPLIES WITH THE STANDARDS AND REQUIREMENTS OF THE ZONING ORDINANCE OF THE TOWN OF SELLERSBURG. THE BUILDING COMMISSIONER SHALL ISSUE A BUILDING PERMIT FOR THE INSTALLATION OF A COMMERCIAL MOBILE UNIT. SAID PERMIT SHALL INDICATE THE PERIOD OF TIME THE COMMERCIAL MOBILE UNIT SHALL BE USED, WHICH SHALL NOT EXCEED TWELVE (12) MONTHS. UPON THE EXPIRATION OF THE TIME LIMIT SPECIFIED IN THE PERMIT, THE COMMERCIAL MOBILE UNIT SHALL BE COMPLETELY REMOVED FROM THE PREMISES OR SAID PERMIT RENEWED PRIOR TO EXPIRATION BY THE BOARD OF ZONING APPEALS.

B. TENTS

- ANY TENT OR AIR-SUPPORTED STRUCTURE ERECTED WITHIN THE CORPORATE LIMITS OF THE TOWN OF SELLERSBURG, INTENDED TO BE USED BY THE PUBLIC, SHALL COMPLY WITH THE PROVISIONS OF THE INDIANA FIRE PREVENTION CODE.

C. RESPONSIBILITY OF POLICE DEPARTMENT TO ASSIST THE BUILDING COMMISSIONER

THE SELLERSBURG POLICE DEPARTMENT, UPON REQUEST OF THE BUILDING COMMISSIONER SHALL ASSIST IN THE ENFORCEMENT OF THIS CODE. THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED

REPRESENTATIVE MAY REQUEST THE POLICE TO ACCOMPANY THEM TO ANY PREMISES TO HELP ENFORCE THE LAW AND SERVE REQUIRED NOTICES.

D. RESPONSIBILITY OF FIRE DEPARTMENT TO COOPERATE WITH THE BUILDING COMMISSIONER

THE SELLERSBURG FIRE DEPARTMENT SHALL COOPERATE WITH AND PROVIDE ASSISTANCE TO THE BUILDING COMMISSIONER IN DETERMINING THE COMPLIANCE OF NEW BUILDINGS AND STRUCTURES UNDER CONSTRUCTION WITH THE FIRE SAFETY STANDARDS REQUIREMENT OF THIS CODE.

E. STORM WATER AND SUBSOIL DRAINAGE SYSTEMS

WHEN STORM WATER AND SUBSOIL DRAINAGE SYSTEMS ARE INSTALLED, THEY SHALL BE DISCHARGED INTO AN APPROVED SUMP OR RECEIVING TANK AND SHALL BE DISCHARGED AT AN APPROVED LOCATION, BUT SHALL NOT BE DISCHARGED INTO A SANITARY SEWER

F. CONSTRUCTION WORK AND BUILDING MATERIAL IN PUBLIC RIGHT-OF-WAY

NO CONSTRUCTION WORK, DEMOLITION WORK OR STORAGE OF BUILDING MATERIALS SHALL OCCUR WITHIN THE PUBLIC RIGHT-OF-WAY ADJACENT TO THE CONSTRUCTION OR DEMOLITION SITE WITHOUT THE PRIOR APPROVAL OF THE BOARD OF PUBLIC WORKS AND SAFETY. WHENEVER AUTHORITY IS GRANTED TO USE THE PUBLIC RIGHT-OF-WAY, THE BOARD SHALL REQUIRE APPROPRIATE SAFETY MEASURES TO PROTECT THE PUBLIC, AS SET FORTH IN CHAPTER (44) OF THE IBC AS ADOPTED BY REFERENCE IN CHAPTER (6).

G. INTERCEPTOR REQUIRED

AN INTERCEPTOR SHALL BE REQUIRED TO BE INSTALLED IN OCCUPANCIES WHERE GREASE, OIL, SAND, SOLIDS, FLAMMABLE WASTES, ACID OR ALKALINE SUBSTANCES OR OTHER INGREDIENTS MAY BE INTRODUCED INTO THE DRAINAGE OR SEWAGE SYSTEM IN QUANTITIES THAT CAN EFFECT LINE STOPPAGE OR HINDER SEWAGE TREATMENT. SUCH OCCUPANCIES INCLUDE, BUT ARE NOT LIMITED TO, RESTAURANTS, CAFES, LUNCH COUNTERS, CAFETERIAS, BARS AND CLUBS, HOTELS, HOSPITALS, NURSING HOMES, FACTORY OR SCHOOL KITCHENS, SLAUGHTER HOUSES, SOAP FACTORIES, PACKING, FAT RENDERING, HID CURING AND VEHICLE WASHING ESTABLISHMENTS. INTERCEPTORS SHALL BE INSTALLED IN COMPLIANCE WITH THE PROVISIONS OF THE INDIANA PLUMBING CODE.

H. CHANGE OF USE OR OCCUPANCY

NO CHANGE SHALL BE MADE IN THE USE OR CHARACTER OF OCCUPANCY OF ANY BUILDING WHICH WOULD PLACE THE BUILDING IN A DIFFERENT CLASS OR GROUP OF OCCUPANCY AND USE, UNLESS SUCH BUILDING IS MADE TO CONFORM WITH THIS CODE FOR THE PROPOSED REVISED USE OF THE BUILDING.

I. MAINTENANCE

ALL BUILDINGS AND STRUCTURES, AND THEIR ELECTRICAL, PLUMBING AND HEATING AND AIR CONDITIONING SYSTEMS, BOTH EXISTING AND NEW, AND ALL PARTS THEREOF, SHALL BE MAINTAINED IN A SAFE AND SANITARY CONDITION. ALL DEVICES, SAFEGUARDS AND SYSTEMS SHALL BE MAINTAINED IN CONFORMANCE WITH THE PROVISIONS OF THE BUILDING CODE IN EFFECT WHEN INSTALLED. THE OWNER OR HIS AUTHORIZED AGENT SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF BUILDINGS AND STRUCTURES. TO DETERMINE COMPLIANCE WITH THIS SUBSECTION, THE BUILDING COMMISSIONER OR HIS AUTHORIZED REPRESENTATIVE MAY CAUSE ANY BUILDING OR STRUCTURE TO BE REINSPECTED.

J. AUTHORITY TO TAKE EMERGENCY ACTION

THE BUILDING COMMISSIONER AND HIS DULY AUTHORIZED REPRESENTATIVE HAVE THE AUTHORITY TO TAKE NECESSARY EMERGENCY ACTION CONCERNING ANY UNSAFE PREMISE WITHIN THE CORPORATE LIMITS OF THE TOWN OF SELLERSBURG. SUCH ACTION MAY INCLUDE BUT NOT BE LIMITED TO, THE VACATING OF AN UNSAFE BUILDING AND/OR THE DISCONNECTION OF ANY ELECTRICAL SERVICE OR NATURAL GAS SERVICE TO ANY PREMISES UPON DETERMINATION THAT SUCH IMMEDIATE ACTION IS NECESSARY FOR SAFETY TO PERSON OR PROPERTY. SUCH EMERGENCY ACTION TAKEN SHALL BE LIMITED TO REMOVING ANY IMMEDIATE DANGER.

K. DISCONNECTION OF UNSAFE ELECTRICAL SERVICE BY A PUBLIC ELECTRIC UTILITY COMPANY.

IN THE EVENT A PUBLIC ELECTRIC UTILITY COMPANY REMOVES AN ELECTRICAL METER OR DISCONNECTS THE SERVICE DROP TO A BUILDING OR STRUCTURE BECAUSE THE ELECTRICAL SYSTEM OF SAID BUILDING OR STRUCTURE IS UNSAFE AND HAZARDOUS, THE ELECTRICAL SYSTEM OF SAID BUILDING OR STRUCTURE SHALL NOT BE PLACED BACK IN SERVICE UNLESS SUCH SYSTEM IS INSPECTED BY AN ELECTRICAL CONTRACTOR LICENSED UNDER THE PROVISIONS OF THIS CODE AND UPGRADED AS

NECESSARY TO BRING SUCH SYSTEM INTO COMPLIANCE WITH THE PROVISIONS OF THE INDLANA ELECTRICAL CODE. (NEC)

L. ELECTRICAL CONNECTIONS BY HEATING AND AIR CONDITIONING CONTRACTORS AND PLUMBERS

ANY LICENSED HEATING AND AIR CONDONING CONTRACTOR OR PERSON IN HIS EMPLOY AND ANY REGISTERED PLUMBING CONTRACTOR OR JOURNEYMAN PLUMBER MAY MAKE THE NECESSARY ELECTRICAL CONNECTIONS AS MAY BE REQUIRED FOR THE SATISFACTORY PERFORMANCE OF EITHER A NEW OR REPLACEMENT HEATING AND/OR AIR CONDITIONING SYSTEM OR A HOT WATER HEATER, PROVIDED THE RATING OF CIRCUIT CONDUCTORS AND DISCONNECTS ARE NOT EXCEEDED AND THE ELECTRICAL CONNECTION MEETS THE REQUIREMENTS OF THE INDIANA ELECTRICAL CODE (NEC). HOWEVER, SUCH PERSONS SHALL NOT BE PERMITTED TO INSTALL SERVICE EQUIPMENT, BRANCH CIRCUITS, OVER CURRENT DEVICES NOR RESISTANCE ELECTRIC HEAT.

M. SEALING VACANT BUILDINGS AND STRUCTURES

THE SEALING AND SECURING OF ANY VACANT BUILDING OR STRUCTURE, INCLUDING ANY WORK PERFORMED SUBJECT TO AN ORDER ISSUED UNDER THE UNSAFE BUILDING ORDINANCE OF THE TOWN OF SELLERSBURG, INDIANA OR ANY WORK PERFORMED BY AN OWNER ON HIS OWN INITIATIVE, SHALL BE REQUIRED TO BE ACCOMPLISHED PURSUANT TO THE FOLLOWING UNIFORM STANDARD: DOUBLE HEADED NAILS SHALL BE UTILIZED TO FASTEN ONE-HALF (1/2) INCH EXTERIOR GRADE PLYWOOD TO ALL EXTERIOR OPENINGS OF EVERY FLOOR. THE PLYWOOD SHALL BE CUT AND INSTALLED TO PRECISELY FIT EACH OPENING SO AS TO PRESENT A NEAT, WORKMANLIKE APPEARANCE. PRIOR TO THE SEALING AND SECURING OF ANY VACANT BUILDING OR STRUCTURE, THE BUILDING OR STRUCTURE SHALL BE CLEARED OF ALL HUMAN INHABITANTS. ANY BUILDING OR STRUCTURE THAT HAS BEN SEALED AND SECURED SHALL BE REPAIRED AND REHABILITATED AS REQUIRED TO BRING SAID BUILDING OR STRUCTURE UNTO COMPLIANCE WITH THIS CODE PRIOR TO SAID BUILDING OR STRUCTURE BEING AGAIN OCCUPIED OR USED.

N. UNSAFE BUILDINGS AND STRUCTURES

THE REGULATIONS AND ABATEMENT OF UNSAFE BUILDINGS AND STRUCTURES SHALL BE IN ACCORDANCE WITH ORDINANCES OF THIS CODE OF ORDINANCES OF THE TOWN OF SELLERSBURG, INDIANA.

O. THERE SHALL BE AN ADMINISTRATIVE REVIEW OF LOCALLY ISSUED ORDERS OR VARIENCES PROVIDED FOR BY IC 22-13-2-7.

P. THE LOCAL BUILDING CODE DOES NOT APPLY TO AN INDUSTRIALIZED BUILDING SYSTEM OR MOBILE STRUCTURE CERTIFIED UNDER IC 22-15-4

SECTION 23: LIABILITY.

THE TOWN OF SELLERSBURG, THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE CHARGED WITH THE ENFORCEMENT OF THIS CODE, ACTING IN GOOD FAITH AND WITHOUT MALICE IN THE DISCHARGE OF THEIR DUTIES, SHALL NOT THEREBY RENDER THEMSELVES PERSONALLY LIABLE AND THEY HEREBY ARE RELIEVED FROM ALL PERSONAL LIABILITY FOR ANY DAMAGE THAT MAY ACCRUE TO PERSONS OR PROPERTY AS A RESULT OF ANY ACT REQUIRED OR BY REASON OF ANY ACT OR OMISSION IN THE DISCHARGE OF HIS DUTIES. ANY SUIT BROUGHT AGAINST THE TOWN OR THE COMMISSIONER AND/OR BOARDS, OR HIS DULY AUTHORIZED REPRESENTATIVE, BECAUSE OF SUCH ACT OR OMISSION PERFORMED BY THEM IN THE ENFORCEMENT OF ANY PROVISIONS OF THIS CODE, SHALL BE DEFENDED BY THE TOWN ATTORNEY OF THE TOWN OF SELLERSBURG UNTIL FINAL TERMINATION OF THE PROCEEDINGS, AS COVERED IN I.C. 34-4-16.5-2(1).

SECTION 24: VIOLATIONS.

IT SHALL BE UNLAWFUL FOR ANY PERSON, FIRM OR CORPORATION, WHETHER AS OWNER, LESSEE, SUB-LESSEE, OR OCCUPANT, TO ERECT, CONSTRUCT, ENLARGE, ALTER, REPAIR, IMPROVE, REMOVE, CONVERT, DEMOLISH, EQUIP, USE, OCCUPY OR MAINTAIN ANY BUILDING OR STRUCTURE, INCLUDING FENCES, IN THE TOWN OF SELLERSBURG INDIANA, OR CAUSE OR PERMIT THE SAME TO BE DONE, CONTRARY TO OR IN VIOLATION OF THE PROVISIONS OF THIS CODE.

SECTION 25: RIGHT OF APPEAL.

ALL PERSONS SHALL HAVE THE RIGHT TO APPEAL THE DECISION(S) OF THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE FIRST THROUGH THE BOARD OF ZONING APPEALS OF THE TOWN OF SELLERSBURG AND THEN THROUGH ANY ADMINISTRATIVE AGENCY SET FORTH IN THE INDIANA CODE OR TO A COURT OF COMPETENT JURISDICTION.

SECTION 26: REMEDIES.

THE BUILDING COMMISSIONER SHALL REQUEST THE TOWN ATTORNEY TO BRING ACTION ON BEHALF OF THE TOWN IN THE CIRCUIT OR SUPERIOR COURTS OF CLARK COUNTY INDIANA, FOR MANDATORY AND INJUNCTIVE RELIEF IN THE ENFORCEMENT OF, AND TO SECURE, COMPLIANCE WITH

ANY ORDER OR ORDERS MADE BY THE COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE, AND ANY SUCH ACTION FOR MANDATORY OR INJUNCTIVE RELIEF MAY BE JOINED WITH AN ACTION TO RECOVER THE PENALTIES PROVIDED FOR IN THIS CODE. ANY PERSON ADJUDGED GUILTY OF A VIOLATION OF THIS CODE MAY ALSO BE ADJUDGED TO PAY THE COSTS OF PROSECUTION.

SECTION 27: PENALTIES.

IF ANY PERSON, FIRM OR CORPORATION SHALL VIOLATE ANY OF THE PROVISIONS OF THIS CODE, OR SHALL DO ANY ACT PROHIBITED HEREIN, OR SHALL FAIL TO PERFORM ANY DUTY LAWFULLY ENJOINED, WITHIN THE TIME PRESCRIBED BY THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE, OR SHALL FAIL, NEGLECT OR REFUSE TO OBEY ANY LAWFUL ORDER GIVEN BY THE COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE, IN CONNECTION WITH THE PROVISIONS OF THIS CODE, FOR EACH SUCH VIOLATION, FAILURE OR REFUSAL, SUCH PERSON, FIRM OR CORPORATION SHALL UPON CONVICTION OF SAID VIOLATIONS BE FINED ACCORDINGLY, OF THE TOWN CODE.

EACH ACT OF VIOLATION AND EVERY DAY UPON WHICH A VIOLATION OCCURS CONSTITUTES A SEPARATE OFFENSE.

ENFORCEMENT OF THIS ORDINANCE SHALL BE BY THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE.

SECTION 28: SEVERABILITY.

IF ANY SECTION, SUB-SECTION, SENTENCE, CLAUSE, PHRASE OR PORTION OF THIS CODE IS FOR ANY REASON HELD INVALID OR UNCONSTITUTIONAL BY ANY COURT OF COMPETENT JURISDICTION, SUCH PORTION SHALL BE DEEMED A SEPARATE, DISTINCT AND INDEPENDENT PROVISION AND SUCH HOLDING SHALL NOT EFFECT THE VALIDITY OF THE REMAINING PORTIONS HEREOF.

SECTION 29: SUPERSEDES PRIOR CODES AND ORDINANCES.

THAT THE PROVISIONS OF THIS CODE SHALL SUPERSEDE ANY PROVISIONS OF PRIOR ORDINANCES OR CODES IN CONFLICT WITH THE PROVISIONS CONTAINED HEREIN AND SHALL BECOME EFFECTIVE ON THE SAME DAY AS THE DATE OF APPROVAL BY THE FIRE PREVENTION AND BUILDING SAFETY COMMISSION.

SO ORDAINED THIS @cTH DAY OF MARCH, 2012.



PAUL RHODES


BRIAN MEYER


JAMES LAMASTER


MICHAEL LOCKHART


TERRY LANGFORD

ATTEST 
DAVID KINDER, CLERK/TREASURER



MITCHELL E. DANIELS, Jr., Governor
STATE OF INDIANA

DEPARTMENT OF HOMELAND SECURITY JOSEPH E. WAINSCOTT JR., EXECUTIVE DIRECTOR

*Indiana Department of Homeland Security
Indiana Government Center South
302 West Washington Street
Indianapolis, IN 46204
317-232-3980*

October 4, 2012

J. Greg Dietz
Sellersburg Building Commissioner
103 S. New Albany St.
P.O. Box 175
Sellersburg, IN 47172

RE: Building Ordinance 2012-004
 Sellersburg, Indiana

Dear Mr. Dietz;

Pursuant to IC 22-13-2-5 and 675 IAC 12-10-8, the Fire Prevention and Building Safety Commission, on October 2, 2012, approved the above listed Ordinance. Enclosed is the copy of the ordinance so endorsed by the Fire Prevention and Building Safety Commission Chairman.

Sincerely,

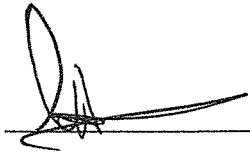
Mara Snyder
Director, Legal and Code Services
Department of Homeland Security

MJS/bas

Encl

Cc: Code Enforcement & Plan Review
 File

Approved this day, the 2nd of October, 2012.



David Hannum, Chairman

**BUILDING ORDINANCE
TOWN OF SELLERSBURG**

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Sellersburg Building Commission

J. Greg Dietz, Building Commissioner

103 South New Albany Street

PO Box 175

Sellersburg, IN 47172

(812)246-3821 Fax (812)246-0174

jgregdietz@sellersburg.org

HOMEOWNER'S ELECTRIC AFFIDAVIT

I, _____, understand that doing my own plumbing installation in my personal residence is an exception to the Indiana Electrical Code, 2009 Edition, based on National Electrical Code, 2008 Edition, first printing, with Indiana Amendments.

To be granted this exception I, _____, understand that only I can secure and sign for this permit, install all electrical wiring myself without assistance. This installation is subject to all inspections of the local authority as prescribed in the Indiana Electrical Code, 2009 Edition, based on National Electrical Code, 2008 Edition, first printing, with Indiana Amendments, and that I will be the sole resident and owner of this structure located at _____ in the Town of Sellersburg.

I also agree that if I sell the residence, I am responsible for the electrical wiring installation just as a licensed electrician would be.

Signed _____ Date _____

Permit # _____ Receipt # _____



Sellersburg Building Commission

J. Greg Dietz, Building Commissioner

103 South New Albany Street

PO Box 175

Sellersburg, IN 47172

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jgregdietz@sellersburg.org

HOMEOWNER'S HVAC AFFIDAVIT

I, _____, understand that doing my own plumbing installation in my personal residence is an exception to the Indiana Mechanical Code, 2008 edition based on the International Mechanical Code, 2006 Edition, first printing, with Indiana Amendments.

To be granted this exception I, _____, understand that only I can secure and sign for this permit, install all HVAC equipment myself without assistance. This installation is subject to all inspections of the local authority as prescribed in Indiana Mechanical Code, 2008 edition based on the International Mechanical Code, 2006 Edition, first printing, with Indiana Amendments, and that I will be the sole resident and owner of this structure located at _____ in the Town of Sellersburg.

I also agree that if I sell the residence, I am responsible for the HVAC installation just as a licensed HVAC contractor would be.

Signed _____ Date _____

Permit # _____ Receipt # _____



Sellersburg Building Commission

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HOMEOWNER'S HVAC AFFIDAVIT

I, _____, understand that doing my own plumbing installation in my personal residence is an exception to the Indiana Mechanical Code, 2008 edition based on the International Mechanical Code, 2006 Edition, first printing, with Indiana Amendments.

To be granted this exception I, _____, understand that only I can secure and sign for this permit, install all HVAC equipment myself without assistance. This installation is subject to all inspections of the local authority as prescribed in Indiana Mechanical Code, 2008 edition based on the International Mechanical Code, 2006 Edition, first printing, with Indiana Amendments, and that I will be the sole resident and owner of this structure located at _____ in the Town of Sellersburg.

I also agree that if I sell the residence, I am responsible for the HVAC installation just as a licensed HVAC contractor would be.

Signed _____ Date _____

Permit # _____ Receipt # _____



Sellersburg Building Commission

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jgregdietz@sellersburg.org

HOMEOWNER'S LOCATION OF STRUCTURE ON PLOT DIAGRAM AFFIDAVIT

I, _____, am submitting an alternate site location plan in lieu of the required survey done by a licensed surveyor for the property located at

_____ in the Town of Sellersburg.

I understand that there may be errors in dimension and location, therefore, I accept all legal responsibility and consequences for violation of easements, building code, zoning code and drainage.

I also agree that if I sell the residence, I am responsible for the location of this new structure installation just as a licensed surveyor would be.

Signed _____ Date _____

Permit # _____ Receipt # _____





ORDINANCE NO. 2012-005

ADDITIONAL APPROPRIATIONS

Whereas, It has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget;

Whereas, this matter was considered at an open meeting to which the public were invited to participate; and

Now, Therefore be it ordained by the Town Council of the Town of Sellersburg, Clark County, that for the expenses of the Town of Sellersburg the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to laws governing the same:

Fund Name: <u>General</u>	Amount
Major Budget Classification:	
30000 Other Services & Charges	<u>\$556,308.00</u>
TOTAL for <u>General</u> Fund:	<u>\$556,308.00</u>

Fund Name: <u>CCD</u>	Amount
Major Budget Classification:	
30000 Other Services & Charges	<u>\$ 87,680.00</u>
TOTAL for <u>CCD</u> Fund:	<u>\$ 87,680.00</u>

Fund Name: <u>Rainy Day</u>	Amount
Major Budget Classification:	
20000 Supplies	<u>\$215,051.00</u>
TOTAL for <u>Rainy Day</u> Fund:	<u>\$215,051.00</u>

Fund Name: <u>Parks</u>	Amount
Major Budget Classification:	
20000 Supplies	<u>\$ 8,092.00</u>
TOTAL for <u>Parks</u> Fund:	<u>\$ 8,092.00</u>

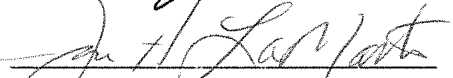
Fund Name: <u>MVH</u>	Amount
Major Budget Classification:	
30000 Other Services & Charges	<u>\$ 27,882.00</u>
TOTAL for <u>MVH</u> Fund:	<u>\$ 27,882.00</u>

Fund Name: <u>LRS</u>	Amount
Major Budget Classification:	
30000 Other Services & Charges	<u>\$ 61,200.00</u>
TOTAL for <u>LRS</u> Fund:	<u>\$ 61,200.00</u>

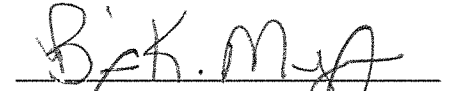
Fund Name: <u>CCI</u>	Amount
Major Budget Classification:	
40000 Capital Outlays	<u>\$ 14,273.00</u>
TOTAL for <u>CCI</u> Fund:	<u>\$ 14,273.00</u>

Adopted this 14th day of MAY, 2012.



Paul J. Rhodes, Council President


James H. LaMaster, Council Member


Michael N. Lockhart, Council Member


Brian K. Meyer, Council Vice President


Terry L. Langford, Council Member


ATTEST: David L. Kinder, Clerk Treasurer

ORDINANCE NO. 2012-006

AN ORDINANCE ANNEXING TERRITORY UNDER I.C. 36-4-3-5 KNOWN AS STONE
GATE ~~MANNER~~ MANOR

WHEREAS, Matt Toole, of Infinity Homes and Development, LLC., and Kalos
Development, LLC., have filed a petition with the Town of Sellersburg on the 26th day of March,
2012 pursuant to I.C. 36-4-3-5 to annex private lands into the municipal limits of the Town of
Sellersburg; and

WHEREAS, the property to be annexed is more particularly described in Exhibit 1
attached hereto and incorporated herein; and

WHEREAS, the Town of Sellersburg has one hundred (150) days after the date of filing
of the petition for filing annexation to approve the annexation made pursuant to the petition; and

WHEREAS, the Sellersburg Town Council has reviewed the petition for voluntary
annexation and has determined that annexation is in the best interest of the Town of Sellersburg;
and

WHEREAS, the Sellersburg Town Council has determined that said petition meets the
requirements of I.C. 36-4-3-5; and

WHEREAS, the Sellersburg Town Council has determined that upon voluntary
annexation to the Town of Sellersburg, the area described in Exhibit 1 shall be assigned to
legislative district 1; and

WHEREAS, the Sellersburg Town Council considered this matter at an open meeting to
which the public were invited to attend and participate;

BE IT NOW THEREFORE ORDAINED BY the Sellersburg Town Council that the
herein described real property as set forth in Exhibit 1 attached hereto and incorporated herein,
shall be and hereby is annexed into the municipality of the Town of Sellersburg.

JULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

APR 25 2012


R. M. G. Gault
Auditor, Clark County

BE IT FURTHER ORDAINED by the Sellersburg Town Council the boundary of the Town of Sellersburg, shall be and the same is, hereby declared to be extended to include all said real property described in Exhibit 1 attached hereto and incorporated herein, as part of the Town of Sellersburg, Indiana.

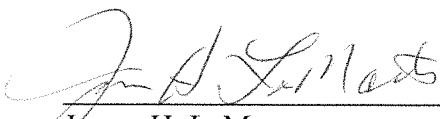
BE IT FURTHER ORDAINED by the Sellersburg Town Council that the herein Ordinance shall be in full force and affect from and after its passage, proclamation of publication in accordance with I.C. 36-4-3-7 and I.C. 5-3-1 which shall take effect after the date of publication upon the following requirements as set forth under I.C. 36-4-3-22.


BE IT FURTHER ORDAINED by the Sellersburg Town Council that the herein described real property as set forth in Exhibit 1 shall be and hereby is assigned to the Town of Sellersburg municipal legislative body district 1.

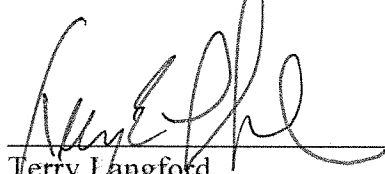
So Ordained this 23rd day of April, 2012.

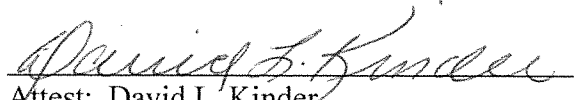

Paul J. Rhodes
Council President

ABSENT
Brian K. Meyer
Council Vice President


James H. LaMaster
2nd – Vice Council President


Michael N. Lockhart
Council Member


Terry Langford
Council Member


Attest: David L. Kinder
Clerk-Treasurer

Being part of Survey 109 of the Illinois Grant, Silver Creek Township, Clark County, Indiana and also part of a tract of land conveyed to CYNTHIA AND STEPHEN BURKHARDT at Instrument I 200719298 in Clark County Recorder's Office.

Commencing at a Stone being the North corner of said Survey 109

Thence South 50 degrees East, 1823.04 feet with the survey line dividing Surveys 109 and 128 of the Illinois Grant to an iron pin and cap (LS 21000194) in the Westerly Right-of-way of S.R. 60 and True Point of Beginning;

Thence the following 6 courses with the said Westerly Right-of-Way of S.R.60

Thence South 43 degrees 04 minutes 21 seconds East, 23.83 feet, to an iron pin and cap (LS 21000194);

Thence South with a curve to the left having a radius of 7679.43 feet and whose chord bears South 43 degrees 57 minutes 06 seconds West, 281.26 feet, to an iron pin and cap (LS 21000194);

Thence South 34 degrees 07 minutes 49 seconds East, 102.62 feet, to an iron pin and cap (LS 21000194);

Thence with a curve to the left having a radius of 7699.43 feet and whose chord bears South 46 degrees 07 minutes 06 seconds West, 100.78 feet to an iron pin and cap (LS 21000194);

Thence South 52 degrees 55 minutes 00 seconds East, 202.29 feet to a concrete Right-of-Way marker;

Thence South 48 degrees 15 minutes 31 seconds East, 132.17 feet to a 1" iron pipe;

Thence South 49 degrees 40 minutes 11 seconds West, 781.37 feet with the Northerly line of Tract of land conveyed to JOSEPH & DORTHY MEYER LIVING TRUST at DD 28, Instrument 5907 to a 1" iron pipe;

Thence North 59 degrees 09 minutes 09 seconds West, 513.89 feet with a Easterly line of Tract of land conveyed to WILLIAM MARTIN at Instrument 16127 to a 1" iron pipe;

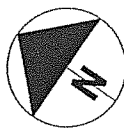
Thence North 44 degrees 53 minutes 53 seconds West, 16.48 feet continuing with said Martin line to an iron pin and cap (LS 21000194);

Thence North 50 degrees 00 minutes 21 seconds East, 160.90 feet with Southerly line of Tract of land conveyed to THOMAS BOYD at DD 23, In 16127 to 1" iron pipe;

Thence North 44 degrees 50 minutes 20 seconds East, 301.01 feet with Westerly line of said Boyd Tract to an iron pin & cap (LS 21000194) in the said Survey line dividing Surveys 128 and 109;

Thence North 50 degrees 00 minutes 00 seconds East, 736.74 feet with said Survey line dividing Surveys 128 and 109 to the True Point of Beginning and containing 14.80 acres of land, more or less.

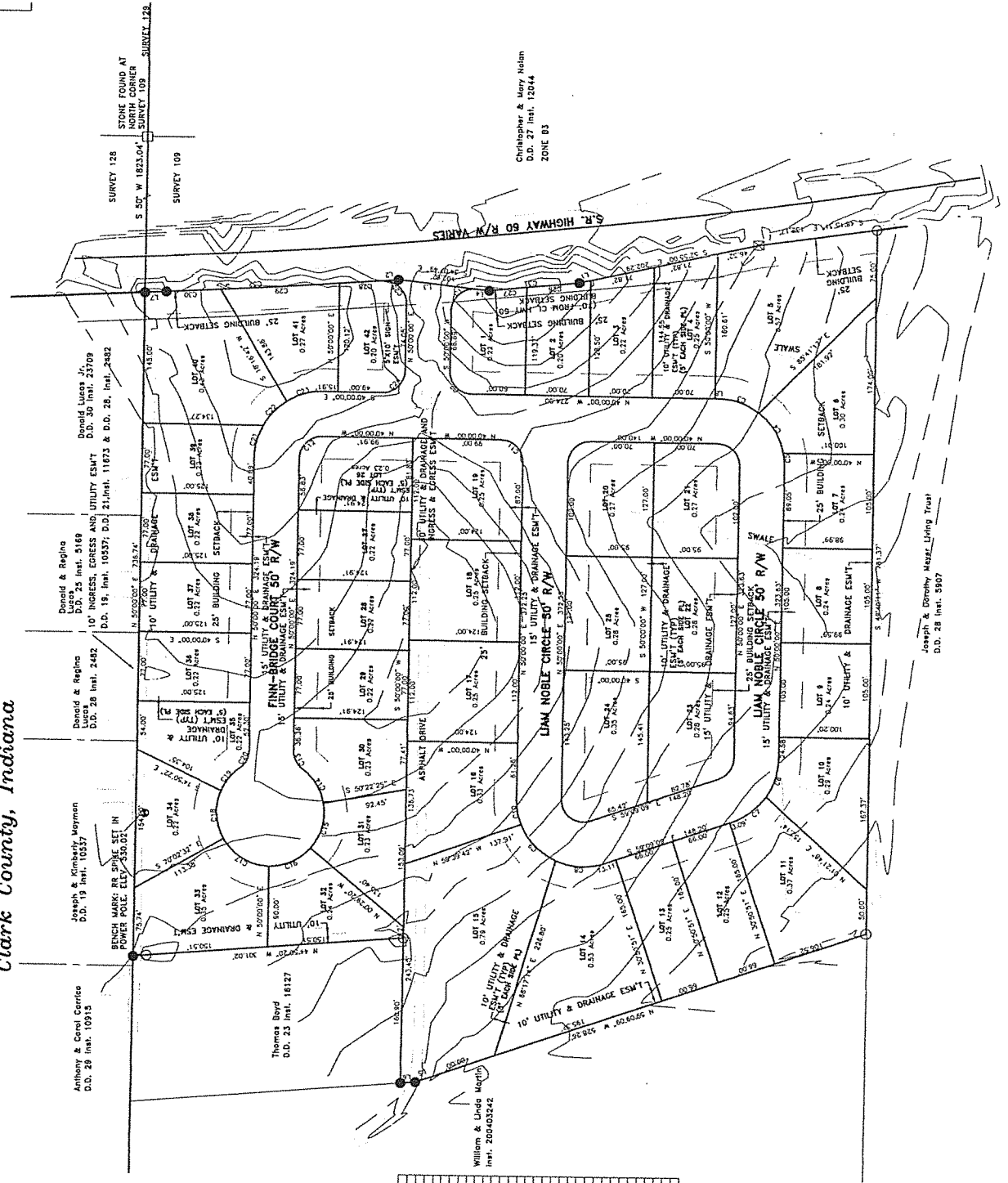
Said Boundary Survey is subject to all easements and Rights-of-Way of record.



STONE GATE MANOR

Pt. Survey 109,
Silver Creek Township,
Clark County, Indiana

DEVELOPER: INFINITY HOMES & DEVELOPMENT, LLC
MATTHEW TOOLE, MEMBER
122 BOWLING LANE
CLARKSVILLE, INDIANA 47129



- LEGEND**
- STONE SECTION CORNER FOUND
 - 5/8" IRON PIN & CAP SET L2100194
 - IRON PIPE FOUND PER DEED
 - ⊠ CONCRETE 5/4" MARKER FOUND

CORNER	BEARING	LENGTH	AREA	ANGLE
C1	N 89°00'00" E	10.00	10.00	90.00
C2	S 89°00'00" W	10.00	10.00	90.00
C3	N 01°00'00" E	10.00	10.00	90.00
C4	S 01°00'00" W	10.00	10.00	90.00
C5	N 89°00'00" E	10.00	10.00	90.00
C6	S 89°00'00" W	10.00	10.00	90.00
C7	N 01°00'00" E	10.00	10.00	90.00
C8	S 01°00'00" W	10.00	10.00	90.00
C9	N 89°00'00" E	10.00	10.00	90.00
C10	S 89°00'00" W	10.00	10.00	90.00
C11	N 01°00'00" E	10.00	10.00	90.00
C12	S 01°00'00" W	10.00	10.00	90.00
C13	N 89°00'00" E	10.00	10.00	90.00
C14	S 89°00'00" W	10.00	10.00	90.00
C15	N 01°00'00" E	10.00	10.00	90.00
C16	S 01°00'00" W	10.00	10.00	90.00
C17	N 89°00'00" E	10.00	10.00	90.00
C18	S 89°00'00" W	10.00	10.00	90.00
C19	N 01°00'00" E	10.00	10.00	90.00
C20	S 01°00'00" W	10.00	10.00	90.00
C21	N 89°00'00" E	10.00	10.00	90.00
C22	S 89°00'00" W	10.00	10.00	90.00
C23	N 01°00'00" E	10.00	10.00	90.00
C24	S 01°00'00" W	10.00	10.00	90.00
C25	N 89°00'00" E	10.00	10.00	90.00
C26	S 89°00'00" W	10.00	10.00	90.00
C27	N 01°00'00" E	10.00	10.00	90.00
C28	S 01°00'00" W	10.00	10.00	90.00
C29	N 89°00'00" E	10.00	10.00	90.00
C30	S 89°00'00" W	10.00	10.00	90.00
C31	N 01°00'00" E	10.00	10.00	90.00
C32	S 01°00'00" W	10.00	10.00	90.00
C33	N 89°00'00" E	10.00	10.00	90.00
C34	S 89°00'00" W	10.00	10.00	90.00
C35	N 01°00'00" E	10.00	10.00	90.00
C36	S 01°00'00" W	10.00	10.00	90.00
C37	N 89°00'00" E	10.00	10.00	90.00
C38	S 89°00'00" W	10.00	10.00	90.00
C39	N 01°00'00" E	10.00	10.00	90.00
C40	S 01°00'00" W	10.00	10.00	90.00
C41	N 89°00'00" E	10.00	10.00	90.00
C42	S 89°00'00" W	10.00	10.00	90.00
C43	N 01°00'00" E	10.00	10.00	90.00
C44	S 01°00'00" W	10.00	10.00	90.00
C45	N 89°00'00" E	10.00	10.00	90.00
C46	S 89°00'00" W	10.00	10.00	90.00
C47	N 01°00'00" E	10.00	10.00	90.00
C48	S 01°00'00" W	10.00	10.00	90.00
C49	N 89°00'00" E	10.00	10.00	90.00
C50	S 89°00'00" W	10.00	10.00	90.00
C51	N 01°00'00" E	10.00	10.00	90.00
C52	S 01°00'00" W	10.00	10.00	90.00
C53	N 89°00'00" E	10.00	10.00	90.00
C54	S 89°00'00" W	10.00	10.00	90.00
C55	N 01°00'00" E	10.00	10.00	90.00
C56	S 01°00'00" W	10.00	10.00	90.00
C57	N 89°00'00" E	10.00	10.00	90.00
C58	S 89°00'00" W	10.00	10.00	90.00
C59	N 01°00'00" E	10.00	10.00	90.00
C60	S 01°00'00" W	10.00	10.00	90.00
C61	N 89°00'00" E	10.00	10.00	90.00
C62	S 89°00'00" W	10.00	10.00	90.00
C63	N 01°00'00" E	10.00	10.00	90.00
C64	S 01°00'00" W	10.00	10.00	90.00
C65	N 89°00'00" E	10.00	10.00	90.00
C66	S 89°00'00" W	10.00	10.00	90.00
C67	N 01°00'00" E	10.00	10.00	90.00
C68	S 01°00'00" W	10.00	10.00	90.00
C69	N 89°00'00" E	10.00	10.00	90.00
C70	S 89°00'00" W	10.00	10.00	90.00
C71	N 01°00'00" E	10.00	10.00	90.00
C72	S 01°00'00" W	10.00	10.00	90.00
C73	N 89°00'00" E	10.00	10.00	90.00
C74	S 89°00'00" W	10.00	10.00	90.00
C75	N 01°00'00" E	10.00	10.00	90.00
C76	S 01°00'00" W	10.00	10.00	90.00
C77	N 89°00'00" E	10.00	10.00	90.00
C78	S 89°00'00" W	10.00	10.00	90.00
C79	N 01°00'00" E	10.00	10.00	90.00
C80	S 01°00'00" W	10.00	10.00	90.00
C81	N 89°00'00" E	10.00	10.00	90.00
C82	S 89°00'00" W	10.00	10.00	90.00
C83	N 01°00'00" E	10.00	10.00	90.00
C84	S 01°00'00" W	10.00	10.00	90.00
C85	N 89°00'00" E	10.00	10.00	90.00
C86	S 89°00'00" W	10.00	10.00	90.00
C87	N 01°00'00" E	10.00	10.00	90.00
C88	S 01°00'00" W	10.00	10.00	90.00
C89	N 89°00'00" E	10.00	10.00	90.00
C90	S 89°00'00" W	10.00	10.00	90.00
C91	N 01°00'00" E	10.00	10.00	90.00
C92	S 01°00'00" W	10.00	10.00	90.00
C93	N 89°00'00" E	10.00	10.00	90.00
C94	S 89°00'00" W	10.00	10.00	90.00
C95	N 01°00'00" E	10.00	10.00	90.00
C96	S 01°00'00" W	10.00	10.00	90.00
C97	N 89°00'00" E	10.00	10.00	90.00
C98	S 89°00'00" W	10.00	10.00	90.00
C99	N 01°00'00" E	10.00	10.00	90.00
C100	S 01°00'00" W	10.00	10.00	90.00

LOT	AREA	BEARING	LENGTH	ANGLE
LOT 1	1.00	N 89°00'00" E	10.00	90.00
LOT 2	1.00	S 89°00'00" W	10.00	90.00
LOT 3	1.00	N 01°00'00" E	10.00	90.00
LOT 4	1.00	S 01°00'00" W	10.00	90.00
LOT 5	1.00	N 89°00'00" E	10.00	90.00
LOT 6	1.00	S 89°00'00" W	10.00	90.00
LOT 7	1.00	N 01°00'00" E	10.00	90.00
LOT 8	1.00	S 01°00'00" W	10.00	90.00
LOT 9	1.00	N 89°00'00" E	10.00	90.00
LOT 10	1.00	S 89°00'00" W	10.00	90.00
LOT 11	1.00	N 01°00'00" E	10.00	90.00
LOT 12	1.00	S 01°00'00" W	10.00	90.00
LOT 13	1.00	N 89°00'00" E	10.00	90.00
LOT 14	1.00	S 89°00'00" W	10.00	90.00
LOT 15	1.00	N 01°00'00" E	10.00	90.00
LOT 16	1.00	S 01°00'00" W	10.00	90.00
LOT 17	1.00	N 89°00'00" E	10.00	90.00
LOT 18	1.00	S 89°00'00" W	10.00	90.00
LOT 19	1.00	N 01°00'00" E	10.00	90.00
LOT 20	1.00	S 01°00'00" W	10.00	90.00
LOT 21	1.00	N 89°00'00" E	10.00	90.00
LOT 22	1.00	S 89°00'00" W	10.00	90.00
LOT 23	1.00	N 01°00'00" E	10.00	90.00
LOT 24	1.00	S 01°00'00" W	10.00	90.00
LOT 25	1.00	N 89°00'00" E	10.00	90.00
LOT 26	1.00	S 89°00'00" W	10.00	90.00
LOT 27	1.00	N 01°00'00" E	10.00	90.00
LOT 28	1.00	S 01°00'00" W	10.00	90.00
LOT 29	1.00	N 89°00'00" E	10.00	90.00
LOT 30	1.00	S 89°00'00" W	10.00	90.00
LOT 31	1.00	N 01°00'00" E	10.00	90.00
LOT 32	1.00	S 01°00'00" W	10.00	90.00
LOT 33	1.00	N 89°00'00" E	10.00	90.00
LOT 34	1.00	S 89°00'00" W	10.00	90.00
LOT 35	1.00	N 01°00'00" E	10.00	90.00
LOT 36	1.00	S 01°00'00" W	10.00	90.00
LOT 37	1.00	N 89°00'00" E	10.00	90.00
LOT 38	1.00	S 89°00'00" W	10.00	90.00
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LOT 40	1.00	S 01°00'00" W	10.00	90.00
LOT 41	1.00	N 89°00'00" E	10.00	90.00
LOT 42	1.00	S 89°00'00" W	10.00	90.00
LOT 43	1.00	N 01°00'00" E	10.00	90.00
LOT 44	1.00	S 01°00'00" W	10.00	90.00
LOT 45	1.00	N 89°00'00" E	10.00	90.00
LOT 46	1.00	S 89°00'00" W	10.00	90.00
LOT 47	1.00	N 01°00'00" E	10.00	90.00
LOT 48	1.00	S 01°00'00" W	10.00	90.00
LOT 49	1.00	N 89°00'00" E	10.00	90.00
LOT 50	1.00	S 89°00'00" W	10.00	90.00
LOT 51	1.00	N 01°00'00" E	10.00	90.00
LOT 52	1.00	S 01°00'00" W	10.00	90.00
LOT 53	1.00	N 89°00'00" E	10.00	90.00
LOT 54	1.00	S 89°00'00" W	10.00	90.00
LOT 55	1.00	N 01°00'00" E	10.00	90.00
LOT 56	1.00	S 01°00'00" W	10.00	90.00
LOT 57	1.00	N 89°00'00" E	10.00	90.00
LOT 58	1.00	S 89°00'00" W	10.00	90.00
LOT 59	1.00	N 01°00'00" E	10.00	90.00
LOT 60	1.00	S 01°00'00" W	10.00	90.00
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LOT 63	1.00	N 01°00'00" E	10.00	90.00
LOT 64	1.00	S 01°00'00" W	10.00	90.00
LOT 65	1.00	N 89°00'00" E	10.00	90.00
LOT 66	1.00	S 89°00'00" W	10.00	90.00
LOT 67	1.00	N 01°00'00" E	10.00	90.00
LOT 68	1.00	S 01°00'00" W	10.00	90.00
LOT 69	1.00	N 89°00'00" E	10.00	90.00
LOT 70	1.00	S 89°00'00" W	10.00	90.00
LOT 71	1.00	N 01°00'00" E	10.00	90.00
LOT 72	1.00	S 01°00'00" W	10.00	90.00
LOT 73	1.00	N 89°00'00" E	10.00	90.00
LOT 74	1.00	S 89°00'00" W	10.00	90.00
LOT 75	1.00	N 01°00'00" E	10.00	90.00
LOT 76	1.00	S 01°00'00" W	10.00	90.00
LOT 77	1.00	N 89°00'00" E	10.00	90.00
LOT 78	1.00	S 89°00'00" W	10.00	90.00
LOT 79	1.00	N 01°00'00" E	10.00	90.00
LOT 80	1.00	S 01°00'00" W	10.00	90.00
LOT 81	1.00	N 89°00'00" E	10.00	90.00
LOT 82	1.00	S 89°00'00" W	10.00	90.00
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LOT 86	1.00	S 89°00'00" W	10.00	90.00
LOT 87	1.00	N 01°00'00" E	10.00	90.00
LOT 88	1.00	S 01°00'00" W	10.00	90.00
LOT 89	1.00	N 89°00'00" E	10.00	90.00
LOT 90	1.00	S 89°00'00" W	10.00	90.00
LOT 91	1.00	N 01°00'00" E	10.00	90.00
LOT 92	1.00	S 01°00'00" W	10.00	90.00
LOT 93	1.00	N 89°00'00" E	10.00	90.00
LOT 94	1.00	S 89°00'00" W	10.00	90.00
LOT 95	1.00	N 01°00'00" E	10.00	90.00
LOT 96	1.00	S 01°00'00" W	10.00	90.00
LOT 97	1.00	N 89°00'00" E	10.00	90.00
LOT 98	1.00	S 89°00'00" W	10.00	90.00
LOT 99	1.00	N 01°00'00" E	10.00	90.00
LOT 100	1.00	S 01°00'00" W	10.00	90.00

Christopher & Mary Nelson
D.D. 27 Inst. 12044
ZONE B3

Joseph & Dorothy Meier Living Trust
D.D. 28 Inst. 5507

Anthony & Carol Corcoran
D.D. 28 Inst. 10913

Joseph & Kimberly Wayman
D.D. 19 Inst. 10537

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG

ORDINANCE NO. 2012-007

AN ORDINANCE ESTABLISHING POLICY PROHIBITNG NEPOTISM

WHEREAS, IND. CODE § 36-1-20.2, as added by P.L. 135-2012, SECTION 7, with an effective date of July 1, 2012, requires this Council to establish a policy concerning nepotism on behalf of the Town of Sellersburg, Indiana government; and,

WHEREAS, this Council believes it is in the best interests of the citizens of Sellersburg, Indiana to establish and incorporate a policy that prohibits nepotism among its workforce, and now adopts this Ordinance for such purpose.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana, as follows:

Section 1. Definitions.

The following definitions shall apply in the interpretation and enforcement of this Ordinance:

- A. "Break in employment" means the termination, retirement, or resignation of an employee from the town. A break in employment does not occur due to absence from the workplace while on paid or unpaid leave, including but not limited to: vacation, personal, sick, or family medical leave, or worker's compensation. When individual's employment with the unit is terminated, followed by immediate reemployment by the unit, without a loss of payroll time.
- B. "Direct line of supervision" means an elected officer or employee who is in a position to affect the terms and conditions of another individual's employment, including making decisions about work assignments, compensation, grievances, advancement or performance evaluation. The term does not include the responsibilities of the Town Council to make decisions regarding salary ordinances, budgets or personnel policies of the Town.
- C. "Employed" means an individual who is employed by the Town on a full time, part-time, temporary, intermittent or hourly basis. The term does not include an individual who holds only an elected office. The term includes an individual who is a party to an employment contract with the Town.
- D. "Relative" means any of the following:
 - 1. Spouse;
 - 2. Parent or step parent;
 - 3. A child or step child;
 - 4. Brother, sister, step brother or step sister;
 - 5. A niece or nephew;

6. An aunt or uncle; or
7. A daughter-in-law or son-in-law.

An adopted child of an individual is treated as a natural child of the individual. The terms “brother” and “sister” shall include a brother or sister by half-blood (a common parent).

Section 2. Nepotism Prohibited.

Individuals who are relatives shall not be employed by the Town in a position that results in one relative being in the direct line of supervision of the other relative.

An individual shall not be promoted to a position if the new position would cause their relative to be in the direct line of supervision of that individual

Section 3. Exceptions to Prohibition Against Nepotism

An individual who is employed by the Town on July 1, 2012 is not subject to this nepotism policy unless the individual has a break in employment with the Town.

If an individual is employed by the Town and the individual’s relative begins serving a term of elected office, the individual may continue his employment with the Town and retain his position even if the position would be in the direct line of supervision of the individual’s relative.

An individual who is allowed to continue employment after the individual’s relative begins serving a term of an elected office and is in the direct line of supervision may not:

- i. be promoted; or
- ii. be promoted to a position that is not within the merit ranks, in the case of an individual who is a member of a merit police department or merit fire department

This Ordinance does not abrogate or affect an employment contract with the Town that an individual is a party to and is in effect on the date the individual’s relative begins service of a term of an elected office of the Town.

If the township trustee’s office is located in the township trustee’s personal residence, the township trustee may hire only one (1) employee who is a relative. The employee:

- i. may be hired to work only in the township trustee’s office;
- ii. may be in the township trustee’s direct line of supervision; and
- iii. may not receive total salary, benefits, and compensation that exceeds five thousand (\$5,000) per year.

Section 4. Employees Hired After July 1, 2012.

Commencing on July 1, 2012, and continuing thereafter, any newly hired employee of any board, commission, or political subdivision of Town of Sellersburg Government shall be required to execute the verification form attached hereto as Exhibit "A".

Section 5. Certification by Elected Officers of the Town of Sellersburg.

Each elected officer of the Town shall annually certify in writing, in the form attached hereto as Exhibit "B", and subject to the penalties for perjury, that the officer has not violated the requirements of IND. CODE § 36-1-20.2 as adopted by this Ordinance. An elected officer shall submit the certification to the Town Council of Sellersburg not later than December 31 of each year.

Section 6. Effective Date of Ordinance.

This Ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

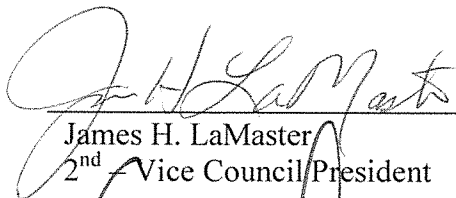
So Ordained this 25th day of June, 2012



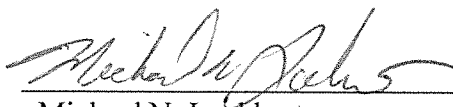
Paul J. Rhodes
Council President

ABSENT

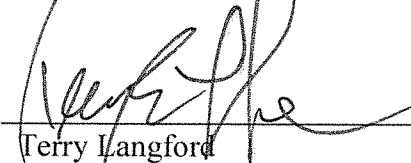
Brian K. Meyer
Council Vice President



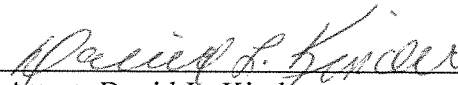
James H. LaMaster
2nd Vice Council President



Michael N. Lockhart
Council Member



Terry Langford
Council Member



Attest: David L. Kinder
Clerk-Treasurer

**VERIFICATION OF APPLICANT FOR EMPLOYMENT FOR COMPLIANCE
WITH THE ANTI-NEPOTISM POLICY OF THE TOWN OF SELLERSBURG**

I, _____ (printed name), have reviewed the direct line of supervision for the position of _____ (the "Position") with Town of Sellersburg government. I hereby represent and warrant that I am not a "Relative" of any employee who will be in my direct line of supervision in the Position. I understand that the term "Relative" means my spouse, parent or stepparent, child or stepchild, brother, sister, stepbrother, stepsister, niece, nephew, aunt, uncle, daughter-in-law or son-in-law (including half-bloods and adopted children).

I hereby verify under the penalty of perjury that the foregoing statements are true.

Dated this ____ day of _____, 20__.

(Signature)

(Printed name)

ANNUAL CERTIFICATION OF ELECTED OFFICIAL, TO THE PRESIDENT OF THE TOWN OF SELLERSBURG COUNCIL. AS THE EXECUTIVE OF SELLERSBURG TOWN GOVERNMENT REGARDING COMPLIANCE WITH THE NEPOTISM POLICY OF TOWN OF SELLERSBURG INVOLVING DIRECT LINE SUPERVISION.

I, _____ (*print name*), the duly elected
and serving _____ (*print office*), of the Town of
Sellersburg, Indiana, hereby certify that I have not violated the Town of Sellersburg Government
Nepotism Policy in the hiring and supervision of my Relatives in their employment with Town of
Sellersburg Government, and contrary to the requirements of IND. CODE 36-1-20-2, as amended or
supplemented, and as further described in Ordinance No. 2012-007. I understand that the term
"Relative" means any spouse, parent or stepparent, child or stepchild, brother, sister, stepbrother,
stepsister, niece, nephew, aunt, uncle, daughter-in-law or son-in-law (including half-bloods and adopted
children).

I intend for this to be submitted to the President of the Town of Sellersburg Council as the executive
branch of Town of Sellersburg Government prior to the end of this calendar year.

I hereby verify under the penalty of perjury that the foregoing statements are true.

Dated this _____ day of _____, 20____.

Signature of Elected Official

EXHIBIT "B"

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG

ORDINANCE NO. 2012-008

**ORDINANCE ESTABLISHING POLICY REQUIRING
DISCLOSURE OF CONTRACTS WITH RELATIVES**

WHEREAS, IND. CODE § 36-1-21, as added by P.L. 135-2012, SECTION 8, effective July, 1, 2012, requires this Council to establish a policy concerning contracting with relatives of elected officials on behalf of the Town of Sellersburg, Indiana government; and,

WHEREAS, this Council has determined that there is a need to establish a policy requiring disclosure of contracts with the Town and relatives of certain Town officials.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana, as follows:

Section 1. Definitions.

The following definitions shall apply in the interpretation and the enforcement of this Ordinance:

- A. "Elected official" means a Town Council Member.
- B. "Relative" means any of the following:
 - 1. Spouse;
 - 2. Parent or step parent;
 - 3. A child or step child;
 - 4. Brother, sister, step brother or step sister;
 - 5. A niece or nephew;
 - 6. An aunt or uncle; or
 - 7. A daughter-in-law or son-in-law.

An adopted child of an individual is treated as a natural child of the individual. The terms "brother" and "sister" shall include a brother or sister by half-blood (a common parent).

Section 2. Application to Certain Contracts.

The Town may enter into a contract or renew a contract for the procurement of goods and services or a contract for public works with an individual who is a relative of an elected

official or a business entity that is wholly or partially owned by a relative of an elected official only if disclosure requirements under this Ordinance are satisfied.

Contracts in existence at the time the term of office of the elected official begins are not affected until those contracts are renewed.

Section 3. Disclosure of Contracts with Relatives.

Commencing on July 1, 2012, and continuing thereafter, all elected officials of the Town of Sellersburg shall file a full disclosure of any pending contract between Town of Sellersburg government and any relative of the elected official, or any business entity in which the elected official's relative holds an ownership interest, by using the disclosure form attached hereto as Exhibit "A".

The disclosure statement must be in writing, describe the contract or purchase to be made by the Town, describe the relationship that the elected official has to the individual or business entity that contracts or purchases, and be affirmed under penalty of perjury.

The disclosure statement must be submitted to this Council and be accepted by the Council in a public meeting prior to final action on the contract or purchase.

The disclosure statement must be filed not later than fifteen (15) days after final action on the contract or purchase with the State Board of Accounts, and the Clerk of the Clark Circuit Court.

Section 4. Actions By Town Council or Appropriate Agency.

This Council or an appropriate agency of the Town designated by this Council shall make a certified statement that the contract amount or purchase price was the lowest amount or price bid or offered, or make a certified statement of the reasons why the vendor or contractor was selected.


Section 5. Certification by Elected Officers of the County.

Each elected officer of the Town shall annually certify in writing, in the form attached hereto as Exhibit "B", and subject to the penalties for perjury, that the officer has not violated the requirements of IND. CODE § 36-1-21 as adopted by this Ordinance. An elected officer shall submit the certification to the President of the Town Council not later than December 31 of each year.

Section 6. Effective Date of Ordinance.

This Ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 25th day of June, 2012.



Paul J. Rhodes
Council President

ABSENT

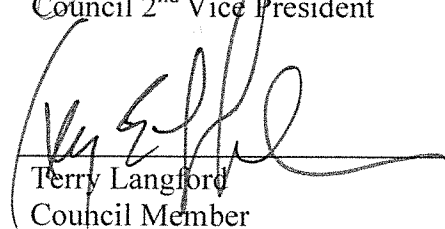
Brian K. Meyer
Council Vice President



James H. LaMaster
Council 2nd Vice President



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Council Member



Terry Langford
Council Member



Attest: David L. Kinder
Clerk-Treasurer

**TOWN OF SELLERSBURG ELECTED OFFICIALS' DISCLOSURE
OF RELATIVE'S CONTRACT WITH THE TOWN OF SELLERSBURG
GOVERNMENT**

IND. CODE § 36-1-21-5 provides in pertinent part as follows:

A unit may enter into a contract or renew a contract for the procurement of goods and services or contract for public works with:

- (1) an individual who is a relative of an elected official; or
- (2) a business entity that is wholly or partially owned by a relative of an elected official;

only if the elected official files with the unit a full disclosure which must:

- (a) be in writing;
- (b) describe the contract or purchase to be made by the unit;
- (c) describe the relationship that the elected official has to the individual or business entity that contracts or purchases;
- (d) be affirmed under penalty of perjury;
- (e) be submitted to and accepted by the legislative body of the unit in a public meeting prior to final action on the contract or purchase;
- (f) be filed with the State Board of Accounts and the Clerk of the Clark Circuit Court within fifteen (15) days after the unit takes final action on the contract or purchase.

The foregoing consists only of excerpts and clarifying language from IND. CODE § 36-1-21-5. Care should be taken to review IND. CODE § 36-1-21-5 and IND. CODE § 35-44-1-3.1 in their entirety.

1. Name of Elected Official Submitting Disclosure: _____

2. Name of Office: _____

3. Description of Contract for purchase or public works (describe the kind of contract, the project name, the governing body or person(s) proposing to execute the contract for Town of Sellersburg government, the length of the contract term and the contractor):

4. Describe all of the ownership interests of the Contractor:

5. Describe the relationship of the Contractor from which the municipality is contracting for the purchase of goods, services or public works to the Elected Official submitting this Disclosure (the relationship is the disclosure of which one of the following relatives: spouse, parent, stepparent, child, stepchild, adopted child, brother, half-brother, stepbrother, sister, half-sister, stepsister niece or nephew aunt of uncle, daughter-in-law or son-in-law is the Contractor or has an ownership interest in the Contractor):

(Attach extra pages as needed)

6. The appropriate agency of Town of Sellersburg government contracting for the goods, services or public works made its certified statements as required by law on the ____ day of _____, 20____, and believes that it has complied with state law.

7. Submission to the Town of Sellersburg Council: (Disclosure of a Relative's contract must be submitted to the Town Council prior to final action on the contract for the purchase of goods or services, or for the construction of public works.)

Date Submitted to Council: _____

Anticipated Date of Award of Contract or Purchase: _____

8. Affirmation of Elected Official: This disclosure was submitted to the Council of the Town of Sellersburg for its acceptance as the legislative body of Town of Sellersburg government in a public meeting prior to final action on the contract or purchase. I affirm, under penalty of perjury, the truth and completeness of the statements made above, and that I am the above named public servant.

Signature of Elected Official

Date: _____

**CERTIFICATION OF ELECTED OFFICIAL TO THE PRESIDENT OF THE
SELLERSBURG TOWN COUNCIL AS THE EXECUTIVE OF THE TOWN OF
SELLERSBURG GOVERNMENT REGARDING COMPLIANCE WITH THE
CONTRACTING WITH A UNIT BY A RELATIVE POLICY OF SELLERSBURG**

I, _____ (*printed name*), the duly elected
and serving _____ (*insert office*) of the Town of
Sellersburg, Indiana, hereby certify that I have not violated the Town of Sellersburg Contracting
with a Unit by a Relative Policy established pursuant to the requirements of IND. CODE § 36-1-
21, as amended or supplemented, and relating to contracts with Town of Sellersburg Government
with either my Relatives, or business interests controlled by my Relatives, as further described in
Ordinance No .2012-008. I understand that the term “Relative” means my spouse, parent or
stepparent, child or stepchild, brother, sister, stepbrother, stepsister, niece, nephew, aunt, uncle,
daughter-in-law or son-in-law (including half-bloods and adopted children). I intend for this to
be submitted to the President of the Town of Sellersburg Council prior to the end of this calendar
year.

I hereby verify under the penalty of perjury that the foregoing statements are true.

Dated this ____ day of _____, 20__.

Signature of Elected Official

Ordinance No. 2012-009

AN ORDINANCE TO ABOLISH DORMANT FUNDS AND THE TRANSFER OF THE BALANCE IN THE DORMANT FUNDS TO THE GENERAL FUND

WHEREAS, the Town of Sellersburg Clerk-Treasurer has determined there exists a need to abolish dormant funds and to transfer the dormant fund balances to the General Fund to continue efficient and effective maintenance of the Town of Sellersburg; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that the request to abolish the funds and to transfer the dormant fund balances to the General Fund is necessary for continued efficient and effective maintenance of the Town of Sellersburg; and

WHEREAS, this matter was considered in an open public meeting at which the public were invited to attend and participate.


BE IT NOW THEREFORE ORDAINED that the following funds be abolished and the dormant fund balances transferred to the General Fund as follows:

<u>Dormant Fund Name</u>	<u>Dormant Fund Balance</u>
FIELDHOUSE FUND	\$1,427.31
CLERK'S RECORD PERPETUATION FUND	\$5,956.17
DEFERRAL USER FEE FUND	\$2,818.00

SO ORDAINED THIS 9th DAY OF July 2012.

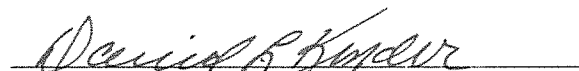

Paul J. Rhodes, Council President


Brian K. Meyer, Council Vice President


James H. LaMaster, 2nd Vice President


Terry E. Langford, Council Member


Michael N. Lockhart, Council Member


ATTEST: David L. Kinder
Clerk-Treasurer



STATE OF INDIANA

BEFORE THE SELLERSBURG TOWN COUNCIL

ORDINANCE NO. 2012-010

AN ORDINANCE CHANGING THE ZONING MAP DESIGNATION OF PROPERTY LOCATED AT THE COMMONLY KNOWN ADDRESS OF 333 POPP AVENUE, SELLERSBURG, CLARK COUNTY, INDIANA, FROM R-1 RESIDENTIAL TO R-2 RESIDENTIAL.

Whereas, Newberg Ventures, LLC, an Indiana limited liability company, has filed a petition before the Town of Sellersburg Plan Commission to change the zoning map designation of the real property located at the commonly known address of 333 Popp Avenue, Sellersburg, Clark County, Indiana, that is more particularly described in attached "Exhibit A" from R-1 Residential to R-2 Residential; and,

Whereas, on July 16, 2012, the Town of Sellersburg Plan Commission conducted a public hearing on the petition following notice required by applicable law, and following the conclusion of such hearing certified its favorable recommendation of the petition to this Town Council concerning the proposed change to the Town's zoning map; and,

Whereas, this matter is now before the Town Council at its first regular meeting following certification of the proposed change of zoning map designation pursuant to the provisions of IC 36-7-4-608(f)(1); and,

Whereas, this Town Council has timely posted notice of its intent to consider the proposed change of zoning map designation at such meeting; and,

Whereas, all interested persons having been given an opportunity to appear before this Town Council and be heard regarding this matter as required by law.

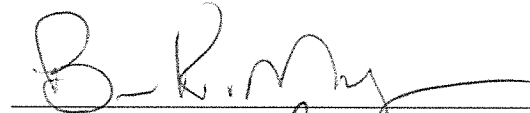
NOW, THEREFORE, BE IT ORDAINED by this Town Council of the Town of Sellersburg, Indiana, that the zoning designation of the real property described in the attached "Exhibit A" is hereby changed from R-1 Residential to R-2 Residential; and,

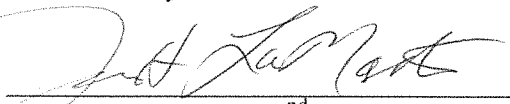
IT IS FURTHER ORDAINED that the zoning map of the Town of Sellersburg shall promptly be amended to reflect such change following the adoption of this Ordinance.


This Ordinance shall be in full force and effect upon its adoption.

SO ORDAINED this 23rd day of July, 2012.


Paul J. Rhodes, Council President


Brian K. Meyer, Council Vice President


James H. LaMaster, 2nd Vice-President


Terry E. Langford, Council Member


Michael N. Lockhart, Council Member



ATTEST: David L. Kinder
Clerk-Treasurer

EXHIBIT "A"

Lot No. Seven (7) in Block No. Four (4) of Edward Dold and Magdalena Popp Addition to the Town of Sellersburg, Indiana, as shown in plat recorded in Plan Book 3, page 70 in the Office of the Recorder, Clark County, Indiana.

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG

ORDINANCE NO. 2012 -011

AN ORDINANCE AMENDING WEEDS; GRASS AND RANK VEGETATION
§ 95.48 REMOVAL NOTICE

WHEREAS, IND. CODE § 36-7-10.1-3, as added by P.L. 113-2010, SECTION 130, with an effective date of July 1, 2012, permits this Council to amend the current Removal Notice requirements under *WEEDS; GRASS AND RANK VEGETATION* of the Town's Ordinances.

WHEREAS, *WEEDS; GRASS AND RANK VEGETATION* § 95.48 REMOVAL NOTICE is vacated and amended as follows:

§ 95.48 REMOVAL NOTICE; CONTINUOUS NOTICE

(A) Whenever the Building Commissioner finds grass, weeds or rank vegetation on property within the Town which is in such a condition as to violate this chapter, the Building Commissioner shall issue a written notice to the landowner to remove the grass, weeds or rank vegetation within three (3) days of the date of receipt of the notice.

(B) The notice shall be sent by certified mail, return receipt requested, or an equivalent service permitted under IND. CODE § 1-1-7-1 to:

- (1) the owner of record of real property with a single owner; or
- (2) at least one (1) of the owners of real property with multiple owners;

at the last address of the owner for the property as indicated in the records of the county auditor on the date of the notice.

(C) The initial notice will also specify that *"this will serve as a continuous abatement notice and will be posted at the property at the time of each abatement occurrence instead of by certified mail or equivalent service for all future infractions."*

(D) The continuous abatement notice will be posted at the property at the time of each abatement occurrence after the initial notice is served.

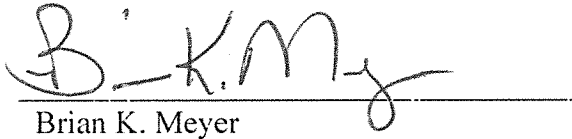
WHEREAS, this Ordinance is in the best interest of the Town and will save the Town of Sellersburg money by not having to send out multiple certified letters.


NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that the *WEEDS; GRASS AND RANK VEGETATION* § 95.48 REMOVAL NOTICE section of the Town's Ordinances be amended.

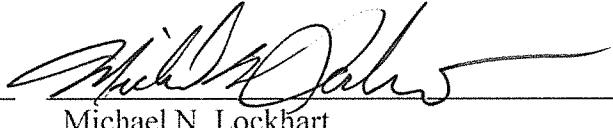
This Ordinance shall be in full force and effect upon its adoption

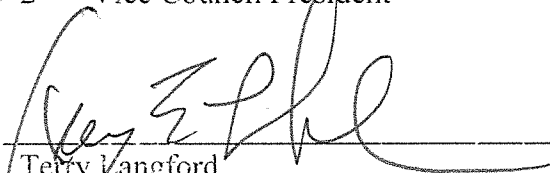
So Ordained this 13th day of August, 2012



Paul J. Rhodes
Council President


Brian K. Meyer
Council Vice President


James H. LaMaster
2nd -- Vice Council President


Michael N. Lockhart
Council Member


Terry Langford
Council Member


Attest: David L. Kinder
Clerk-Treasurer

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG

ORDINANCE NO. 2012 - 012

AN ORDINANCE RESCINDING SECTION 22: GENERAL PROVISIONS
SUBSECTION A. TEMPORARY BUILDING OR USES FROM ORDINANCE 2012-004

WHEREAS, the Town Council for the Town of Sellersburg previously passed Ordinance No. 2012-004 *AMENDED BUILDING ORDINANCE OF THE TOWN OF SELLERSBURG*.


WHEREAS, Section 22: General Provisions Subsection A. *Temporary Building or Uses* of Ordinance No. 2012-004 is hereby rescinded;

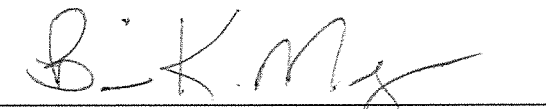
WHEREAS, the remaining sections of Ordinance No. 2012-004 remain unaltered and controlling.


NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that Section 22: General Provisions Subsection A. *Temporary Building or Uses* of Ordinance No. 2012-004 be rescinded.

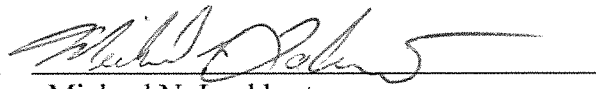
This Ordinance shall be in full force and effect upon its adoption

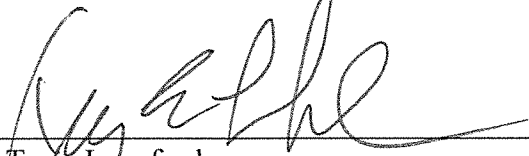
So Ordained this 10th day of September, 2012

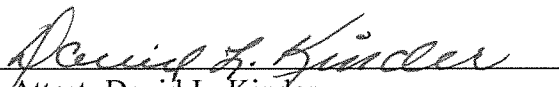

Paul J. Rhodes
Council President


Brian K. Meyer
Council Vice President


James H. LaMaster
2nd – Vice Council President


Michael N. Lockhart
Council Member


Terry Langford
Council Member


Attest: David L. Kinder
Clerk-Treasurer

ORDINANCE NO. 2012-013

AN ORDINANCE OF THE TOWN OF SELLERSBURG, INDIANA AUTHORIZING THE ISSUANCE OF ITS ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS, SERIES 2012 (EASTSIDE CHRISTIAN CHURCH PROJECT), IN THE PRINCIPAL AMOUNT OF \$4,500,000 TO REFINANCE THE TOWN OF SELLERSBURG, INDIANA ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 2008 (EASTSIDE CHRISTIAN CHURCH PROJECT) IN THE ORIGINAL PRINCIPAL AMOUNT OF \$4,500,000 (THE "PRIOR BONDS"); AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AND LOAN AGREEMENT WITH RESPECT TO THE BONDS AMONG THE TOWN OF SELLERSBURG, INDIANA, AS ISSUER, RIVER VALLEY FINANCIAL BANK, AS PURCHASER, AND EASTSIDE CHRISTIAN CHURCH, AS BORROWER, PROVIDING FOR LOAN REPAYMENTS SUFFICIENT TO PAY THE PRINCIPAL OF, AND INTEREST ON THE REFUNDING BONDS AS THE SAME BECOME DUE; AND TAKING OTHER RELATED ACTION

A. The Town of Sellersburg, Indiana (the "Town") is organized and exists under the laws of the State of Indiana (the "State") and as such is authorized under the Economic Development and Pollution Control Act, as amended IC 36-7-11 and 12, and IC 5-1-5 (collectively, the "Act"), to issue its economic development revenue refunding bonds and lend the proceeds thereof to refinance and refund the Prior Bonds the original proceeds of which were used specifically for facilities for commercial, business, healthcare, including education, or recreational activities (whether for profit or not-for-profit), in order to accomplish thereby the public purposes of the Act and to benefit the general welfare of the Town, provided that such bonds are payable solely from revenues and receipts derived from the "financing agreement" (as defined in the Act) and are not in any respect a general obligation of the Town nor payable in any manner from revenues raised by taxation.

B. The Town of Sellersburg, Indiana, on December 17, 2008 issued \$4,500,000 of its Town of Sellersburg, Indiana Economic Development Revenue Bonds, Series 2008 (Eastside Christian Church Project) to finance the costs of the construction, installation and equipping of an approximately 45,000 square foot addition and renovations to an existing facility to be used

for education, recreation, cultural and other related activities located at 2319 Veterans Parkway, Jeffersonville, Indiana 47130 and located approximate to the Town of Sellersburg, Indiana (the "Series 2008 Bonds").

C. Eastside Christian Church (the "Company") has now applied to the Town of Sellersburg to issue Bonds in the amount of \$4,500,000 to refund and refinance the Prior Bonds in order to reduce the interest costs and to otherwise provide for a new amortization of said Prior Bonds.

D. In order to accomplish the public purposes of the Act and to benefit the economic and educational welfare of the citizens of the Town, the Town Council considers it necessary and proper to [i] authorize the issuance of the Town's Economic Development Revenue Refunding Bonds, Series 2012 (Eastside Christian Church Project) (the "2012 Bonds") and to loan the proceeds thereof to the Borrower to refinance the Prior Bonds, [ii] authorize the execution and delivery of the Bond Purchase and Loan Agreement providing for payment sufficient to retire the Series 2012 Bonds, and [iii] take other related action.

NOW, THEREFORE, BE IT ORDAINED by the Town of Sellersburg Economic Development Commission as follows:

1. Public Purpose. The Town Council hereby finds and declares that the issuance of the 2012 Bonds and the loan of the proceeds thereof to the Borrower to refinance the costs of the Prior Bonds, as herein provided, will further the public purposes of the Act.

2. Authorization of the 2012 Bonds. For the purposes set forth in the preamble hereto, there is hereby authorized and directed:

A. the issuance, execution, sale and delivery of the 2012 Bonds, as provided in the Bond Purchase and Loan Agreement.

B. the authorization and approval and direction to the President of the Town Council to execute and deliver the Bonds with the Clerk/Treasurer of the Town Council to attest and also execute said 2012 Bonds.

3. Authorization of Bond Purchase and Loan Agreement. The President of the Town Council and the Clerk/Treasurer of the Town Council are hereby authorized and directed to execute and deliver on behalf of the Town the Council the Bond Purchase and Loan Agreement, substantially in the form attached hereto as Exhibit "A".

4. The Town of Sellersburg having found that the Series 2008 Bonds were designated "qualified tax exempt obligations" for the purposes of Section 265(b)(3)(B)(ii) of the Internal Revenue Code of 1986, and further finds that the average weighted maturity of the 2012 Bonds will not exceed the average weighted maturity of the Prior Bonds hereby confirms that the Series 2008 Bonds will continue to be "qualified tax exempt obligations" for the purposes of Section 265(b)(3)(B)(ii) of the Internal Revenue Code of 1986. The Town of Sellersburg, Indiana, further finds that it does not "reasonably anticipate" issuing more than \$10,000,000 in tax exempt obligations in the calendar year 2012.

5. NONE OF THE BONDS WILL BE GENERAL OBLIGATIONS OF THE TOWN OF SELLERSBURG, THE TOWN COUNCIL OR THE TOWN OF SELLERSBURG ECONOMIC DEVELOPMENT COMMISSION; NEITHER THE BONDS NOR THE INTEREST THEREON CONSTITUTE OR GIVE RISE TO ANY INDEBTEDNESS OF THE TOWN OF SELLERSBURG, THE TOWN COUNCIL OR THE TOWN OF SELLERSBURG ECONOMIC DEVELOPMENT COMMISSION OR ANY CHARGE AGAINST ITS GENERAL CREDIT OR TAXING POWER; THE BONDS AND THE PAYMENT OF INTEREST THEREON SHALL BE SECURED AND PAYABLE SOLELY AND ONLY BY A PLEDGE OF AMOUNTS TO BE PAID BY THE COMPANY UNDER ANY LOAN

AGREEMENT; AND NO PART OF SAID PROJECT COSTS WILL BE PAYABLE OUT OF ANY GENERAL FUNDS, REVENUES, ASSETS, PROPERTIES OR OTHER CONTRIBUTIONS OF THE TOWN OF SELLERSBURG, THE TOWN COUNCIL OR THE TOWN OF SELLERSBURG ECONOMIC DEVELOPMENT COMMISSION.

6. Further Acts and Deeds. The President of the Town Council and the Clerk/Treasurer of the Town Council and other appropriate officers and employees of the Town are hereby authorized and directed to execute, acknowledge and deliver on behalf of the Town any and all papers, instruments, certificates, affidavits and other documents and to do and cause to be done any and all acts and things necessary or proper for entering into and effecting this Ordinance, the Bond Purchase and Loan Agreement and the 2012 Bonds, provided that neither the Town nor any of its members, officers, employees or agents shall incur any general liability thereby.

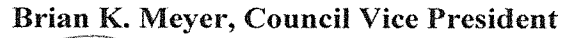
7. Severability. The provisions of this Ordinance are severable, and if any section phrase or provision hereof shall for any reason be declared invalid or unenforceable, such declaration shall not affect the validity of the remainder of this Ordinance.


8. Prior Conflicting Actions Superseded. To the extent that any ordinance, resolution, order or part thereof is in conflict with the provisions of this ordinance, the provisions of this Ordinance shall prevail and be given effect.


9. Effective Date. This Ordinance shall be in full force and effect from and after its enactment.

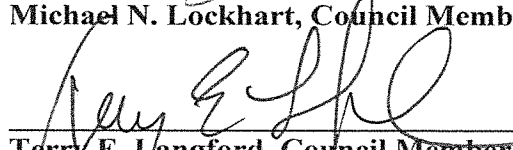
SO ORDAINED THIS 8th DAY OF OCTOBER, 2012.

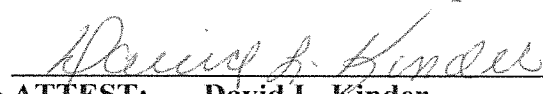

Paul J. Rhodes, Council President


Brian K. Meyer, Council Vice President


Michael N. Lockhart, Council Member


James H. LaMaster, Council Member


Terry E. Langford, Council Member


ATTEST: David L. Kinder,
Clerk-Treasurer






ORDINANCE / RESOLUTION FOR APPROPRIATIONS AND TAX RATE

Ordinance / Resolution Number: 2012-015

Be it ordained / resolved by the **SELLERSBURG TOWN COUNCIL** that for the expenses of **SELLERSBURG CIVIL TOWN**, Indiana for the year ending December 31, **2013** the sum of **\$4,678,388** as shown on Budget Form 4-A are hereby appropriated and ordered set apart out of the funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expense of **SELLERSBURG CIVIL TOWN**, a total property tax levy of **\$1,644,271** and a total tax rate of **0.6851**, are adopted as shown on Budget Form 4-B and included herein. Budget Form 4-A and 4-B for all funds and departments are incorporated by the signing of this form and must be completed and submitted in the manner prescribed by the Department of Local Government Finance.

This ordinance / resolution shall be in full force and effect from and after its passage and approval by the taxing **SELLERSBURG TOWN COUNCIL**.

Name of Adopting Entity	Select Type of Fiscal Body	Date of Adoption
SELLERSBURG TOWN COUNCIL	Town Council	10/22/2012

Name		Signature
Paul J. Rhodes, President	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Brian K. Meyer, Vice President	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
James H. LaMaster, 2nd Vice President	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Terry E. Langford, Member	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Michael N. Lockhart, Member	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	

ATTEST

Name	Title	Signature
David L. Kinder	Clerk Treasurer	

MAYOR ACTION (For City use only)

Name		Signature	Date
	Approve <input type="checkbox"/> Veto <input type="checkbox"/>		

BUDGET REPORT FOR

Selected Year: 2013
Selected County: 10 - Clark County
Selected Unit: 0552 - SELLERSBURG CIVIL TOWN
Selected Fund: 0101 - GENERAL

DEPARTMENT: 0041 CLERK-TREASURER (CITY/TOWN UNITS ONLY)

		Published Amount	Adopted Amount
10000	PERSONAL SERVICES	\$172,000	\$172,000
20000	SUPPLIES	\$11,000	\$11,000
30000	SERVICES AND CHARGES	\$28,000	\$28,000
40000	CAPITAL OUTLAY	\$4,000	\$4,000
9999	Total	\$215,000	\$215,000

DEPARTMENT: 0069 CITY COUNCIL/TOWN BOARD (COMMON COUNCIL)

		Published Amount	Adopted Amount
10000	PERSONAL SERVICES	\$435,000	\$435,000
20000	SUPPLIES	\$3,000	\$3,000
30000	SERVICES AND CHARGES	\$403,080	\$403,080
40000	CAPITAL OUTLAY	\$18,300	\$18,300
9999	Total	\$859,380	\$859,380

DEPARTMENT: 0370 POLICE DEPARTMENT (TOWN MARSHALL)

		Published Amount	Adopted Amount
10000	PERSONAL SERVICES	\$1,203,370	\$1,203,370
20000	SUPPLIES	\$30,000	\$30,000
30000	SERVICES AND CHARGES	\$88,550	\$88,550
40000	CAPITAL OUTLAY	\$74,700	\$74,700
9999	Total	\$1,396,620	\$1,396,620

DEPARTMENT: 0524 STREET

		Published Amount	Adopted Amount
10000	PERSONAL SERVICES	\$270,000	\$270,000
20000	SUPPLIES	\$64,000	\$64,000
30000	SERVICES AND CHARGES	\$166,000	\$166,000
40000	CAPITAL OUTLAY	\$199,000	\$199,000
9999	Total	\$699,000	\$699,000

Totals by Fund

Published Amt.: \$3,170,000

Adopted Amt.: \$3,170,000

BUDGET REPORT FOR

Selected Year: 2013
Selected County: 10 - Clark County
Selected Unit: 0552 - SELLERSBURG CIVIL TOWN
Selected Fund: 0061 - RAINY DAY

DEPARTMENT: 0000 NO DEPARTMENT

		Published Amount	Adopted Amount
10000	PERSONAL SERVICES	\$0	\$0
20000	SUPPLIES	\$0	\$0
30000	SERVICES AND CHARGES	\$215,052	\$215,052
40000	CAPITAL OUTLAY	\$0	\$0
9999	Total	\$215,052	\$215,052

Totals by Fund

Published Amt.: \$215,052

Adopted Amt.: \$215,052

BUDGET REPORT FOR

Selected Year: 2013
Selected County: 10 - Clark County
Selected Unit: 0552 - SELLERSBURG CIVIL TOWN
Selected Fund: 9506 - CHRISTMAS FOR KIDS

DEPARTMENT: 0000 NO DEPARTMENT

		Published Amount	Adopted Amount
10000	PERSONAL SERVICES	\$0	\$0
20000	SUPPLIES	\$16,510	\$16,510
30000	SERVICES AND CHARGES	\$0	\$0
40000	CAPITAL OUTLAY	\$0	\$0
9999	Total	\$16,510	\$16,510

Totals by Fund

Published Amt.: \$16,510

Adopted Amt.: \$16,510

Totals by Unit

Published Amt.: \$4,678,388

Adopted Amt.: \$4,678,388

Form Signature

This form was electronically signed by **DAVID L. KINDER, CLERK TREASURER**, on **10/02/2012**.

BUDGET REPORT FOR

Selected Year: 2013
Selected County: 10 - Clark County
Selected Unit: 0552 - SELLERSBURG CIVIL TOWN
Selected Fund: 9504 - POLICE EQUIPMENT FUND

DEPARTMENT: 0000 NO DEPARTMENT

		Published Amount	Adopted Amount
10000	PERSONAL SERVICES	\$0	\$0
20000	SUPPLIES	\$0	\$0
30000	SERVICES AND CHARGES	\$0	\$0
40000	CAPITAL OUTLAY	\$3,399	\$3,399
9999	Total	\$3,399	\$3,399

Totals by Fund

Published Amt.: \$3,399

Adopted Amt.: \$3,399

BUDGET REPORT FOR

Selected Year: 2013
Selected County: 10 - Clark County
Selected Unit: 0552 - SELLERSBURG CIVIL TOWN
Selected Fund: 9503 - POLICE STATION FUND

DEPARTMENT: 0000 NO DEPARTMENT			
		Published Amount	Adopted Amount
10000	PERSONAL SERVICES	\$0	\$0
20000	SUPPLIES	\$619	\$619
30000	SERVICES AND CHARGES	\$0	\$0
40000	CAPITAL OUTLAY	\$0	\$0
9999	Total	\$619	\$619

Totals by Fund	Published Amt.: \$619	Adopted Amt.: \$619
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BUDGET REPORT FOR

Selected Year: 2013
Selected County: 10 - Clark County
Selected Unit: 0552 - SELLERSBURG CIVIL TOWN
Selected Fund: 9502 - POLICE GRANTS

DEPARTMENT: 0000 NO DEPARTMENT			
		Published Amount	Adopted Amount
10000	PERSONAL SERVICES	\$0	\$0
20000	SUPPLIES	\$0	\$0
30000	SERVICES AND CHARGES	\$100,000	\$100,000
40000	CAPITAL OUTLAY	\$0	\$0
9999	Total	\$100,000	\$100,000

Totals by Fund	Published Amt.: \$100,000	Adopted Amt.: \$100,000
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BUDGET REPORT FOR

Selected Year: 2013
Selected County: 10 - Clark County
Selected Unit: 0552 - SELLERSBURG CIVIL TOWN
Selected Fund: 9501 - LAW ENFORCEMENT CONTINUING EDUCATION

DEPARTMENT: 0000 NO DEPARTMENT

		Published Amount	Adopted Amount
10000	PERSONAL SERVICES	\$0	\$0
20000	SUPPLIES	\$0	\$0
30000	SERVICES AND CHARGES	\$49,477	\$49,477
40000	CAPITAL OUTLAY	\$0	\$0
9999	Total	\$49,477	\$49,477

Totals by Fund

Published Amt.: \$49,477

Adopted Amt.: \$49,477

BUDGET REPORT FOR

Selected Year: 2013
Selected County: 10 - Clark County
Selected Unit: 0552 - SELLERSBURG CIVIL TOWN
Selected Fund: 9500 - PUBLIC SAFETY FUND

DEPARTMENT: 0000 NO DEPARTMENT

		Published Amount	Adopted Amount
10000	PERSONAL SERVICES	\$0	\$0
20000	SUPPLIES	\$0	\$0
30000	SERVICES AND CHARGES	\$0	\$0
40000	CAPITAL OUTLAY	\$234,083	\$234,083
9999	Total	\$234,083	\$234,083

Totals by Fund

Published Amt.: \$234,083

Adopted Amt.: \$234,083

BUDGET REPORT FOR

Selected Year: 2013
Selected County: 10 - Clark County
Selected Unit: 0552 - SELLERSBURG CIVIL TOWN
Selected Fund: 2411 - ECONOMIC DEV INCOME TAX CEDIT

DEPARTMENT: 0000 NO DEPARTMENT			
		Published Amount	Adopted Amount
10000	PERSONAL SERVICES	\$0	\$0
20000	SUPPLIES	\$0	\$0
30000	SERVICES AND CHARGES	\$250,000	\$250,000
40000	CAPITAL OUTLAY	\$0	\$0
9999	Total	\$250,000	\$250,000

Totals by Fund	Published Amt.: \$250,000	Adopted Amt.: \$250,000
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BUDGET REPORT FOR

Selected Year: 2013
Selected County: 10 - Clark County
Selected Unit: 0552 - SELLERSBURG CIVIL TOWN
Selected Fund: 2390 - CUMULATIVE CAPITAL IMP (RATE)

DEPARTMENT: 0000 NO DEPARTMENT			
		Published Amount	Adopted Amount
10000	PERSONAL SERVICES	\$0	\$0
20000	SUPPLIES	\$0	\$0
30000	SERVICES AND CHARGES	\$0	\$0
40000	CAPITAL OUTLAY	\$21,578	\$21,578
9999	Total	\$21,578	\$21,578

Totals by Fund	Published Amt.: \$21,578	Adopted Amt.: \$21,578
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BUDGET REPORT FOR

Selected Year: 2013
Selected County: 10 - Clark County
Selected Unit: 0552 - SELLERSBURG CIVIL TOWN
Selected Fund: 1303 - PARK

DEPARTMENT: 0000 NO DEPARTMENT			
		Published Amount	Adopted Amount
10000	PERSONAL SERVICES	\$78,000	\$78,000
20000	SUPPLIES	\$57,000	\$57,000
30000	SERVICES AND CHARGES	\$42,000	\$42,000
40000	CAPITAL OUTLAY	\$23,000	\$23,000
9999	Total	\$200,000	\$200,000

Totals by Fund	Published Amt.: \$200,000	Adopted Amt.: \$200,000
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BUDGET REPORT FOR

Selected Year: 2013
Selected County: 10 - Clark County
Selected Unit: 0552 - SELLERSBURG CIVIL TOWN
Selected Fund: 0708 - MOTOR VEHICLE HIGHWAY

DEPARTMENT: 0000 NO DEPARTMENT

		Published Amount	Adopted Amount
10000	PERSONAL SERVICES	\$0	\$0
20000	SUPPLIES	\$0	\$0
30000	SERVICES AND CHARGES	\$60,000	\$60,000
40000	CAPITAL OUTLAY	\$119,438	\$119,438
9999	Total	\$179,438	\$179,438

Totals by Fund

Published Amt.: \$179,438

Adopted Amt.: \$179,438

BUDGET REPORT FOR

Selected Year: 2013
Selected County: 10 - Clark County
Selected Unit: 0552 - SELLERSBURG CIVIL TOWN
Selected Fund: 0706 - LOCAL ROAD & STREET

DEPARTMENT: 0000 NO DEPARTMENT			
		Published Amount	Adopted Amount
10000	PERSONAL SERVICES	\$0	\$0
20000	SUPPLIES	\$10,000	\$10,000
30000	SERVICES AND CHARGES	\$0	\$0
40000	CAPITAL OUTLAY	\$78,232	\$78,232
9999	Total	\$88,232	\$88,232

Totals by Fund	Published Amt.: \$88,232	Adopted Amt.: \$88,232
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BUDGET REPORT FOR

Selected Year: 2013
Selected County: 10 - Clark County
Selected Unit: 0552 - SELLERSBURG CIVIL TOWN
Selected Fund: 0342 - POLICE PENSION

DEPARTMENT: 0000 NO DEPARTMENT

		Published Amount	Adopted Amount
10000	PERSONAL SERVICES	\$142,000	\$142,000
20000	SUPPLIES	\$0	\$0
30000	SERVICES AND CHARGES	\$8,000	\$8,000
40000	CAPITAL OUTLAY	\$0	\$0
9999	Total	\$150,000	\$150,000

Totals by Fund

Published Amt.: \$150,000

Adopted Amt.: \$150,000

Budget Estimate- Financial Statement-Proposed Tax Rate

Taxing Unit: 0552 - SELLERSBURG CIVIL TOWN
Fund Name: 0101 - GENERAL
County: 10 - Clark County
Year: 2013

Net Assessed Value		\$240,000,000	
Funds Required For Expenses To December 31st Of Incoming Year		Amount Used To Compute Published Budget	Appropriating Body
1. Total budget estimate for incoming year		\$3,170,000	\$3,170,000
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended		\$1,821,590	\$1,821,590
3. Additional appropriation necessary to be made July 1 to December 31 of present year		\$0	\$0
4. Outstanding temporary loans:			
a). To be paid not included in lines 2 or 3		\$0	\$0
b). Not repaid by December 31 of present year		\$0	\$0
5. TOTAL FUNDS required (add lines 1,2,3,4a and 4b)		\$4,991,590	\$4,991,590
Funds On Hand To Be Received From Sources Other Than Proposed Tax Levy		Amount Used To Compute Published Budget	Appropriating Body
6. Actual cash balance, June 30 of present year (including cash investments)		\$726,062	\$726,062
7. Taxes to be collected, present year (December settlement)		\$858,008	\$858,008
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year (Schedule on File):			
a). Total Column A Budget Form 2		\$582,360	\$582,360
b). Total Column B Budget Form 2		\$1,131,518	\$1,131,518
9. TOTAL FUNDS (Add lines 6, 7, 8a and 8b)		\$3,297,948	\$3,297,948
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from 5)		\$1,693,642	\$1,693,642

Proposed Tax Rate and Levy		Amount Used To Compute Published Budget	Appropriating Body
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)		\$0	\$0
12. Amount to be raised by tax levy (add lines 10 and 11)		\$1,693,642	\$1,693,642
13a. Property Tax Replacement Credit from Local Option Tax		\$92,380	\$92,380
13b. Operating LOIT		\$0	\$0
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13a and 13b from line 12)		\$1,601,262	\$1,601,262
15. Levy Excess Fund applied to current budget		\$0	\$0
16. Net amount to be raised		\$1,601,262	\$1,601,262
17. Net Tax Rate on each one hundred dollars of taxable property		0.6672	0.6672

Budget Estimate- Financial Statement-Proposed Tax Rate

Taxing Unit: 0552 - SELLERSBURG CIVIL TOWN
Fund Name: 0061 - RAINY DAY
County: 10 - Clark County
Year: 2013

Net Assessed Value		\$240,000,000
Funds Required For Expenses To December 31st Of Incoming Year	Amount Used To Compute Published Budget	Appropriating Body
1. Total budget estimate for incoming year	\$215,052	\$215,052
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	\$0	\$0
3. Additional appropriation necessary to be made July 1 to December 31 of present year	\$0	\$0
4. Outstanding temporary loans: a). To be paid not included in lines 2 or 3	\$0	\$0
b). Not repaid by December 31 of present year	\$0	\$0
5. TOTAL FUNDS required (add lines 1,2,3,4a and 4b)	\$215,052	\$215,052
Funds On Hand To Be Received From Sources Other Than Proposed Tax Levy	Amount Used To Compute Published Budget	Appropriating Body
6. Actual cash balance, June 30 of present year (including cash investments)	\$215,052	\$215,052
7. Taxes to be collected, present year (December settlement)	\$0	\$0
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year (Schedule on File): a). Total Column A Budget Form 2	\$0	\$0
b). Total Column B Budget Form 2	\$0	\$0
9. TOTAL FUNDS (Add lines 6, 7, 8a and 8b)	\$215,052	\$215,052
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from 5)	\$0	\$0

Proposed Tax Rate and Levy	Amount Used To Compute Published Budget	Appropriating Body
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)	\$0	\$0
12. Amount to be raised by tax levy (add lines 10 and 11)	\$0	\$0
13a. Property Tax Replacement Credit from Local Option Tax	\$0	\$0
13b. Operating LOIT	\$0	\$0
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13a and 13b from line 12)	\$0	\$0
15. Levy Excess Fund applied to current budget	\$0	\$0
16. Net amount to be raised	\$0	\$0
17. Net Tax Rate on each one hundred dollars of taxable property	0.0000	0.0000

Budget Estimate- Financial Statement-Proposed Tax Rate

Taxing Unit: 0552 - SELLERSBURG CIVIL TOWN
Fund Name: 9506 - CHRISTMAS FOR KIDS
County: 10 - Clark County
Year: 2013

Net Assessed Value		\$240,000,000	
Funds Required For Expenses To December 31st Of Incoming Year		Amount Used To Compute Published Budget	Appropriating Body
1. Total budget estimate for incoming year		\$16,510	\$16,510
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended		\$0	\$0
3. Additional appropriation necessary to be made July 1 to December 31 of present year		\$0	\$0
4. Outstanding temporary loans:			
a). To be paid not included in lines 2 or 3		\$0	\$0
b). Not repaid by December 31 of present year		\$0	\$0
5. TOTAL FUNDS required (add lines 1,2,3,4a and 4b)		\$16,510	\$16,510
Funds On Hand To Be Received From Sources Other Than Proposed Tax Levy		Amount Used To Compute Published Budget	Appropriating Body
6. Actual cash balance, June 30 of present year (including cash investments)		\$16,510	\$16,510
7. Taxes to be collected, present year (December settlement)		\$0	\$0
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year (Schedule on File):			
a). Total Column A Budget Form 2		\$0	\$0
b). Total Column B Budget Form 2		\$0	\$0
9. TOTAL FUNDS (Add lines 6, 7, 8a and 8b)		\$16,510	\$16,510
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from 5)		\$0	\$0

Proposed Tax Rate and Levy	Amount Used To Compute Published Budget	Appropriating Body
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)	\$0	\$0
12. Amount to be raised by tax levy (add lines 10 and 11)	\$0	\$0
13a. Property Tax Replacement Credit from Local Option Tax	\$0	\$0
13b. Operating LOIT	\$0	\$0
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13a and 13b from line 12)	\$0	\$0
15. Levy Excess Fund applied to current budget	\$0	\$0
16. Net amount to be raised	\$0	\$0
17. Net Tax Rate on each one hundred dollars of taxable property	0.0000	0.0000

Budget Estimate- Financial Statement-Proposed Tax Rate

Taxing Unit: 0552 - SELLERSBURG CIVIL TOWN
Fund Name: 9504 - POLICE EQUIPMENT FUND
County: 10 - Clark County
Year: 2013

Net Assessed Value		\$240,000,000
Funds Required For Expenses To December 31st Of Incoming Year	Amount Used To Compute Published Budget	Appropriating Body
1. Total budget estimate for incoming year	\$3,399	\$3,399
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	\$0	\$0
3. Additional appropriation necessary to be made July 1 to December 31 of present year	\$0	\$0
4. Outstanding temporary loans: a). To be paid not included in lines 2 or 3	\$0	\$0
b). Not repaid by December 31 of present year	\$0	\$0
5. TOTAL FUNDS required (add lines 1,2,3,4a and 4b)	\$3,399	\$3,399
Funds On Hand To Be Received From Sources Other Than Proposed Tax Levy	Amount Used To Compute Published Budget	Appropriating Body
6. Actual cash balance, June 30 of present year (including cash investments)	\$3,399	\$3,399
7. Taxes to be collected, present year (December settlement)	\$0	\$0
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year (Schedule on File): a). Total Column A Budget Form 2	\$0	\$0
b). Total Column B Budget Form 2	\$0	\$0
9. TOTAL FUNDS (Add lines 6, 7, 8a and 8b)	\$3,399	\$3,399
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from 5)	\$0	\$0

Proposed Tax Rate and Levy	Amount Used To Compute Published Budget	Appropriating Body
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)	\$0	\$0
12. Amount to be raised by tax levy (add lines 10 and 11)	\$0	\$0
13a. Property Tax Replacement Credit from Local Option Tax	\$0	\$0
13b. Operating LOIT	\$0	\$0
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13a and 13b from line 12)	\$0	\$0
15. Levy Excess Fund applied to current budget	\$0	\$0
16. Net amount to be raised	\$0	\$0
17. Net Tax Rate on each one hundred dollars of taxable property	0.0000	0.0000

Budget Estimate- Financial Statement-Proposed Tax Rate

Taxing Unit: 0552 - SELLERSBURG CIVIL TOWN
Fund Name: 9503 - POLICE STATION FUND
County: 10 - Clark County
Year: 2013

Net Assessed Value		\$240,000,000	
Funds Required For Expenses To December 31st Of Incoming Year		Amount Used To Compute Published Budget	Appropriating Body
1. Total budget estimate for incoming year		\$619	\$619
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended		\$0	\$0
3. Additional appropriation necessary to be made July 1 to December 31 of present year		\$0	\$0
4. Outstanding temporary loans:			
a). To be paid not included in lines 2 or 3		\$0	\$0
b). Not repaid by December 31 of present year		\$0	\$0
5. TOTAL FUNDS required (add lines 1,2,3,4a and 4b)		\$619	\$619
Funds On Hand To Be Received From Sources Other Than Proposed Tax Levy		Amount Used To Compute Published Budget	Appropriating Body
6. Actual cash balance, June 30 of present year (including cash investments)		\$619	\$619
7. Taxes to be collected, present year (December settlement)		\$0	\$0
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year (Schedule on File):			
a). Total Column A Budget Form 2		\$0	\$0
b). Total Column B Budget Form 2		\$0	\$0
9. TOTAL FUNDS (Add lines 6, 7, 8a and 8b)		\$619	\$619
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from 5)		\$0	\$0

Proposed Tax Rate and Levy	Amount Used To Compute Published Budget	Appropriating Body
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)	\$0	\$0
12. Amount to be raised by tax levy (add lines 10 and 11)	\$0	\$0
13a. Property Tax Replacement Credit from Local Option Tax	\$0	\$0
13b. Operating LOIT	\$0	\$0
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13a and 13b from line 12)	\$0	\$0
15. Levy Excess Fund applied to current budget	\$0	\$0
16. Net amount to be raised	\$0	\$0
17. Net Tax Rate on each one hundred dollars of taxable property	0.0000	0.0000

Budget Estimate- Financial Statement-Proposed Tax Rate

Taxing Unit: 0552 - SELLERSBURG CIVIL TOWN
Fund Name: 9502 - POLICE GRANTS
County: 10 - Clark County
Year: 2013

Net Assessed Value		\$240,000,000	
Funds Required For Expenses To December 31st Of Incoming Year		Amount Used To Compute Published Budget	Appropriating Body
1. Total budget estimate for incoming year		\$100,000	\$100,000
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended		\$0	\$0
3. Additional appropriation necessary to be made July 1 to December 31 of present year		\$0	\$0
4. Outstanding temporary loans:			
a). To be paid not included in lines 2 or 3		\$0	\$0
b). Not repaid by December 31 of present year		\$0	\$0
5. TOTAL FUNDS required (add lines 1,2,3,4a and 4b)		\$100,000	\$100,000
Funds On Hand To Be Received From Sources Other Than Proposed Tax Levy		Amount Used To Compute Published Budget	Appropriating Body
6. Actual cash balance, June 30 of present year (including cash investments)		\$4,240	\$4,240
7. Taxes to be collected, present year (December settlement)		\$0	\$0
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year (Schedule on File):			
a). Total Column A Budget Form 2		\$0	\$0
b). Total Column B Budget Form 2		\$0	\$0
9. TOTAL FUNDS (Add lines 6, 7, 8a and 8b)		\$4,240	\$4,240
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from 5)		\$95,760	\$95,760

Proposed Tax Rate and Levy		Amount Used To Compute Published Budget	Appropriating Body
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)		\$0	\$0
12. Amount to be raised by tax levy (add lines 10 and 11)		\$0	\$0
13a. Property Tax Replacement Credit from Local Option Tax		\$0	\$0
13b. Operating LOIT		\$0	\$0
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13a and 13b from line 12)		\$0	\$0
15. Levy Excess Fund applied to current budget		\$0	\$0
16. Net amount to be raised		\$0	\$0
17. Net Tax Rate on each one hundred dollars of taxable property		0.0000	0.0000

Budget Estimate- Financial Statement-Proposed Tax Rate

Taxing Unit: 0552 - SELLERSBURG CIVIL TOWN
Fund Name: 9501 - LAW ENFORCEMENT CONTINUING EDUCATION
County: 10 - Clark County
Year: 2013

Net Assessed Value		\$240,000,000
Funds Required For Expenses To December 31st Of Incoming Year	Amount Used To Compute Published Budget	Appropriating Body
1. Total budget estimate for incoming year	\$49,477	\$49,477
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	\$0	\$0
3. Additional appropriation necessary to be made July 1 to December 31 of present year	\$0	\$0
4. Outstanding temporary loans: a). To be paid not included in lines 2 or 3	\$0	\$0
b). Not repaid by December 31 of present year	\$0	\$0
5. TOTAL FUNDS required (add lines 1,2,3,4a and 4b)	\$49,477	\$49,477
Funds On Hand To Be Received From Sources Other Than Proposed Tax Levy	Amount Used To Compute Published Budget	Appropriating Body
6. Actual cash balance, June 30 of present year (including cash investments)	\$49,477	\$49,477
7. Taxes to be collected, present year (December settlement)	\$0	\$0
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year (Schedule on File): a). Total Column A Budget Form 2	\$3,675	\$3,675
b). Total Column B Budget Form 2	\$7,350	\$7,350
9. TOTAL FUNDS (Add lines 6, 7, 8a and 8b)	\$60,502	\$60,502
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from 5)	(\$11,025)	(\$11,025)

Proposed Tax Rate and Levy	Amount Used To Compute Published Budget	Appropriating Body
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)	\$0	\$0
12. Amount to be raised by tax levy (add lines 10 and 11)	\$0	\$0
13a. Property Tax Replacement Credit from Local Option Tax	\$0	\$0
13b. Operating LOIT	\$0	\$0
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13a and 13b from line 12)	\$0	\$0
15. Levy Excess Fund applied to current budget	\$0	\$0
16. Net amount to be raised	\$0	\$0
17. Net Tax Rate on each one hundred dollars of taxable property	0.0000	0.0000

Budget Estimate- Financial Statement-Proposed Tax Rate

Taxing Unit: 0552 - SELLERSBURG CIVIL TOWN
Fund Name: 9500 - PUBLIC SAFETY FUND
County: 10 - Clark County
Year: 2013

Net Assessed Value		\$240,000,000	
Funds Required For Expenses To December 31st Of Incoming Year		Amount Used To Compute Published Budget	Appropriating Body
1. Total budget estimate for incoming year		\$234,083	\$234,083
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended		\$0	\$0
3. Additional appropriation necessary to be made July 1 to December 31 of present year		\$0	\$0
4. Outstanding temporary loans:			
a). To be paid not included in lines 2 or 3		\$0	\$0
b). Not repaid by December 31 of present year		\$0	\$0
5. TOTAL FUNDS required (add lines 1,2,3,4a and 4b)		\$234,083	\$234,083
Funds On Hand To Be Received From Sources Other Than Proposed Tax Levy		Amount Used To Compute Published Budget	Appropriating Body
6. Actual cash balance, June 30 of present year (including cash investments)		\$234,083	\$234,083
7. Taxes to be collected, present year (December settlement)		\$0	\$0
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year (Schedule on File):			
a). Total Column A Budget Form 2		\$78,453	\$78,453
b). Total Column B Budget Form 2		\$156,900	\$156,900
9. TOTAL FUNDS (Add lines 6, 7, 8a and 8b)		\$469,436	\$469,436
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from 5)		(\$235,353)	(\$235,353)

Proposed Tax Rate and Levy		Amount Used To Compute Published Budget	Appropriating Body
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)		\$0	\$0
12. Amount to be raised by tax levy (add lines 10 and 11)		\$0	\$0
13a. Property Tax Replacement Credit from Local Option Tax		\$0	\$0
13b. Operating LOIT		\$0	\$0
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13a and 13b from line 12)		\$0	\$0
15. Levy Excess Fund applied to current budget		\$0	\$0
16. Net amount to be raised		\$0	\$0
17. Net Tax Rate on each one hundred dollars of taxable property		0.0000	0.0000

Budget Estimate- Financial Statement-Proposed Tax Rate

Taxing Unit: 0552 - SELLERSBURG CIVIL TOWN
Fund Name: 2411 - ECONOMIC DEV INCOME TAX CEDIT
County: 10 - Clark County
Year: 2013

Net Assessed Value		\$240,000,000	
Funds Required For Expenses To December 31st Of Incoming Year		Amount Used To Compute Published Budget	Appropriating Body
1. Total budget estimate for incoming year		\$250,000	\$250,000
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended		\$0	\$0
3. Additional appropriation necessary to be made July 1 to December 31 of present year		\$0	\$0
4. Outstanding temporary loans:			
a). To be paid not included in lines 2 or 3		\$0	\$0
b). Not repaid by December 31 of present year		\$0	\$0
5. TOTAL FUNDS required (add lines 1,2,3,4a and 4b)		\$250,000	\$250,000
Funds On Hand To Be Received From Sources Other Than Proposed Tax Levy		Amount Used To Compute Published Budget	Appropriating Body
6. Actual cash balance, June 30 of present year (including cash investments)		\$260,359	\$0
7. Taxes to be collected, present year (December settlement)		\$0	\$0
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year (Schedule on File):			
a). Total Column A Budget Form 2		\$77,326	\$77,326
b). Total Column B Budget Form 2		\$154,650	\$154,650
9. TOTAL FUNDS (Add lines 6, 7, 8a and 8b)		\$492,335	\$231,976
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from 5)		(\$242,335)	\$18,024

Proposed Tax Rate and Levy	Amount Used To Compute Published Budget	Appropriating Body
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)	\$0	\$0
12. Amount to be raised by tax levy (add lines 10 and 11)	\$0	\$0
13a. Property Tax Replacement Credit from Local Option Tax	\$0	\$0
13b. Operating LOIT	\$0	\$0
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13a and 13b from line 12)	\$0	\$0
15. Levy Excess Fund applied to current budget	\$0	\$0
16. Net amount to be raised	\$0	\$0
17. Net Tax Rate on each one hundred dollars of taxable property	0.0000	0.0000

Budget Estimate- Financial Statement-Proposed Tax Rate

Taxing Unit: 0552 - SELLERSBURG CIVIL TOWN
Fund Name: 2390 - CUMULATIVE CAPITAL IMP (RATE)
County: 10 - Clark County
Year: 2013

Net Assessed Value		\$240,000,000
Funds Required For Expenses To December 31st Of Incoming Year	Amount Used To Compute Published Budget	Appropriating Body
1. Total budget estimate for incoming year	\$21,578	\$21,578
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	\$11,287	\$11,287
3. Additional appropriation necessary to be made July 1 to December 31 of present year	\$0	\$0
4. Outstanding temporary loans:		
a). To be paid not included in lines 2 or 3	\$0	\$0
b). Not repaid by December 31 of present year	\$0	\$0
5. TOTAL FUNDS required (add lines 1,2,3,4a and 4b)	\$32,865	\$32,865
Funds On Hand To Be Received From Sources Other Than Proposed Tax Levy	Amount Used To Compute Published Budget	Appropriating Body
6. Actual cash balance, June 30 of present year (including cash investments)	\$23,915	\$23,915
7. Taxes to be collected, present year (December settlement)	\$0	\$0
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year (Schedule on File):		
a). Total Column A Budget Form 2	\$8,457	\$8,457
b). Total Column B Budget Form 2	\$15,688	\$15,688
9. TOTAL FUNDS (Add lines 6, 7, 8a and 8b)	\$48,060	\$48,060
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from 5)	(\$15,195)	(\$15,195)

Proposed Tax Rate and Levy	Amount Used To Compute Published Budget	Appropriating Body
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)	\$0	\$0
12. Amount to be raised by tax levy (add lines 10 and 11)	\$0	\$0
13a. Property Tax Replacement Credit from Local Option Tax	\$0	\$0
13b. Operating LOIT	\$0	\$0
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13a and 13b from line 12)	\$0	\$0
15. Levy Excess Fund applied to current budget	\$0	\$0
16. Net amount to be raised	\$0	\$0
17. Net Tax Rate on each one hundred dollars of taxable property	0.0000	0.0000

Budget Estimate- Financial Statement-Proposed Tax Rate

Taxing Unit: 0552 - SELLERSBURG CIVIL TOWN
Fund Name: 1303 - PARK
County: 10 - Clark County
Year: 2013

Net Assessed Value		\$240,000,000	
Funds Required For Expenses To December 31st Of Incoming Year		Amount Used To Compute Published Budget	Appropriating Body
1. Total budget estimate for incoming year		\$200,000	\$200,000
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended		\$100,585	\$100,585
3. Additional appropriation necessary to be made July 1 to December 31 of present year		\$0	\$0
4. Outstanding temporary loans:			
a). To be paid not included in lines 2 or 3		\$0	\$0
b). Not repaid by December 31 of present year		\$0	\$0
5. TOTAL FUNDS required (add lines 1,2,3,4a and 4b)		\$300,585	\$300,585
Funds On Hand To Be Received From Sources Other Than Proposed Tax Levy		Amount Used To Compute Published Budget	Appropriating Body
6. Actual cash balance, June 30 of present year (including cash investments)		\$109,634	\$109,634
7. Taxes to be collected, present year (December settlement)		\$40,000	\$40,000
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year (Schedule on File):			
a). Total Column A Budget Form 2		\$32,524	\$32,524
b). Total Column B Budget Form 2		\$75,418	\$75,418
9. TOTAL FUNDS (Add lines 6, 7, 8a and 8b)		\$257,576	\$257,576
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from 5)		\$43,009	\$43,009

Proposed Tax Rate and Levy	Amount Used To Compute Published Budget	Appropriating Body
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)	\$0	\$0
12. Amount to be raised by tax levy (add lines 10 and 11)	\$43,009	\$43,009
13a. Property Tax Replacement Credit from Local Option Tax	\$0	\$0
13b. Operating LOIT	\$0	\$0
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13a and 13b from line 12)	\$43,009	\$43,009
15. Levy Excess Fund applied to current budget	\$0	\$0
16. Net amount to be raised	\$43,009	\$43,009
17. Net Tax Rate on each one hundred dollars of taxable property	0.0179	0.0179

Budget Estimate- Financial Statement-Proposed Tax Rate

Taxing Unit: 0552 - SELLERSBURG CIVIL TOWN
Fund Name: 0708 - MOTOR VEHICLE HIGHWAY
County: 10 - Clark County
Year: 2013

Net Assessed Value		\$240,000,000
Funds Required For Expenses To December 31st Of Incoming Year	Amount Used To Compute Published Budget	Appropriating Body
1. Total budget estimate for incoming year	\$179,438	\$179,438
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	\$177,386	\$177,386
3. Additional appropriation necessary to be made July 1 to December 31 of present year	\$0	\$0
4. Outstanding temporary loans:		
a). To be paid not included in lines 2 or 3	\$0	\$0
b). Not repaid by December 31 of present year	\$0	\$0
5. TOTAL FUNDS required (add lines 1,2,3,4a and 4b)	\$356,824	\$356,824
Funds On Hand To Be Received From Sources Other Than Proposed Tax Levy	Amount Used To Compute Published Budget	Appropriating Body
6. Actual cash balance, June 30 of present year (including cash investments)	\$94,499	\$94,499
7. Taxes to be collected, present year (December settlement)	\$0	\$0
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year (Schedule on File):		
a). Total Column A Budget Form 2	\$84,369	\$84,369
b). Total Column B Budget Form 2	\$168,054	\$168,054
9. TOTAL FUNDS (Add lines 6, 7, 8a and 8b)	\$346,922	\$346,922
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from 5)	\$9,902	\$9,902

Proposed Tax Rate and Levy	Amount Used To Compute Published Budget	Appropriating Body
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)	\$0	\$0
12. Amount to be raised by tax levy (add lines 10 and 11)	\$0	\$0
13a. Property Tax Replacement Credit from Local Option Tax	\$0	\$0
13b. Operating LOIT	\$0	\$0
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13a and 13b from line 12)	\$0	\$0
15. Levy Excess Fund applied to current budget	\$0	\$0
16. Net amount to be raised	\$0	\$0
17. Net Tax Rate on each one hundred dollars of taxable property	0.0000	0.0000

Budget Estimate- Financial Statement-Proposed Tax Rate

Taxing Unit: 0552 - SELLERSBURG CIVIL TOWN
Fund Name: 0706 - LOCAL ROAD & STREET
County: 10 - Clark County
Year: 2013

Net Assessed Value		\$240,000,000	
Funds Required For Expenses To December 31st Of Incoming Year		Amount Used To Compute Published Budget	Appropriating Body
1. Total budget estimate for incoming year		\$88,232	\$88,232
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended		\$149,197	\$149,197
3. Additional appropriation necessary to be made July 1 to December 31 of present year		\$0	\$0
4. Outstanding temporary loans:			
a). To be paid not included in lines 2 or 3		\$0	\$0
b). Not repaid by December 31 of present year		\$0	\$0
5. TOTAL FUNDS required (add lines 1,2,3,4a and 4b)		\$237,429	\$237,429
Funds On Hand To Be Received From Sources Other Than Proposed Tax Levy		Amount Used To Compute Published Budget	Appropriating Body
6. Actual cash balance, June 30 of present year (including cash investments)		\$119,644	\$119,644
7. Taxes to be collected, present year (December settlement)		\$0	\$0
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year (Schedule on File):			
a). Total Column A Budget Form 2		\$28,872	\$28,872
b). Total Column B Budget Form 2		\$63,670	\$63,670
9. TOTAL FUNDS (Add lines 6, 7, 8a and 8b)		\$212,186	\$212,186
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from 5)		\$25,243	\$25,243

Proposed Tax Rate and Levy	Amount Used To Compute Published Budget	Appropriating Body
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)	\$0	\$0
12. Amount to be raised by tax levy (add lines 10 and 11)	\$0	\$0
13a. Property Tax Replacement Credit from Local Option Tax	\$0	\$0
13b. Operating LOIT	\$0	\$0
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13a and 13b from line 12)	\$0	\$0
15. Levy Excess Fund applied to current budget	\$0	\$0
16. Net amount to be raised	\$0	\$0
17. Net Tax Rate on each one hundred dollars of taxable property	0.0000	0.0000

Budget Estimate- Financial Statement-Proposed Tax Rate

Taxing Unit: 0552 - SELLERSBURG CIVIL TOWN
Fund Name: 0342 - POLICE PENSION
County: 10 - Clark County
Year: 2013

Net Assessed Value		\$240,000,000
Funds Required For Expenses To December 31st Of Incoming Year	Amount Used To Compute Published Budget	Appropriating Body
1. Total budget estimate for incoming year	\$150,000	\$150,000
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	\$110,044	\$110,044
3. Additional appropriation necessary to be made July 1 to December 31 of present year	\$0	\$0
4. Outstanding temporary loans: a). To be paid not included in lines 2 or 3	\$0	\$0
b). Not repaid by December 31 of present year	\$0	\$0
5. TOTAL FUNDS required (add lines 1,2,3,4a and 4b)	\$260,044	\$260,044
Funds On Hand To Be Received From Sources Other Than Proposed Tax Levy	Amount Used To Compute Published Budget	Appropriating Body
6. Actual cash balance, June 30 of present year (including cash investments)	\$176,901	\$176,901
7. Taxes to be collected, present year (December settlement)	\$0	\$0
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year (Schedule on File): a). Total Column A Budget Form 2	\$39,623	\$39,623
b). Total Column B Budget Form 2	\$80,000	\$80,000
9. TOTAL FUNDS (Add lines 6, 7, 8a and 8b)	\$296,524	\$296,524
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from 5)	(\$36,480)	(\$36,480)

Proposed Tax Rate and Levy	Amount Used To Compute Published Budget	Appropriating Body
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)	\$0	\$0
12. Amount to be raised by tax levy (add lines 10 and 11)	\$0	\$0
13a. Property Tax Replacement Credit from Local Option Tax	\$0	\$0
13b. Operating LOIT	\$0	\$0
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13a and 13b from line 12)	\$0	\$0
15. Levy Excess Fund applied to current budget	\$0	\$0
16. Net amount to be raised	\$0	\$0
17. Net Tax Rate on each one hundred dollars of taxable property	0.0000	0.0000

ORDINANCE NO. 2012-016

An Ordinance of the Town of Sellersburg authorizing the issuance of waterworks revenue bonds for the purpose of providing funds to pay the cost of certain additions, extensions and improvements to the municipal waterworks of said Town, providing for the safeguarding of the interests of the owners of said bonds, other matters connected therewith, including the issuance of notes in anticipation of bonds, and repealing ordinances inconsistent herewith

WHEREAS, the Town of Sellersburg, Indiana ("Town") has heretofore established, constructed and financed a municipal waterworks and now owns and operates the waterworks in accordance with the provisions of Title 8, Article 1.5 of the Indiana Code, as in effect on the date of delivery of the bonds herein authorized and other applicable laws; and

WHEREAS, the Town Council of the Town now finds that certain improvements and extensions to said works are necessary; that preliminary plans, specifications and estimates have been prepared and filed by the engineers employed by the Town for the construction of said improvements and extensions, all as more fully described on Exhibit A attached hereto and made a part hereof ("Project"), which preliminary plans, specifications have been or will be approved by the Town Council and by all governmental authorities having jurisdiction; and

WHEREAS, the Town will advertise for and receive bids for the construction of the Project, said bids will be subject to the Town obtaining funds to pay for the Project; that on the basis of said engineering estimates, the maximum cost of the Project, including incidental expenses, is in the amount of Six Million Dollars (\$6,000,000); and

WHEREAS, the Town Council finds that it is necessary to authorize the financing of the costs of the Project by the issuance of waterworks revenue bonds in an amount not to exceed \$6,000,000, and, if necessary, bond anticipation notes ("BANs"); and

WHEREAS, the Town Council finds that there are no outstanding bonds payable out of the Net Revenues (as hereinafter defined) of the Town's waterworks; and

WHEREAS, the revenue bonds authorized herein shall constitute a first charge on the Net Revenues of the waterworks; and

WHEREAS, the bonds to be issued pursuant to this ordinance are to be issued subject to the provisions of the laws of the State of Indiana, including, without limitation, IC 8-1.5, as in effect on the issue date of the bonds issued hereunder ("Act"), and the terms and restrictions of this ordinance; and

WHEREAS, the Town desires to authorize the issuance of BANs hereunder, if necessary, payable solely from the proceeds of the waterworks revenue bonds issued to finance the aforementioned costs of the Project and to authorize the refunding of the BANs, if issued; and

WHEREAS, the Town's waterworks is presently not subject to the jurisdiction of the Indiana Utility Regulatory Commission; and

WHEREAS, the Town Council has been advised that it may be cost efficient to purchase a debt service reserve surety for the bonds authorized herein; and

WHEREAS, the Town Council now finds that all conditions precedent to the adoption of an ordinance authorizing the issuance of revenue bonds and BANs have been complied with in accordance with the provisions of the Act;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA, THAT:

Section 1. Authorization of Project. The Town proceed with the construction of the Project in accordance with the preliminary plans and specifications heretofore prepared or to be prepared and filed by the consulting engineers employed by the Town, which cost estimates, preliminary plans and specifications are by reference made a part of this ordinance as fully as if the same were attached hereto and incorporated herein and two copies of which are now on file

or will be subsequently placed on file in the office of the Clerk-Treasurer of the Town and are or will be open for public inspection. The cost of the construction of the Project shall not exceed the sum of \$6,000,000 plus investment earnings on the bond and BAN proceeds, without further authorization from this Town Council. The terms "waterworks," "waterworks system," "system," "works," and words of like import where used in this ordinance shall be construed to mean and include the existing waterworks system and all real estate and equipment used in connection therewith and appurtenances thereto, and all extensions, additions, and improvements thereto and replacements thereof now or at any time hereafter constructed or acquired. The Project shall be constructed in accordance with the preliminary plans and specifications heretofore mentioned, which preliminary plans and specifications are hereby approved. The Project shall be constructed and the bonds herein authorized shall be issued pursuant to and in accordance with the Act.

Section 2. Issuance of BANs and Bonds. (a) The Town shall issue, if necessary, its BANs for the purpose of procuring interim financing to apply to the cost of the Project and to pay costs of issuance. The Town may issue its BANs in an amount not to exceed Six Million Dollars (\$6,000,000) to be designated "Waterworks Bond Anticipation Notes." The BANs shall be numbered consecutively from 1 upward, shall be sold at a price not less than 99.5% of their par value, shall be in multiples of \$1,000 as set forth in the purchase agreement for the BANs, shall be dated as of the date of delivery thereof, and shall bear interest at a rate not to exceed 4% per annum (the exact rate or rates to be determined through negotiation with the purchaser of the BANs) payable upon maturity. The BANs will mature no later than three (3) years after their date of delivery. The BANs are subject to renewal or extension at an interest rate or rates not to exceed 4% per annum (the exact rate or rates to be negotiated with the purchaser of the BANs).

The term of the BANs and all renewal BANs may not exceed five years from the date of delivery of the initial BANs. The BANs shall be registered in the name of the purchasers thereof.

The BANs shall be issued pursuant to IC 5-1.5-8-6.1 if sold to the Indiana Bond Bank or pursuant to IC 5-1-14-5 if sold to a financial institution or any other purchaser. The principal of and interest on the BANs shall be payable solely from the issuance of revenue bonds pursuant to and in the manner prescribed by the Act. The revenue bonds will be payable solely out of and constitute a first charge against the Net Revenues (herein defined as gross revenues after deduction only for the payment of the reasonable expenses of operation, repair and maintenance, excluding transfers for payment in lieu of taxes ("PILOTs")) of the waterworks.

(b) The Town shall issue its waterworks revenue bonds in an aggregate principal amount not to exceed \$6,000,000 to be designated "Waterworks Revenue Bonds of 20___," to be completed within the year in which issued ("Bonds"), for the purpose of procuring funds to be applied on the cost of the Project, the payment of costs of issuance, refunding the BANs, if issued, and all other costs related to the Project, including a premium for a debt service reserve surety, if acquired.

The Bonds shall be sold at a price of not less than 99% of the par value thereof and shall be issued in the denomination of Five Thousand Dollars (\$5,000) each or integral multiples thereof, numbered consecutively from 1 upward, dated as of the date of delivery or the first day of the month in which they are sold or delivered or the date of delivery, as determined by the Clerk-Treasurer with the advice of the Town's financial advisor, and shall bear interest at a rate or rates not exceeding 6% per annum (the exact rate or rates to be determined by bidding), payable semiannually on January 1 and July 1 in each year beginning on the first January 1 or the first July 1 following the date of delivery of the Bonds, as designated by the Clerk-Treasurer,

with the advice of the Town's financial advisor. The Bonds shall mature semiannually, or shall be subject to mandatory sinking fund redemption if term bonds are issued, on January 1 and July 1, over a period ending no later than January 1, 2035, and in such amounts that will produce as level annual debt service as practicable with \$5,000 denominations. Interest on the Bonds and BANs shall be calculated according to a 360-day calendar year containing twelve 30-day months.

All or a portion of the Bonds may be issued as one or more term bonds, upon election of the successful bidder. Such term bonds shall have a stated maturity or maturities as determined by the successful bidder, but in no event later than the last serial maturity date of the Bonds as determined in accordance with the above paragraph. The term bonds shall be subject to mandatory sinking fund redemption and final payment(s) at maturity at 100% of the principal amount thereof, plus accrued interest to the redemption date, on principal payment dates which are hereinafter determined in accordance with the above paragraph.

Section 3. Registrar and Paying Agent; Book-Entry Provisions. The Clerk-Treasurer is hereby authorized to contract with a qualified financial institution to serve as Registrar and Paying Agent for the Bonds ("Registrar" or "Paying Agent"). The Registrar is hereby charged with the responsibility of authenticating the Bonds. The Clerk-Treasurer is hereby authorized to enter into such agreements or understandings with the Registrar as will enable the institution to perform the services required of a registrar and paying agent. The Clerk-Treasurer is further authorized to pay such fees as the Registrar may charge for the services it provides as Registrar and Paying Agent and such fees may be paid from the Waterworks Bond Fund established to pay the principal of and interest on the Bonds as fiscal agency charges.

As to the BANs and as to the Bonds, if sold to any purchaser that does not object to such designation, the Clerk-Treasurer may serve as Registrar and Paying Agent and shall be charged with the performance of and all duties of and responsibilities of Registrar and Paying Agent.

The principal of the Bonds and the principal and interest on the BANs shall be payable at the principal corporate trust office of the Paying Agent. All payments of interest on the Bonds shall be paid by check mailed to the registered owners thereof, as of the fifteenth day of the month preceding each interest payment date ("Record Date"), at the addresses as they appear on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by such registered owner on or before such Record Date. If payment of principal or interest is made to a depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall be instructed to wire transfer payments by 1:00 p.m. (New York City time) so such payments are received at the depository by 2:30 p.m. (New York City time).

All payments on the Bonds and BANs shall be made in any coin or currency of the United States of America, which on the date of such payment, shall be legal tender for the payment of public and private debts.

Each Bond shall be transferable or exchangeable only upon the books of the Town kept for that purpose at the principal corporate trust office of the Registrar by the registered owner in person, or by its attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner, or its attorney duly authorized in writing, and thereupon a new fully registered

Bond or Bonds in an authorized aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The costs of such transfer or exchange shall be borne by the Town except for any tax or governmental charge required to be paid with respect to the transfer or exchange, which taxes or governmental charges are payable by the person requesting such transfer or exchange. The Town, Registrar and Paying Agent for the Bonds may treat and consider the person in whose name such Bonds are registered as the absolute owner thereof for all purposes including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

The Registrar and Paying Agent may at any time resign as Registrar and Paying Agent upon giving 30 days' notice in writing to the Town and by first class mail to each registered owner of the Bonds then outstanding, and such resignation will take effect at the end of such 30 day period or upon the earlier appointment of a successor registrar and paying agent by the Town. Any such notice to the Town may be served personally or sent by registered mail. The Registrar and Paying Agent may be removed at any time as Registrar and Paying Agent by the Town, in which event the Town may appoint a successor registrar and paying agent. The Town shall notify each registered owner of the Bonds then outstanding by first class mail of the removal of the Registrar and Paying Agent. Notices to the registered owners of the Bonds shall be deemed to be given when mailed by first class mail to the addresses of such registered owners as they appear on the registration books kept by the Registrar.

Upon the appointment of any successor registrar and paying agent by the Town, the Clerk-Treasurer is authorized and directed to enter into such agreements and understandings with such successor registrar and paying agent as will enable the institution to perform the services

required of a registrar and paying agent for the Bonds. The Clerk-Treasurer is further authorized to pay such fees as the successor registrar and paying agent may charge for the services it provides as registrar and paying agent and such fees may be paid from the Waterworks Sinking Fund created in Section 14 hereof. Any predecessor registrar and paying agent shall deliver all of the Bonds and any cash or investments in its possession with respect thereto, together with the registration books, to the successor registrar and paying agent.

Interest on the Bonds shall be payable from the interest payment date to which interest has been paid next preceding the authentication date of the Bonds unless the Bonds are authenticated after the Record Date and on or before such interest payment date in which case they shall bear interest from such interest payment date, or unless the Bonds are authenticated on or before the Record Date preceding the first interest payment date, in which case they shall bear interest from the original date until the principal shall be fully paid.

The Town has determined that it may be beneficial to the Town to have the Bonds and BANs held by a central depository system pursuant to an agreement between the Town and The Depository Trust Company, New York, New York ("Depository Trust Company") and have transfers of the Bonds and BANs effected by book-entry on the books of the central depository system ("Book Entry System"). The Bonds and BANs may be initially issued in the form of a separate single authenticated fully registered Bond or BAN, as the case may be, for the aggregate principal amount of each separate maturity of the Bonds and BANs. In such case, upon initial issuance, the ownership of such Bonds and BANs shall be registered in the register kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company.

With respect to the Bonds and BANs registered in the register kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company, the Town and the Paying

Agent shall have no responsibility or obligation to any other holders or owners (including any beneficial owner ("Beneficial Owner")) of the Bonds or BANs with respect to (i) the accuracy of the records of the Depository Trust Company, CEDE & CO., or any Beneficial Owner with respect to ownership questions, (ii) the delivery to any bond or BAN holder (including any Beneficial Owner) or any other person, other than the Depository Trust Company, of any notice with respect to the Bonds and BANs including any notice of redemption, or (iii) the payment to any bond or BAN holder (including any Beneficial Owner) or any other person, other than the Depository Trust Company, of any amount with respect to the principal of, or premium, if any, or interest on the Bonds and BANs except as otherwise provided herein.

No person other than the Depository Trust Company shall receive an authenticated Bond and BAN evidencing an obligation of the Town to make payments of the principal of and premium, if any, and interest on the Bonds and BANs pursuant to this ordinance. The Town and the Registrar and Paying Agent may treat as and deem the Depository Trust Company or CEDE & CO. to be the absolute bond or BAN holder of each of the Bonds and BANs for the purpose of (i) payment of the principal of and premium, if any, and interest on such Bonds and BANs; (ii) giving notices of redemption and other notices permitted to be given to bond and BAN holders with respect to such Bonds and BANs; (iii) registering transfers with respect to such Bonds and BANs; (iv) obtaining any consent or other action required or permitted to be taken of or by bond and BAN holders; (v) voting; and (vi) for all other purposes whatsoever. The Paying Agent shall pay all principal of and premium, if any, and interest on the Bonds and BANs only to or upon the order of the Depository Trust Company, and all such payments shall be valid and effective fully to satisfy and discharge the Town's and the Paying Agent's obligations with respect to principal of and premium, if any, and interest on the Bonds and BANs to the extent of

the sum or sums so paid. Upon delivery by the Depository Trust Company to the Town of written notice to the effect that the Depository Trust Company has determined to substitute a new nominee in place of CEDE & CO., and subject to the provisions herein with respect to consents, the words "CEDE & CO." in this ordinance shall refer to such new nominee of the Depository Trust Company. Notwithstanding any other provision hereof to the contrary, so long as any Bond or BAN is registered in the name of CEDE & CO., as nominee of the Depository Trust Company, all payments with respect to the principal of and premium, if any, and interest on such Bonds and BANs and all notices with respect to such Bonds and BANs shall be made and given, respectively, to the Depository Trust Company as provided in a representation letter from the Town to the Depository Trust Company.

Upon receipt by the Town of written notice from the Depository Trust Company to the effect that the Depository Trust Company is unable or unwilling to discharge its responsibilities and no substitute depository willing to undertake the functions of the Depository Trust Company hereunder can be found which is willing and able to undertake such functions upon reasonable and customary terms, then the Bonds and BANs shall no longer be restricted to being registered in the register of the Town kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company, but may be registered in whatever name or names the bond or BAN holders transferring or exchanging the Bonds and BANs shall designate, in accordance with the provisions of this ordinance.

If the Town determines that it is in the best interest of the bond or BAN holders that they be able to obtain certificates for the fully registered Bonds or BANs, as the case may be, the Town may notify the Depository Trust Company and the Registrar, whereupon the Depository Trust Company will notify the Beneficial Owners of the availability through the Depository

Trust Company of certificates for the Bonds or BANs, as the case may be. In such event, the Registrar shall prepare, authenticate, transfer and exchange certificates for the Bonds and BANs as requested by the Depository Trust Company and any Beneficial Owners in appropriate amounts, and whenever the Depository Trust Company requests the Town and the Registrar to do so, the Registrar and the Town will cooperate with the Depository Trust Company by taking appropriate action after reasonable notice (i) to make available one or more separate certificates evidencing the fully registered Bonds and BANs of any Beneficial Owner's Depository Trust Company account or (ii) to arrange for another securities depository to maintain custody of certificates for and evidencing the Bonds and BANs.

If the Bonds or BANs shall no longer be restricted to being registered in the name of the Depository Trust Company, the Registrar shall cause said Bonds or BANs, as the case may be, to be printed in blank in such number as the Registrar shall determine to be necessary or customary; provided, however, that the Registrar shall not be required to have such Bonds or BANs printed until it shall have received from the Town indemnification for all costs and expenses associated with such printing.

In connection with any notice or other communication to be provided to bond and BAN holders by the Town or the Registrar with respect to any consent or other action to be taken by bond and BAN holders, the Town or the Registrar, as the case may be, shall establish a record date for such consent or other action and give the Depository Trust Company notice of such record date not less than fifteen (15) calendar days in advance of such record date to the extent possible.

So long as the Bonds or BANs are registered in the name of the Depository Trust Company or CEDE & CO. or any substitute nominee, the Town and the Registrar and Paying

Agent shall be entitled to request and to rely upon a certificate or other written representation from the Beneficial Owners of the Bonds or BANs, as the case may be, or from the Depository Trust Company on behalf of such Beneficial Owners stating the amount of their respective beneficial ownership interests in the Bonds and BANs and setting forth the consent, advice, direction, demand or vote of the Beneficial Owners as of a record date selected by the Registrar and the Depository Trust Company, to the same extent as if such consent, advice, direction, demand or vote were made by the bond and BAN holders for purposes of this ordinance and the Town and the Registrar and Paying Agent shall for such purposes treat the Beneficial Owners as the bond and BAN holders. Along with any such certificate or representation, the Registrar may request the Depository Trust Company to deliver, or cause to be delivered, to the Registrar a list of all Beneficial Owners of the Bonds and BANs, together with the dollar amount of each Beneficial Owner's interest in the Bonds and BANs and the current addresses of such Beneficial Owners.

Section 4. Redemption of Bonds and BANs. (a) Effective 180 days after their date of delivery, the BANs are prepayable by the Town, in whole or in part, at any time upon 20 days' notice to the owner of the BANs without any premium.

(b) The Bonds of this issue are redeemable at the option of the Town, but no earlier than January 1, 2020, and on any date thereafter, on thirty days' notice, in whole or in part, in the order of maturity determined by the Town and by lot within a maturity, at face value, together with a premium no greater than 1%, plus accrued interest to the date fixed for redemption. The exact redemption features and premiums shall be established by the Clerk-Treasurer, with the advice of the Town's financial advisor, prior to the sale of the Bonds.

(c) If any Bond is issued as a term bond, the Paying Agent shall credit against the mandatory sinking fund requirement for the Bonds maturing as term bonds, and corresponding mandatory redemption obligation, in the order determined by the Town, any Bonds maturing as term bonds which have previously been redeemed (otherwise than as a result of a previous mandatory redemption requirement) or delivered to the Registrar for cancellation or purchased for cancellation by the Paying Agent and not theretofore applied as a credit against any redemption obligation. Each Bond maturing as a term bond so delivered or canceled shall be credited by the Paying Agent at 100% of the principal amount thereof against the mandatory sinking fund obligation on such mandatory sinking fund date, and any excess of such amount shall be credited on future redemption obligations, and the principal amount of the Bonds to be redeemed by operation of the mandatory sinking fund requirement shall be accordingly reduced; provided, however, the Paying Agent shall credit only such Bonds maturing as term bonds to the extent received on or before forty-five (45) days preceding the applicable mandatory redemption date as stated above.

Each \$5,000 denomination amount shall be considered a separate bond for purposes of optional and mandatory redemption. If less than an entire maturity is called for redemption, the Bonds to be called shall be selected by lot by the Registrar. If some Bonds are to be redeemed by optional redemption and mandatory sinking fund redemption on the same date, the Registrar shall select by lot the Bonds for optional redemption before selecting the Bonds by lot for the mandatory sinking fund redemption.

(d) In either case, notice of such redemption shall be given not less than thirty (30) days prior to the date fixed for redemption by mail unless the notice is waived by the owner of the Bond or Bonds redeemed. Such notice shall be mailed to the address of the registered

owners as shown on the registration records of the Town as of the date which is forty-five (45) days prior to such redemption date. The notice shall specify the date and place of redemption and sufficient identification of the Bonds called for redemption. The place of redemption shall be determined by the Town. Interest on the Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date so named. Coincidentally with the payment of the redemption price, the Bonds so called for redemption shall be surrendered for cancellation.

Section 5. Execution and Negotiability. Each of the Bonds and BANs shall be executed in the name of the Town by the manual or facsimile signature of the Town Council President, attested by the manual or facsimile signature of its Clerk-Treasurer and the seal of the Town shall be affixed, imprinted or impressed to or on each of the Bonds and BANs manually, by facsimile or any other means; and these officials, by the execution of a Signature and No Litigation Certificate, shall adopt as and for their own proper signatures the facsimile signatures appearing on the Bonds and BANs. In case any officer whose signature or facsimile signature appears on the Bonds or BANs shall cease to be such officer before the delivery of the Bonds or BANs, the signature of such officer shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

The Bonds and BANs shall have all of the qualities and incidents of negotiable instruments under the laws of the State of Indiana, subject to the provisions for registration herein.

The Bonds shall also be authenticated by the manual signature of the Registrar, and no Bond shall be valid or become obligatory for any purpose until the certificate of authentication thereon has been so executed.

Section 6. Form of Bonds. The form and tenor of the Bonds shall be substantially as follows, all blanks to be filled in properly prior to delivery:

[Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the Town of Sellersburg, Indiana or its agent for registration of transfer, exchange, or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.]

UNITED STATES OF AMERICA

STATE OF INDIANA

COUNTY OF CLARK

TOWN OF SELLERSBURG
WATERWORKS REVENUE BOND OF 20__

<u>Interest</u> <u>Rate</u>	<u>Maturity</u> <u>Date</u>	<u>Original</u> <u>Date</u>	<u>Authentication</u> <u>Date</u>	<u>CUSIP</u>
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REGISTERED OWNER:

PRINCIPAL SUM:

The Town of Sellersburg, in Clark County, State of Indiana, for value received, hereby promises to pay to the Registered Owner named above or registered assigns, solely out of the special revenue fund hereinafter referred to, the Principal Sum set forth above on the Maturity Date set forth above (unless this bond be subject to and be called for redemption prior to maturity as hereinafter provided), and to pay interest hereon at the Interest Rate per annum stated above from the interest payment date to which interest has been paid next preceding the Authentication Date of this bond unless this bond is authenticated after the fifteenth day of the month preceding an interest payment date and on or before such interest payment date in which case it shall bear interest from such interest payment date or unless this bond is authenticated on or before _____ 15, _____, in which case it shall bear interest from the Original Date, until the principal is paid, which interest is payable semiannually on the first days of January and July in each year, beginning on _____ 1, 20___. Interest shall be calculated according to a 360-day calendar year containing twelve 30-day months.

The principal of this bond is payable at the principal office of _____ ("Registrar" or "Paying Agent"), in the _____ of _____, Indiana. All payments of interest on this bond shall be paid by check, mailed one business day prior to the interest payment date to the registered owner hereof as of the fifteenth day of the month

preceding such interest payment date at the address as it appears on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by the registered owner. If payment of principal or interest is made to a depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall wire transfer payments by 1:00 p.m. (New York City time) so such payments are received at the depository by 2:30 p.m. (New York City time). All payments on the bond shall be made in any coin or currency of the United States of America, which on the dates of such payment, shall be legal tender for the payment of public and private debts.

THE TOWN SHALL NOT BE OBLIGATED TO PAY THIS BOND OR THE INTEREST HEREON EXCEPT FROM THE HEREINAFTER DESCRIBED SPECIAL FUND, AND NEITHER THIS BOND NOR THE ISSUE OF WHICH IT IS A PART SHALL IN ANY RESPECT CONSTITUTE A CORPORATE INDEBTEDNESS OF THE TOWN WITHIN THE PROVISIONS AND LIMITATIONS OF THE CONSTITUTION OF THE STATE OF INDIANA.

This bond is one of an authorized issue of bonds of the Town, of like date, tenor and effect, except as to rates of interest and dates of maturity in the total amount of _____ Dollars (\$ _____); numbered consecutively from 1 up; issued for the purpose of providing funds to pay the cost of certain additions, extensions and improvements to the municipally owned waterworks system of the Town, [to refund interim notes issued in anticipation of the bonds,] and to pay issuance expenses[, including a premium for a debt service reserve surety]. This bond is issued pursuant to an Ordinance adopted by the Town Council of the Town on the _____ day of _____, 2012, entitled "An Ordinance of the Town of Sellersburg authorizing the issuance of waterworks revenue bonds for the purpose of providing funds to pay the cost of certain additions, extensions and improvements to the municipal waterworks of said Town, providing for the safeguarding of the interests of the owners of said bonds, other matters connected therewith, including the issuance of notes in anticipation of bonds, and repealing ordinances inconsistent herewith" ("Ordinance"), and in accordance with the provisions of Indiana law, including without limitation IC 8-1.5, as in effect on the date of delivery of the bonds of this issue ("Act").

[The bonds shall be initially issued in a Book Entry System (as defined in the Ordinance). The provisions of this bond and of the Ordinance are subject in all respects to the provisions of the Letter of Representations between the Town and DTC, or any substitute agreement, effecting such Book Entry System.]

Pursuant to the provisions of the Act and the Ordinance, the principal of and interest on this bond and all other bonds of said issue, and any bonds hereafter issued on a parity therewith, are payable solely from the Waterworks Sinking Fund created by the Ordinance ("Sinking Fund") to be provided from the Net Revenues (defined as the gross revenues after deduction only for the payment of the reasonable expenses of operation, repair and maintenance, excluding transfers for payment in lieu of taxes) of the waterworks of the Town.

The Town irrevocably pledges the entire Net Revenues of the waterworks to the prompt payment of the principal of and interest on the bonds authorized by the Ordinance, of which this is one, and any bonds ranking on a parity therewith, to the extent necessary for that purpose, and covenants that it will cause to be fixed, maintained and collected such rates and charges for services rendered by the utility as are sufficient in each year for the payment of the proper and reasonable expenses of operation, repair and maintenance of the waterworks and for the payment of the sums required to be paid into the Sinking Fund under the provisions of the Act and the Ordinance. If the Town or the proper officers thereof shall fail or refuse to so fix, maintain and collect such rates or charges, or if there be a default in the payment of the interest on or principal of this bond, the owner of this bond shall have all of the rights and remedies provided for in the under Indiana law.

The Town further covenants that it will set aside and pay into its Sinking Fund monthly, as available, or more often if necessary, a sufficient amount of the Net Revenues of the works for payment of (a) the interest on all bonds which by their terms are payable from the revenues of the waterworks, as such interest shall fall due, (b) the necessary fiscal agency charges for paying bonds and interest, (c) the principal of all bonds which by their terms are payable from the revenues of the waterworks, as such principal shall fall due, and (d) an additional amount as a margin of safety to [create and] maintain the reserve required by the Ordinance. Such required payments shall constitute a first charge against the Net Revenues of said works.

The bonds of this issue maturing on and after _____ 1, 20____, are redeemable at the option of the Town on _____ 1, 20____, or any date thereafter, on thirty (30) days' notice, in whole or in part, in the order of maturity as determined by the Town and by lot within a maturity, at face value, together with the following premiums:

____% if redeemed on _____ 1, 20____, or thereafter
on or before _____, 20____;
____% if redeemed on _____ 1, 20____, or thereafter
on or before _____, 20____;
0% if redeemed on _____, 20____, or thereafter
prior to maturity;

plus accrued interest to the date fixed for redemption.

[The bonds maturing on _____ 1, ____ are subject to mandatory sinking fund redemption prior to maturity, at a redemption price equal to the principal amount thereof plus accrued interest, on the dates and in the amounts set forth below:

<u>Date</u>	<u>Amount</u>
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*

*Final Maturity]

Each Five Thousand Dollars (\$5,000) principal amount shall be considered a separate bond for purposes of optional [and mandatory] redemption. If less than an entire maturity is

called for redemption, the bonds to be redeemed shall be selected by lot by the Registrar. [If some bonds are to be redeemed by optional redemption and mandatory sinking fund redemption on the same date, the Registrar shall select by lot the bonds for optional redemption before selecting the bonds by lot for the mandatory sinking fund redemption.]

Notice of such redemption shall be mailed to the address of the registered owner as shown on the registration records of the Town, as of the date which is forty-five (45) days prior to such redemption date, not less than thirty (30) days prior to the date fixed for redemption unless the notice is waived by the registered owner of this bond. The notice shall specify the date and place of redemption and sufficient identification of the bonds called for redemption. The place of redemption may be determined by the Town. Interest on the bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date so named.

If this bond shall not be presented for payment or redemption on the date fixed therefor, the Town may deposit in trust with its depository bank an amount sufficient to pay such bond or the redemption price, as the case may be, and thereafter the registered owner shall look only to the funds so deposited in trust with said bank for payment and the Town shall have no further obligation or liability in respect thereto.

This bond is transferable or exchangeable only upon the books of the Town kept for that purpose at the principal corporate trust office of the Registrar by the registered owner hereof in person, or by his attorney duly authorized in writing, upon surrender of this bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner, or his attorney duly authorized in writing, and thereupon a new fully registered bond or bonds in an authorized aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or to the registered owner, as the case may be, in exchange therefor. This bond may be transferred without cost to the registered owner except for any tax or governmental charge required to be paid with respect to the transfer. The Town, the Registrar, the Paying Agent and any other registrar or paying agent for this bond may treat and consider the person in whose name this bond is registered as the absolute owner hereof for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon.

This bond is subject to defeasance prior to redemption or payment as provided in the Ordinance referred to herein. THE OWNER OF THIS BOND, BY THE ACCEPTANCE HEREOF, HEREBY AGREES TO ALL THE TERMS AND PROVISIONS CONTAINED IN THE ORDINANCE. The Ordinance may be amended without the consent of the owners of the bonds as provided in the Ordinance.

The bonds maturing in any one year are issuable only in fully registered form in the denomination of \$5,000 or any integral multiple thereof.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law.

This bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been executed by an authorized representative of the Registrar.

IN WITNESS WHEREOF, the Town of Sellersburg, in Clark County, Indiana, has caused this bond to be executed in its corporate name by the manual or facsimile signature of its Town Council President, its corporate seal to be hereunto affixed, imprinted or impressed by any means and attested manually or by facsimile by its Clerk-Treasurer.

TOWN OF SELLERSBURG, INDIANA

By _____
Town Council President

[SEAL]

Attest:

Clerk-Treasurer

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned Ordinance.

as Registrar

By _____
Authorized Representative

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ this bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney, to transfer the within bond in the books kept for the registration thereof with full power of substitution in the premises.

Dated:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within bond in every particular, without alteration or enlargement or any change whatsoever.

Section 7. Authorization for Preparation and Sale of the Bonds and BANs; Debt Service Reserve Surety; Official Statement. (a) The Clerk-Treasurer is hereby authorized and directed to have the Bonds and BANs prepared, and the Town Council President and Clerk-Treasurer are hereby authorized and directed to execute and attest the Bonds and BANs in the form and manner provided herein. The Clerk-Treasurer is hereby authorized and directed to deliver the Bonds and BANs to the respective purchasers thereof. At the time of delivery of the Bonds and BANs, the Clerk-Treasurer shall collect the full amount which the respective purchasers have agreed to pay therefor, which amount shall not be less than 99.5% of the face value of the BANs, not less than 99% of the face value of the Bonds. The Town may receive payment on the BANs in installments. The Bonds, when fully paid for and delivered to the purchasers, shall be the binding special revenue obligations of the Town payable out of the Net Revenues of the waterworks. The proper officers of the Town are hereby directed to sell the Bonds, to draw all proper and necessary warrants, and to do whatever acts and things which may be necessary to carry out the provisions of this ordinance.

(b) Distribution of an Official Statement (preliminary and final) for the Bonds prepared by H.J. Umbaugh & Associates, Certified Public Accountants, LLP, on behalf of the Town, is hereby authorized and approved and the Town Council President or the Clerk-Treasurer is authorized and directed to execute the Official Statement on behalf of the Town in a form consistent with this ordinance. The Town Council President or the Clerk-Treasurer is hereby

authorized to designate the preliminary Official Statement as "nearly final" for purposes of Rule 15c2-12 promulgated by the Securities Exchange Commission ("Rule").

(c) The Town authorizes the purchase of a debt service reserve surety bond based upon the advice of the Town's financial advisor. If such a surety bond is purchased, the Town Council President and the Clerk-Treasurer are hereby authorized to execute and deliver all agreements with the provider of the surety bond, to the extent necessary to comply with the terms of such surety bond and the commitment to issue such surety bond.

Such agreements shall be deemed a part of this ordinance for all purposes and are hereby incorporated herein by reference.

Section 8. Bond Sale Notice. The Clerk-Treasurer shall cause to be published either (i) a notice of bond sale in *The Evening News*, a newspaper published in Clark County with general circulation in the Town, two times, at least one week apart, the first publication made at least fifteen (15) days before the date of the sale and the second publication being made at least three (3) days before the date of the sale, or (ii) a notice of intent to sell in a newspaper described in (i) above and in the *Court & Commercial Record* all in accordance with IC 5-1-11 and IC 5-3-1. The notice shall also be posted at the Town Hall in accordance with IC 5-3-1. A notice of sale may also be published one time in the *Court & Commercial Record*, and a summary notice may also be published in *The Bond Buyer* in New York, New York. The notice shall state the character and amount of the Bonds, the maximum rate of interest thereon, the terms and conditions upon which bids will be received and the sale made, and such other information as the Clerk-Treasurer and the attorneys employed by the Town shall deem advisable and any summary notice may contain any information deemed so advisable. The notice may provide, among other things, that electronic bidding will be permitted and that the successful bidder shall be required

to submit a certified or cashier's check or a wire transfer of funds in an amount equal to 1% of the principal amount of the Bonds described in the notice to guarantee performance on the part of the bidder not later than 3:30 p.m. (Sellersburg Time) on the next business day following the award. In the event the successful bidder shall fail or refuse to accept delivery of the Bonds and pay for the same as soon as the Bonds are ready for delivery, or at the time fixed in the notice of sale, then said check or wire transfer and the proceeds thereof shall be the property of the Town and shall be considered as its liquidated damages on account of such default. Bidders for the Bonds will be required to name the rate or rates of interest which the Bonds are to bear, not exceeding the maximum rate hereinbefore fixed, and such interest rate or rates shall be in multiples of one-eighth ($1/8$) or one-twentieth ($1/20$) of one percent (1%). The rate bid on a maturity shall be equal to or greater than the rate bid on the immediately preceding maturity. No conditional bid or bid for less than 99% of the face amount of the Bonds will be considered. The opinion of Ice Miller LLP, bond counsel of Indianapolis, Indiana, approving the legality of the Bonds, will be furnished to the purchaser at the expense of the Town.

The Bonds shall be awarded by the Clerk-Treasurer to the best bidder who has submitted its bid in accordance with the terms of this ordinance, IC 5-1-11 and the notice of sale. The best bidder will be the one who offers the lowest net interest cost to the Town, to be determined by computing the total interest on all of the Bonds to their maturities, adding thereto the discount bid, if any, and deducting the premium bid, if any. The right to reject any and all bids shall be reserved. If an acceptable bid is not received on the date of sale, the sale may be continued from day to day thereafter without further advertisement for a period of thirty (30) days, during which time no bid which provides a higher net interest cost to the Town than the best bid received at the time of the advertised sale will be considered.

Section 9. Use of Proceeds and Costs of Issuance. Any accrued interest and premium received shall be deposited into the Bond and Interest Account of the Waterworks Sinking Fund and used to pay interest on the Bonds. The remaining proceeds from the sale of the Bonds, to the extent not used to refund BANs, and BAN proceeds shall be deposited in a bank or banks which are legally designated depositories for the funds of the Town, in a special account or accounts to be designated as "Town of Sellersburg, Waterworks Construction Account" ("Construction Account"). All funds deposited to the credit of the Waterworks Sinking Fund or the Construction Account shall be deposited, held, secured or invested in accordance with the laws of the State of Indiana relating to the depositing, holding, securing or investing of public funds, including particularly IC 5-13, as amended and supplemented. The funds in the Construction Account shall be expended only for the purpose of paying the cost of the Project, refunding the BANs, if issued, or as otherwise required by the Act or for the expenses of issuance of the Bonds or BANs. The cost of obtaining the services of Ice Miller LLP, H.J. Umbaugh & Associates, Certified Public Accountants, LLP, and the Town attorney shall be considered as a part of the cost of the Project on account of which the Bonds and BANs are issued. Any balance or balances remaining unexpended in such special account or accounts after completion of the Project, which are not required to meet unpaid obligations incurred in connection with such Project, shall either (1) be paid into the Waterworks Sinking Fund and used solely for the purposes of said Fund or (2) be used for the same purpose or type of project for which the Bonds were originally issued, all in accordance with IC 5-1-13, as amended and supplemented.

Section 10. Financial Records and Accounts; Continuing Disclosure. The Town shall keep proper records and books of account, separate from all of its other records and accounts, in

which complete and correct entries shall be made showing all revenues received on account of the operation of the waterworks and all disbursements made therefrom and all transactions relating to the utility. Copies of all such statements and reports shall be kept on file in the office of the Clerk-Treasurer. If the Bonds are subject to the Rule, the Town Council President and the Clerk-Treasurer are hereby authorized to execute and deliver a continuing disclosure undertaking ("Undertaking") in satisfaction of the Rule. Notwithstanding any other provisions of this ordinance, failure of the Town to comply with the Undertaking shall not be considered an event of default under this ordinance or the Bonds.

Section 11. Pledge of Net Revenues. The interest on and the principal of the Bonds issued pursuant to the provisions of this ordinance, and any bonds hereafter issued on a parity therewith, shall constitute a first charge on all the Net Revenues, and such Net Revenues are hereby irrevocably pledged to the payment of the interest on and principal of such Bonds, to the extent necessary for that purpose. The Town agrees to take such action as is necessary from time to time to perfect or to otherwise preserve the priority of the pledge of the Net Revenues under applicable law.

Section 12. Revenue Fund. All income and revenues derived from the operation of the waterworks and from the collection of water rates and charges of the waterworks shall be deposited in the Revenue Fund, hereby created. The Revenue Fund shall be maintained separate and apart from all other accounts of the Town. Of these revenues the proper and reasonable expenses of operation, repair and maintenance of the works shall be paid, the principal and interest of all bonds and fiscal agency charges of registrars or paying agents shall be paid, the reserve shall be funded and the costs of improvements, extensions, additions and replacements shall be paid.

Section 13. Operation and Maintenance Fund. There is hereby created a fund known as the Operation and Maintenance Fund ("O&M Fund"). There shall be transferred from the Revenue Fund into the O&M Fund on the last day of each calendar month, a sufficient amount of revenues of the waterworks so that the balance maintained in this O&M Fund shall be sufficient to pay the expenses of operation, repair and maintenance for the then next succeeding two calendar months. The moneys credited to this O&M Fund shall be used for the payment of the reasonable and proper operation, repair and maintenance expenses of the waterworks on a day-to-day basis, but none of the moneys in such Fund shall be used for PILOTs, depreciation, replacements, improvements, extensions or additions. Any moneys in the O&M Fund may be transferred to the Waterworks Sinking Fund if necessary to prevent a default in the payment of principal of or interest on the outstanding bonds of the waterworks.

Section 14. Waterworks Sinking Fund. (a) There is hereby continued a special fund designated the Waterworks Sinking Fund ("Sinking Fund") for the payment of the principal of and interest on revenue bonds which by their terms are payable from the Net Revenues of the waterworks and the payment of any fiscal agency charges in connection with the payment of bonds. There shall be set aside and deposited in the Sinking Fund, as available, and as hereinafter provided, a sufficient amount of the Net Revenues of the waterworks to meet the requirements of the Bond and Interest Account and the Debt Service Reserve Account hereby created in the Sinking Fund. Such payments shall continue until the balances in the Bond and Interest Account and the Debt Service Reserve Account equal the principal of and interest on all of the then outstanding bonds of the waterworks to the final maturity and provide for payment of all fiscal agency charges.

(b) Bond and Interest Account. There is hereby created, within the Sinking Fund, the Bond and Interest Account. There shall be transferred on the last day of each calendar month from the Revenue Fund to the Bond and Interest Account an amount of the Net Revenues equal to (i) at least one-sixth ($1/6$) of the interest on all then outstanding bonds payable on the then next succeeding interest payment date, (ii) at least one-sixth ($1/6$) of the principal on all then outstanding bonds which are payable on the next succeeding principal payment date, until the amount of interest and principal payable on the then next succeeding interest and principal payment date shall have been so credited. There shall similarly be credited to the Account any amount necessary to pay the bank fiscal agency charges for paying principal and interest on outstanding bonds as the same become payable. The Town shall, from the sums deposited in the Sinking Fund and credited to the Bond and Interest Account, remit promptly to the registered owner or to the bank fiscal agency sufficient moneys to pay the principal and interest on the due dates thereof together with the amount of bank fiscal agency charges.

(c) Debt Service Reserve Account. There is hereby created, within the Sinking Fund, the Debt Service Reserve Account ("Reserve Account"). On the date of delivery of the Bonds, funds on hand of the waterworks, Bond proceeds, or a combination thereof may be deposited into the Reserve Account. The balance to be maintained in the Reserve Account shall equal but not exceed the least of: (i) the maximum annual debt service on the Bonds; (ii) 125% of average annual debt service on the Bonds; or (iii) ten percent (10%) of the proceeds of the Bonds ("Reserve Requirement"). If the initial deposit into the Reserve Account does not equal the Reserve Requirement or if no deposit is made, beginning with the first month after the Bonds are delivered, an amount of Net Revenues shall be credited to the Reserve Account on the last day of each calendar month until the balance therein equals the Reserve Requirement. The monthly

deposits shall be equal in amount and sufficient to accumulate the Reserve Requirement within five (5) years of the date of delivery of the Bonds.

The Town may fund all or part of the Reserve Account with a debt service reserve surety bond. The surety bond must be issued by an insurance company rated, at the time of purchase, in the highest rating category by Standard & Poor's Corporation and Moody's Investors Service. If a surety bond is purchased, the President of the Town Council and the Clerk-Treasurer are hereby authorized to execute and deliver all agreements with the provider of the surety bond necessary to comply with the terms of such surety bond.

The Reserve Account shall constitute the margin for safety and protection against default in the payment of principal of and interest on the Bonds and the moneys in the Reserve Account shall be used to pay current principal and interest on the Bonds to the extent that moneys in the Bond and Interest Account are insufficient for that purpose. Any deficiency in the balance maintained in the Reserve Account shall be made up from the next available Net Revenues remaining after credits into the Bond and Interest Account. Any moneys in the Reserve Account in excess of the Reserve Requirement shall either be transferred to the Waterworks Improvement Fund or be used for the purchase of outstanding bonds or installments of principal of fully registered bonds at a price not exceeding par and accrued interest, and redemption premium, if any.

Section 15. Waterworks Improvement Fund. After meeting the requirements of the O&M Fund and the Sinking Fund, any excess revenues may be transferred or credited to the Waterworks Improvement Fund ("Improvement Fund"), hereby created, and said Fund shall be used for PILOTs, improvements, additions, replacements or extensions of the waterworks. The Town reserves the right to transfer PILOTs from the Improvement Fund no more frequently than

semiannually in accordance with the Act, and only if all required transfers have been made to the Sinking Fund and the accounts of the Sinking Fund contain the required balances as of the date the PILOTs are paid. Moneys in the Improvement Fund shall be transferred to the Sinking Fund if necessary to prevent a default in the payment of principal and interest on the then outstanding bonds or, if necessary, to eliminate any deficiencies in credits to or minimum balance in the Reserve Account of the Sinking Fund or may be transferred to the O&M Fund to meet unforeseen contingencies in the operation, repair and maintenance of the waterworks.

Section 16. Maintenance of Funds. The Sinking Fund shall be deposited in and maintained as a separate account or accounts from all other accounts of the Town. The O&M Fund and the Improvement Fund may be maintained in a single account, or accounts, but such account, or accounts, shall likewise be maintained separate and apart from all other accounts of the Town and apart from the Sinking Fund account or accounts. All moneys deposited in the accounts shall be deposited, held and secured as public funds in accordance with the public depository laws of the State of Indiana; provided that moneys therein may be invested in obligations in accordance with the applicable laws, including particularly Indiana Code, Title 5, Article 13, as amended or supplemented, and in the event of such investment the income therefrom shall become a part of the funds invested and shall be used only as provided in this ordinance.

Section 17. Defeasance of the Bonds. If, when the Bonds or a portion thereof shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the Bonds or a portion thereof for redemption shall have been given, and the whole amount of the principal and the interest and the premium, if any, so due and payable upon all of the Bonds or a portion thereof then outstanding shall be paid; or

(i) cash (insured at all times by the Federal Deposit Insurance Corporation or otherwise collateralized with obligations described in (ii) below), or (ii) direct obligations of (including obligations issued or held in book entry form on the books of) the Department of the Treasury of the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses for the redemption, then and in that case the Bonds or any designated portion thereof issued hereunder shall no longer be deemed outstanding or entitled to the pledge of the Net Revenues of the Town's waterworks.

Section 18. Rate Covenant. The Town shall establish, maintain and collect reasonable and just rates and charges for facilities and services afforded and rendered by said water utility, which shall to the extent permitted by law produce sufficient revenues at all times to pay all the legal and other necessary expense incident to the operation of such utility, to include maintenance costs, operating charges, upkeep, repairs, interest charges on bonds or other obligations, to provide the sinking fund and debt service reserve for the liquidation of bonds or other evidences of indebtedness, to provide adequate funds to be used as working capital, as well as funds for making extensions, additions, and replacements, and also, for the payment of any taxes that may be assessed against such utility, it being the intent and purpose hereof that such charges shall produce an income sufficient to maintain such utility property in a sound physical and financial condition to render adequate and efficient service. So long as any of the Bonds herein authorized are outstanding, none of the facilities or services afforded or rendered by said system shall be furnished without a reasonable and just charge being made therefor. The Town shall pay like charges for any and all services rendered by said utility to the Town, and all such payments shall be deemed to be revenues of the utility. Such rates or charges shall, if necessary,

be changed and readjusted from time to time so that the revenues therefrom shall always be sufficient to meet the expenses of operation, repair and maintenance, and said requirements of the Bond Fund.

Section 19. Additional Bond Provisions. The Town reserves the right to authorize and issue additional BANs at any time ranking on a parity with the BANs. The Town reserves the right to authorize and issue additional bonds payable out of the Net Revenues of its waterworks ranking on a parity with the Bonds for the purpose of financing the cost of future additions, extensions and improvements to its waterworks, or to refund obligations, subject to the following conditions:

(a) The interest on and principal of all bonds payable from the revenues of the waterworks shall have been paid to date in accordance with the terms thereof, and all required payments into the Bond and Interest Account of the Sinking Fund have been made in accordance with the provisions of this ordinance.

(b) The Net Revenues of the waterworks in the calendar year immediately preceding the issuance of any such bonds ranking on a parity with the Bonds shall be not less than one hundred twenty-five percent (125%) of the average annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued; or, prior to the issuance of the parity bonds the water rates and charges shall be increased sufficiently so that said increased rates and charges applied to the previous calendar year's operations would have produced Net Revenues for said year equal to not less than one hundred twenty-five percent (125%) of the average annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued.

For purposes of this subsection, the records of the waterworks shall be analyzed and all showings prepared by an independent utility accountant employed by the Town for that purpose.

(c) The interest on additional parity bonds shall be payable semiannually on the first days of January and July and the principal on, or mandatory sinking fund redemptions for, the additional parity bonds shall be payable semiannually on January 1 and July 1.

Section 20. Further Covenants of the Town; Maintenance, Insurance, Pledge Not To Encumber, Subordinate Indebtedness, and Contract with Bondholders. For the purpose of further safeguarding the interests of the owners of the Bonds and BANs, it is hereby specifically provided as follows:

(a) All contracts let by the Town in connection with the construction of the Project shall be let after due advertisement as required by the laws of the State of Indiana, and all contractors shall be required to furnish surety bonds in an amount required by law or deemed appropriate by the Town Council to insure the completion of said contracts in accordance with their terms, and such contractors shall also be required to carry such employers' liability and public liability insurance as are required under the laws of the State of Indiana in the case of public contracts, and shall be governed in all respects by the laws of the State of Indiana relating to public contracts.

(b) The Project shall be constructed under plans and specifications approved by a competent engineer designated by the Town. All estimates for work done or material furnished shall first be checked by the engineer and approved by the Town.

(c) So long as any of the Bonds or BANs are outstanding, the Town shall at all times maintain the waterworks system in good condition and operate the same in an efficient manner and at a reasonable cost.

(d) So long as any of the Bonds or BANs are outstanding, the Town shall acquire and maintain insurance coverage on the insurable parts of the system, of a kind and in an amount such as is normally carried by private companies engaged in a similar type of business. All insurance shall be placed with responsible insurance companies qualified to do business under the laws of the State of Indiana. Insurance proceeds shall be used in replacing or repairing the property destroyed or damaged; or if not used for that purpose shall be treated and applied as Net Revenues of the works.

(e) So long as any of the Bonds or BANs are outstanding, the Town shall not mortgage, pledge or otherwise encumber such works, or any part thereof, nor shall it sell, lease or otherwise dispose of any portion thereof except to replace equipment which may become worn out or obsolete.

(f) Except as otherwise specifically provided in Section 19 of this ordinance, so long as any of the Bonds are outstanding, no additional bonds or other obligations pledging any portion of the revenues of the system shall be authorized, issued or executed by the Town, except such as shall be made junior and subordinate in all respects to the Bonds, unless the Bonds have been duly called for redemption and sufficient funds to effect the redemption and retirement have been deposited at the place of redemption on the date fixed for redemption in accordance with the terms and conditions of the Bonds and this ordinance.

(g) The provisions of this ordinance shall constitute a contract by and between the Town and the owners of the Bonds and BANs herein authorized, all the terms of which shall be enforceable by any Bond or Ban holder by any and all appropriate proceedings in law or in equity. After the issuance of the Bonds or BANs, this ordinance shall not be repealed, amended or modified in any respect which will adversely affect the rights or interests of the owners of the

Bonds or BANs, nor shall the Town Council or any other body of the Town adopt any law, ordinance or resolution in any way adversely affecting the rights of such owners so long as any of the Bonds, the BANs, or the interest thereon, remain outstanding or unpaid. Except in the case of changes described in Section 21(a)-(f), this ordinance may be amended, however, without the consent of the owners of the Bonds or BANs, if the Town Council determines, in its sole discretion, that such amendment would not adversely affect the owners of the Bonds and BANs.

(h) The provisions of this ordinance shall be construed to create a trust in the proceeds of the sale of the Bonds and BANs herein authorized for the uses and purposes herein set forth, and the owners of the Bonds and BANs shall retain a lien on such proceeds until the same are applied in accordance with the provisions of this ordinance and of the governing Act. The provisions of this ordinance shall also be construed to create a trust in the Net Revenues herein directed to be set apart and paid into the Sinking Fund for the uses and purposes of that Fund as in this ordinance set forth. The owners of the Bonds shall have all the rights, remedies and privileges under Indiana law in the event the Town shall fail or refuse to fix and collect sufficient rates and charges for said purposes, or shall fail or refuse to operate and maintain said system and to apply properly the revenues derived from the operation thereof, or if there be a default in the payment of the interest on or principal of the Bonds.

Section 21. Amendments with Consent of Bondholders. Subject to the terms and provisions contained in this Section and Section 20(g), and not otherwise, the owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the Bonds issued pursuant to this ordinance and then outstanding shall have the right from time to time, to consent to and approve the adoption by the Town Council of the Town of such ordinance or ordinances supplemental hereto or amendatory hereof, as shall be deemed necessary or desirable

by the Town for the purpose of modifying, altering, amending, adding to or rescinding any of the terms or provisions contained in this ordinance, or in any supplemental ordinance; provided that nothing herein contained shall permit or be construed as permitting:

- (a) An extension of the maturity of the principal of or interest on, or any mandatory sinking fund redemption date for, any Bond issued pursuant to this ordinance; or
- (b) A reduction in the principal amount of any Bond or the redemption premium or the rate of interest thereon; or
- (c) The creation of a lien upon or a pledge of the revenues or Net Revenues of the waterworks ranking prior to the pledge thereof created by this ordinance; or
- (d) A preference or priority of any Bond or Bonds issued pursuant to this ordinance over any other Bond or Bonds issued pursuant to the provisions of this ordinance; or
- (e) A reduction in the aggregate principal amount of the Bonds required for consent to such supplemental ordinance; or
- (f) A reduction in the Reserve Requirement.

If the owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the Bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the Clerk-Treasurer of the Town, no owner of any Bond issued pursuant to this ordinance shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the Town Council of the Town from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to

the provisions of this section, this ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this ordinance of the Town and all owners of Bonds then outstanding, shall thereafter be determined, exercised and enforced in accordance with this ordinance, subject in all respects to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this ordinance, the rights and obligations of the Town and of the owners of the Bonds authorized by this ordinance, and the terms and provisions of the Bonds and this ordinance, or any supplemental or amendatory ordinance, may be modified or altered in any respect with the consent of the Town and the consent of the owners of all the Bonds then outstanding.

Section 22. Investment of Funds. (a) The Clerk-Treasurer is hereby authorized to invest moneys pursuant to IC 5-1-14-3 and the provisions of this ordinance (subject to applicable requirements of federal law to insure such yield is the then current market rate) to the extent necessary or advisable to preserve the exclusion from gross income of interest on the Bonds and BANs under federal law.

(b) The Clerk-Treasurer shall keep full and accurate records of investment earnings and income from moneys held in the funds and accounts continued or referenced herein. In order to comply with the provisions of the ordinance, the Clerk-Treasurer is hereby authorized and directed to employ consultants or attorneys from time to time to advise the Town as to requirements of federal law to preserve the tax exclusion. The Clerk-Treasurer may pay any fees as operation expenses of the waterworks.

Section 23. Tax Covenants. In order to preserve the exclusion of interest on the Bonds and BANs from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986 as existing on the date of issuance of the Bonds or BANs, as the case may be

("Code"), and as an inducement to purchasers of the Bonds and BANs, the Town represents, covenants and agrees that:

(a) The waterworks will be available for use by members of the general public. Use by a member of the general public means use by natural persons not engaged in a trade or business. No person or entity other than the Town or another state or local governmental unit will use more than 10% of the proceeds of the Bonds or BANs or property financed by the Bond or BAN proceeds other than as a member of the general public. No person or entity other than the Town or another state or local governmental unit will own property financed by Bond or BAN proceeds or will have any actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, arrangements such as take-or-pay or output contracts or any other type of arrangement that conveys other special legal entitlements and differentiates that person's or entity's use of such property from use by the general public, unless such uses in the aggregate relate to no more than 10% of the proceeds of the BANs or the Bonds, as the case may be. If the Town enters into a management contract for the waterworks, the terms of the contract will comply with IRS Revenue Procedure 97-13, as it may be amended, supplemented or superseded for time to time, so that the contract will not give rise to private business use under the Code and the Regulations, unless such use in aggregate relates to no more than 10% of the proceeds of the Bonds or BANs, as the case may be.

(b) No more than 10% of the principal of or interest on the Bonds or BANs is (under the terms of the Bonds, BANs, this ordinance or any underlying arrangement), directly or indirectly, secured by an interest in property used or to be used for any private business use or payments in respect of any private business use or payments in respect of such property or to be

derived from payments (whether or not to the Town) in respect of such property or borrowed money used or to be used for a private business use.

(c) No more than 5% of the Bond or BAN proceeds will be loaned to any person or entity other than another state or local governmental unit. No more than 5% of the Bond or BAN proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Bond or BAN proceeds.

(d) The Town reasonably expects, as of the date hereof, that the Bonds and BANs will not meet either the private business use test described in paragraphs (a) and (b) above or the private loan test described in paragraph (c) above during the entire term of the Bonds or BANs, as the case may be.

(e) No more than 5% of the proceeds of the Bonds or BANs will be attributable to private business use as described in (a) and private security or payments described in (b) attributable to unrelated or disproportionate private business use. For this purpose, the private business use test is applied by taking into account only use that is not related to any government use of proceeds of the issue (Unrelated Use) and use that is related but disproportionate to any governmental use of those proceeds (Disproportionate Use).

(f) The Town will not take any action nor fail to take any action with respect to the Bonds or BANs that would result in the loss of the exclusion from gross income for federal tax purposes on the Bonds or BANs pursuant to Section 103 of the Code, nor will the Town act in any other manner which would adversely affect such exclusion. The Town covenants and agrees not to enter into any contracts or arrangements which would cause the Bonds or BANs to be treated as private activity bonds under Section 141 of the Code.

(g) It shall not be an event of default under this ordinance if the interest on any Bond is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Bonds or BANs, as the case may be.

(h) These covenants are based solely on current law in effect and in existence on the date of delivery of such Bonds or BANs, as the case may be.

(i) The Town represents that it will rebate any arbitrage profits to the United States in accordance with the Code.

(j) The Town Council hereby authorizes the Town Council President and the Clerk-Treasurer to designate the Bonds and the BANs as qualified tax-exempt obligations if the provisions of Section 265(b)(3) of the Code can be satisfied. Such designation may be made in the certificates delivered in connection with the issuance of the Bonds and BANs.

Section 24. Issuance of BANs. (a) The Town, having satisfied all the statutory requirements for the issuance of its Bonds, may elect to issue its BAN or BANs to a financial institution, the Indiana Bond Bank or any other purchaser, pursuant to a Bond Anticipation Note Purchase Agreement ("Bond Anticipation Note Agreement") to be entered into between the Town and the purchaser of the BAN or BANs. The Town Council hereby authorizes the issuance and execution of the BAN or BANs in lieu of initially issuing the Bonds to provide interim financing for the Project until permanent financing becomes available. It shall not be necessary for the Town to repeat the procedures for the issuance of its Bonds, as the procedures followed before the issuance of the BAN or BANs are for all purposes sufficient to authorize the issuance of the Bonds and the use of the proceeds to repay the BAN or BANs.

(b) The Town Council President and the Clerk-Treasurer are hereby authorized and directed to execute a Bond Anticipation Note Agreement in such form or substance as they shall approve acting upon the advice of counsel. The Town Council President and the Clerk-Treasurer may also take such other actions or deliver such other certificates as are necessary or desirable in connection with the issuance of the BANs or the Bonds and the other documents needed for the financing as they deem necessary or desirable in connection therewith.

Section 25. Noncompliance with Tax Covenants. Notwithstanding any other provisions of this ordinance, the covenants and authorizations contained in this ordinance ("Tax Sections") which are designed to preserve the exclusion of interest on the Bonds and BANs from gross income under federal law ("Tax Exemption") need not be complied with if the Town receives an opinion of nationally recognized bond counsel that any Tax Section is unnecessary to preserve the Tax Exemption.

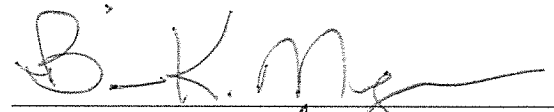
Section 26. Conflicting Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby repealed.


Section 27. Headings. The headings or titles of the several sections shall be solely for convenience of reference and shall not affect the meaning, construction or effect of this ordinance.

Section 28. Effective Date. This ordinance shall be in full force and effect from and after its passage.

Passed and adopted by the Town Council of the Town of Sellersburg this 22 day of October, 2012.


Paul J. Rhodes, Council President


Brian K. Meyer, Council Vice-President


James H. LaMaster, 2nd Vice-President


Terry E. Langford, Council Member


Michael N. Lockhart, Council Member


ATTEST: David L. Kinder
Clerk-Treasurer

EXHIBIT A

Description of Project

I. Two Supply Wells

The raw water supply component of this project consists of drilling two gravel wall water supply wells each with an anticipated water yield of 1,200 gallons per minute. Included in this item of work is water pumping equipment, valve vault, water metering equipment, check valves, gate valves, automatic drainback, electrical components and raw water piping from valve vault to existing raw water main.

II. Water Treatment Plant Improvements

The water treatment plant component of this project consists of constructing a pair of 1,200 gpm package iron and manganese removal water treatment plants adjacent to the existing water treatment plant. The proposed water treatment plant will consist of two unitized steel package water treatment plants. Each unitized steel water treatment plant will contain an aeration section, detention section and filter section. The complete water treatment plant will be rated at 3,000,000 gallons per day of treated water.

Water treatment plant improvements will be constructed on the same site as the existing water treatment plant and many components of existing water treatment plant will be reutilized to maximum extent possible. The new water treatment plant components will connect to the existing components via an enclosed passageway. The existing water treatment plant, raw water piping, wastewater piping, electrical system, chemical feed room, high service pumps and other components will be partially reutilized as part of this project.

Backwash water will be recycled to eliminate discharge of water to a location off-site.

III. Booster Station and Ground Level Storage Tank

A new 500,000 gallon ground level water storage tank is to be located between the water treatment plant and the major portion of the water distribution system. The new ground level water storage tank will receive finished water from an existing water transmission main and will serve as a suction reservoir for three new water booster pumps. The new water booster station will be constructed on the same site as the ground level water storage tank. The new booster station will have three booster pumps each rated at 900 gallons per minute. The booster pumps will deliver water to an existing 750,000 gallon elevated water storage tank and to an existing 500,000 gallon elevated water storage tank.

IV. Storage Tank Refurbishment

Two existing elevated water storage tanks are to be refurbished as part of the waterworks improvements project. One elevated water storage tank is a 750,000 gallon multi-column elevated water storage tank. The other elevated water storage tank is a 500,000 gallon single pedestal elevated water storage tank.

The interior and exterior of both elevated water storage tanks are to be sandblasted to remove all paint, rust and residue. Then primed and painted with an intermediate coat and a finished coat of epoxy or polyurethane paint. Any pits or structural deterioration discovered during painting will be fully welded to restore corrosion areas.

ORDINANCE NO. 2012-017

**HOURLY, WEEKLY AND MONTHLY PAY FOR EMPLOYEES AND ELECTED
OFFICIALS OF THE TOWN OF SELLERSBURG, INDIANA FOR CALENDAR YEAR 2013**

and Monthly pay for the Town of Sellersburg, Indiana for calendar year 2013 payable from the General Fund, Parks Fund, Water Utility and Waste Water Utility of the Town of Sellersburg, Indiana shall be as follows:

<u>Town Council 1/3 Water, WastWater, General</u>	<u>Qty.</u>	<u>Hourly</u>	<u>Weekly</u>	<u>Monthly</u>
Town Council President	1			\$926.12
Town Council Members	4			\$826.12

<u>Police Officers-General Fund</u>	<u>Qty.</u>	<u>Hourly</u>	<u>Weekly</u>	<u>Monthly</u>
Chief	1		\$1,084.38	
Asst. Chief	1		\$997.46	
Detective	1		\$843.46	
Sergeant	3		\$825.46	
Corporal	2		\$802.66	
First Class Patrolman	6		\$782.66	
School Resource Officer	1		\$782.66	
Probationary Patrolman hired in 2012			\$755.46	

<u>Dispatchers-General Fund</u>		<u>Hourly</u>	<u>Weekly</u>	<u>Monthly</u>
Full Time Police Dispatcher/Secretary	1		\$741.06	
Full Time Police Dispatcher/IDACS Coordinator	1	\$15.59		
Full Time Police Dispatcher	3	\$14.59		
Part-Time Police Dispatcher	1	\$14.59		
Probationary Dispatchers		\$13.89		

<u>Clerk Treasurer's Office-1/3 Water, WastWater, General</u>		<u>Hourly</u>	<u>Weekly</u>	<u>Monthly</u>
Clerk Treasurer	1		\$772.57	
Chief Deputy Clerk Treasurer	1		\$861.46	
Deputy Clerk Treasurer	1		\$798.66	

<u>Pool/Seasonal Part-Time-Parks Fund</u>		<u>Hourly</u>
Pool Manager	1	\$13.23
Assistant Manager	1	\$12.23
Head Lifeguard	1	\$11.23
Senior Lifeguard		\$10.73
Junior Lifeguard		\$9.98
Concession Workers		\$8.98

Public Works-General Fund		Hourly	Weekly	Monthly
Team Member	1	\$18.34		
Team Member w/CDL	2	\$17.84		

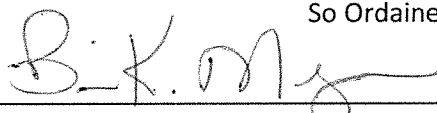
Public Works-Water Fund		Hourly	Weekly	Monthly
Water Superintendent	1		\$939.02	
Team Member	1	\$18.34		

Public Works-WasteWater Fund		Hourly	Weekly	Monthly
Asst. Public Works Director	1		\$1,113.86	
WasteWater Superintendent	1		\$897.00	
Safety Coordinator	1	\$17.84		
Team Member	1	\$17.34		

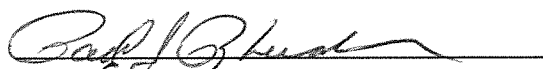
Public Works-Split Funds		Hourly	Weekly	Monthly
15% Civil/40% Water/45% Waste Water				
Public Works Director	1		\$1,207.46	
Building/Utilities Inspector	1		\$1,000.26	
Billing Manager	1		\$803.44	
Billing Clerk	2	\$16.34		
Team Leader	1		\$939.02	
Team Member	1	\$17.84		
Team Member	2	\$17.34		
Team Member	1	\$16.59		
Team Member-Seasonal/Part-Time	2	\$10.48		
Apprentice Team Member	1	\$13.48		
On Call Pay 15.00 per day				

Overtime pay is one and a half times the hourly rate.

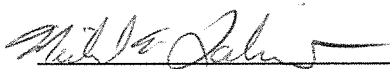
So Ordained this **22nd** day of **October, 2012**.



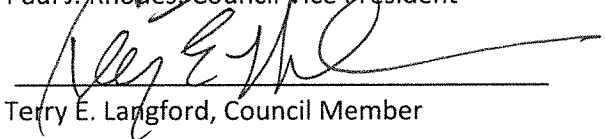
Brian K. Meyer, Council President



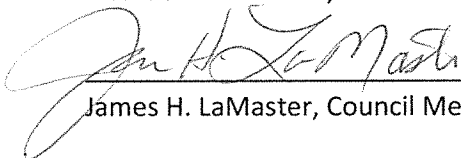
Paul J. Rhodes, Council Vice President



Michael N. Lockhart, Council Member



Terry E. Langford, Council Member



James H. LaMaster, Council Member

Attest: David L. Kinder, Clerk Treasurer

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG

ORDINANCE NO. 2012-018

**AN ORDINANCE ESTABLISHING REVISED VOTER DISTRICTS IN THE
TOWN OF SELLERSBURG, INDIANA**

WHEREAS, IND. CODE § 36-35-2-4.1 requires the legislative body for the Town of Sellersburg, Indiana to divide the Town into districts for the purpose of conducting elections of Town Offices; and

WHEREAS, the Sellersburg Town Council has made studies based upon the 2010 census block maps, and the most recently published precinct lines within the Town of Sellersburg; and

WHEREAS, the Sellersburg Town Council finds the following criteria exists in dividing the Town into districts: that each district be composed of contiguous territory, be reasonable compact, and not cross precinct lines (unless the districts would not otherwise contain, as nearly as is possible, equal population), and contain, as nearly as possible, equal population as required by I.C. 36-5-2-4.1; and

WHEREAS, the herein ordinance is necessary for the efficient and effective administration of Town government; and

WHEREAS, the Sellersburg Town Council has determined this matter at an open meeting to which the public were invited to attend and participate.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that the Revised Voter Districts for Sellersburg Town Offices shall be as follows and incorporated herein as set forth in Exhibit 1:

Revised District One (1) shall be defined in accordance with the incorporated map and have a population of 1566.

Revised District Two (2) shall be defined in accordance with the incorporated map and have a population of 1706.

Revised District Three (3) shall be defined in accordance with the incorporated map and have a population of 1636.

Revised District Four (4) shall be defined in accordance with the incorporated map and have a population of 1704.

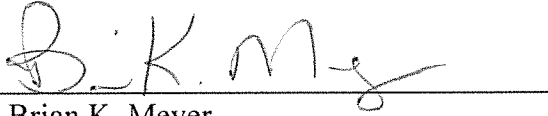
Revised At-Large District Five (5) shall be defined in accordance with the incorporated map and have a population of 6612.

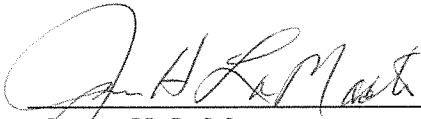
BE IT FURTHER ORDAINED by the Town Council that all exhibits and maps designating the district boundary and census are incorporated by reference as if fully set out herein.

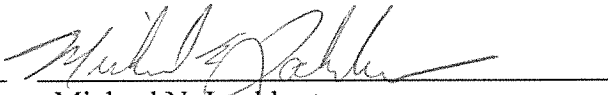
This Ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.


So Ordained this 26 day of November, 2012



Paul J. Rhodes
Council President


Brian K. Meyer
Council Vice President


James H. LaMaster
2nd Vice Council President


Michael N. Lockhart
Council Member


Terry Langford
Council Member


Attest: Michelle D. Miller
Chief Deputy Clerk-Treasurer

Sellersburg Districts





1



Ordinance No. 2012-020

AN ORDINANCE FOR THE TRANSFER OF FUNDS REGARDING THE TOWN OF SELLERSBURG GENERAL AND PARKS/RECREATION FUNDS

WHEREAS, the Town of Sellersburg Clerk-Treasurer has determined there exists a need to transfer funds to continue efficient and effective maintenance of the Town of Sellersburg; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that the requested transfer of funds is necessary for continued efficient and effective maintenance of the Town of Sellersburg; and

WHEREAS, this matter was considered in an open public meeting at which the public were invited to attend and participate.

BE IT NOW THEREFORE ORDAINED that the following funds be transferred as follows:

GENERAL FUND

	<u>FROM</u>	<u>TO</u>
\$125.00	CT (101002441) OFFICE EQUIPMENT	CT (101002126) LONGEVITY
\$13,350.79	TC (101003123) HEALTH REIMB ACCT	TC (101003124) GROUP HEALTH INS.
\$245.00	TC (101003319) ANNEXATION	TC (101003324) MILEAGE/TRAVEL
\$4,300.00	TC (101003319) ANNEXATION	TC (101003341) INS. OTR THAN GROUP
\$350.00	TC (101003319) ANNEXATION	TC (101003392) INST/SEMINARS
\$50.00	TC (101003319) ANNEXATION	PD (101020318) POLICE COMM
\$900.00	TC (101003319) ANNEXATION	PD (101020323) PHONES/INTERNET
\$10,000.00	TC (101003314) CONSULTING	PD (101020111) POLICE SALARIES
\$10,000.00	TC (101003314) CONSULTING	PD (101020112) DISPATCHER'S SAL.
\$400.00	TC (101003319) ANNEXATION	S&S (101301225) FUEL FOR PACKER
\$10.00	TC (101003319) ANNEXATION	S&S (101301226) OIL FOR PACKER
\$1,700.00	TC (101003319) ANNEXATION	S&S (101301242) MISC. SUPPLIES
\$275.00	TC (101003319) ANNEXATION	S&S (101301311) EDUCATION/TRAINING
\$3,100.00	TC (101003319) ANNEXATION	S&S (101301314) CONSULTING SVCS
\$2,000.00	TC (101003319) ANNEXATION	S&S (101301384) PAVING
\$1,750.00	TC (101003319) ANNEXATION	S&S (101301394) MISC. SERVICES

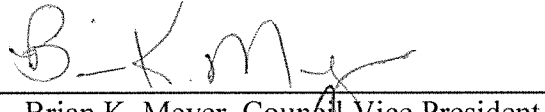
PARKS & RECREATION FUND

	<u>FROM</u>	<u>TO</u>
\$725.00	PR (204001111) POOL SALARIES	PR (204001314) CONSULTING SERVICES
\$1,775.00	PR (204001111) POOL SALARIES	PR (204001341) INS. OTR THAN GROUP
\$500.00	PR (204001111) POOL SALARIES	PR (204001351) ELECTRIC
\$600.00	PR (204001111) POOL SALARIES	PR (204001353) WATER
\$400.00	PR (204001111) POOL SALARIES	PR (204001442) POOL EQUIPMENT
\$5,900.00	PR (204001364) REPAIRS/MAINT	PR (204001442) POOL EQUIPMENT

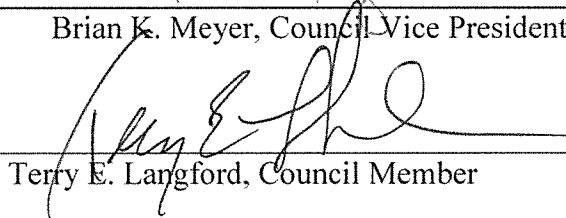
Ordinance No. 2012-020

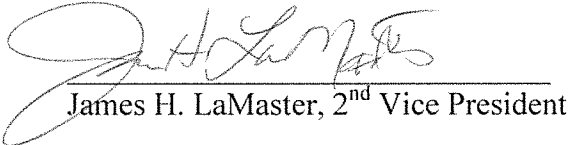
SO ORDAINED THIS 10TH DAY OF DECEMBER, 2012.

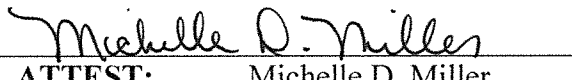

Paul J. Rhodes, Council President


Brian K. Meyer, Council Vice President


Michael N. Lockhart, Council Member


Terry E. Langford, Council Member


James H. LaMaster, 2nd Vice President


ATTEST: Michelle D. Miller
Chief Deputy Clerk-Treasurer

2012 RESOLUTIONS

NUMBER	DATE	DESCRIPTION
R-2012-001	3/26/2012	AUTH CLERK TREASURER TO INVEST, REINVEST W/LOCAL INSTITUTIONS
R-2012-002	8/13/2012	DONATING LAND TO CLARK COUNTY REGIONAL AIRPORT

RESOLUTION R-2012-001

A RESOLUTION AUTHORIZING THE CLERK-TREASURER OF THE TOWN OF SELLERSBURG, INDIANA, TO DEPOSIT, INVEST AND REINVEST FUNDS IN LOCAL FINANCIAL INSTITUTIONS DESIGNATED AS DEPOSITORIES.


WHEREAS, The Indiana Depository Act, I. C. 5-13, among other things, authorizes fiscal officers of local governments to deposit, invest and reinvest any funds held by that government entity, and

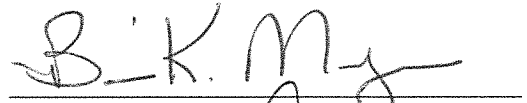
WHEREAS, The Indiana Board for Depositories publishes or causes to be published from time to time listings of financial institutions designated as depositories for state deposits; and


WHEREAS, The Town Council of Sellersburg , as a fiscal body of the Town of Sellersburg, Indiana is desirous of depositing, investing, and reinvesting monies in financial institutions having a principal office or branch located in Sellersburg and Clarksville, Indiana and designated by the Indiana Board of Depositories as a depository for state deposits;

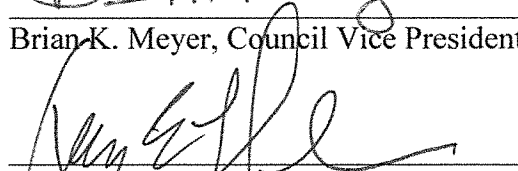
NOW THEREFORE BE IT ORDAINED, That the Clerk-Treasurer of the Town of Sellersburg is hereby authorized to deposit, invest and reinvest monies, as determined and identified by the Clerk-Treasurer, in the following designated financial institutions in Sellersburg and Clarksville, Indiana: J. P. Morgan Chase Bank, First Savings Bank, Community First Bank, Fifth Third Bank, New Washington State Bank, PNC Bank and any other financial institution identified eligible by the Indiana Board of Depositories.


SO ORDAINED THIS 26th day of March 2012.



Paul J. Rhodes, Council President


Brian K. Meyer, Council Vice President


James H. LaMaster, 2nd Vice President


Terry E. Langford, Council Member


Michael N. Lockhart, Council Member


ATTEST: David L. Kinder
Clerk-Treasurer

AUG 15 2012

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG

R. M. Smith
Auditor, Clark County

RESOLUTION NO. R-2012-002

**A RESOLUTION DONATING LAND TO THE CLARK COUNTY REGIONAL
AIRPORT**

WHEREAS, IND. CODE § 36-1-11-8 allows a transfer or exchange of property between governmental entities upon terms and conditions agreed upon by the entities as evidenced by adoption of a substantially identical resolution.


WHEREAS, this Council believes it is in the best interests of the citizens of Sellersburg, Indiana to donate .022 acres and .677 acres in Fee Simple to the Clark County Regional Airport.


WHEREAS, this is a valuable piece of land that can be used as a match for FAA Grants and the value of the appraisal for this tract of land is approximately \$42,000.00 as described in "Exhibit A" of Resolution 2012-1 for the Clark County Board of Aviation Commissioners (SEE ATTACHED EXHIBIT #1).


WHEREAS, the Clark County Board of Aviation Commissioners adopted said Resolution 2012-1 the 6th day of June, 2012.


NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana, that said property described in "Exhibit A" of the Clark County Board of Aviation Commissioners Resolution 2012-1 and hereto attached as Exhibit #1 be donated to the Clark County Regional Airport.


So Adopted this 13th, day of August, 2012



Paul J. Rhodes
Council President


Brian K. Meyer
Council Vice President


James H. LaMaster
2nd – Vice Council President


Michael N. Lockhart
Council Member


Terry Langford
Council Member


Attest: David L. Kinder
Clerk-Treasurer

CLARK COUNTY BOARD OF AVIATION COMMISSIONERS
RESOLUTION: 2012#1

WHEREAS, the Board of Aviation Commissioners, on this 6th day of June, 2012, accepts from the Town of Sellersburg, the following described real estate as a donation:

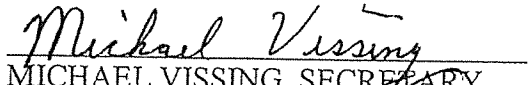
SEE ATTACHED EXHIBIT "A"

WHEREAS, this is a valuable piece of land that can be used as a match of FAA Grants and the value of the appraisal for this tract of land is approximately \$42,000.00 as shown by documented appraisals.

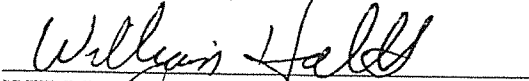
WHEREAS, the Board of Aviation Commissioners agrees to accept this tract of land and acknowledges the credit to the Town of Sellersburg and incorporates this as a part of the Clark Regional Airport Expansion Project through the Federal Aviation Administration.

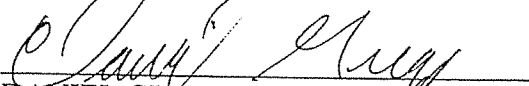
SO ADOPTED THIS 6TH DAY OF JUNE, 2012.


RONALD BARNES, PRESIDENT


MICHAEL VISSING, SECRETARY


ALAN CONNER, BOARD MEMBER


WILLIAM HALTER, BOARD MEMBER


DANIEL GREGORY, BOARD MEMBER



Jacobi, Toombs & Lanz, Inc.
Consulting Engineers & Land Surveyors

EXHIBIT A

**LEGAL DESCRIPTION OF PART OF THE
PROPERTY OF THE TOWN OF SELLERSBURG**

(The following description has been prepared for appraisal purposes only
and is not intended to be used for the transfer or conveyance of property.)

TRACT 1

Part of Survey No. 67 of the Illinois Grant, Silver Creek Township, Clark County, Indiana, and being more particularly described as follows:

Commencing at a stone being the common corner to Survey Nos. 67, 68, 89 and 90; thence along the line dividing said Survey Nos. 67 and 89, South 54°55'05" West, 1456.54 feet to the northerly corner of a tract conveyed to the Town of Sellersburg by Deed Drawer 28, Instrument 2131; thence along the northeasterly line of said tract, South 34°59'48" East, 495.08 feet to the TRUE POINT OF BEGINNING;

Thence continuing along said line, South 34°59'48" East, 51.93 feet to the east corner of said tract; thence along the southeasterly line of said tract, South 54°55'05" West, 36.39 feet; thence leaving said southeasterly line, North, 63.46 feet to the True Point of Beginning.

Containing 0.022 acres and being subject to any right-of-ways or easements whether recorded or not. Being a part of the lands conveyed to the Town of Sellersburg by Deed Drawer 28, Instrument 2131.

TRACT 2

Part of Survey No. 67 of the Illinois Grant, Silver Creek Township, Clark County, Indiana, and being more particularly described as follows:

Commencing at a stone being the common corner to Survey Nos. 67, 68, 89 and 90; thence along the line dividing said Survey Nos. 67 and 89, South 54°55'05" West, 1456.54 feet to the northerly corner of a tract conveyed to the Town of Sellersburg by Deed Drawer 28, Instrument 2131; thence along the northeasterly line of said tract, South 34°59'48" East, 547.01 feet to the east corner of said tract; thence along the southeasterly line of said tract, South 54°55'05" West, 294.05 feet to the northerly corner of a tract conveyed to the Town of Sellersburg by Deed Drawer 23, Instrument 2545; thence along the northeasterly line of said tract, South 35°06'18" East, 366.64 feet to the TRUE POINT OF BEGINNING;

Thence continuing along said northeasterly line South 35°06'18" East, 589.27 feet to the southeast corner of said tract, being on the original centerline of Bean Road; thence along said original centerline South 54°53'42" East, 50.00 feet to the southwest corner of said tract; thence along the southwesterly line of said tract, North 35°06'18" West, 589.49 feet; thence North 54°53'42" West, 50.00 feet to the True Point of Beginning.

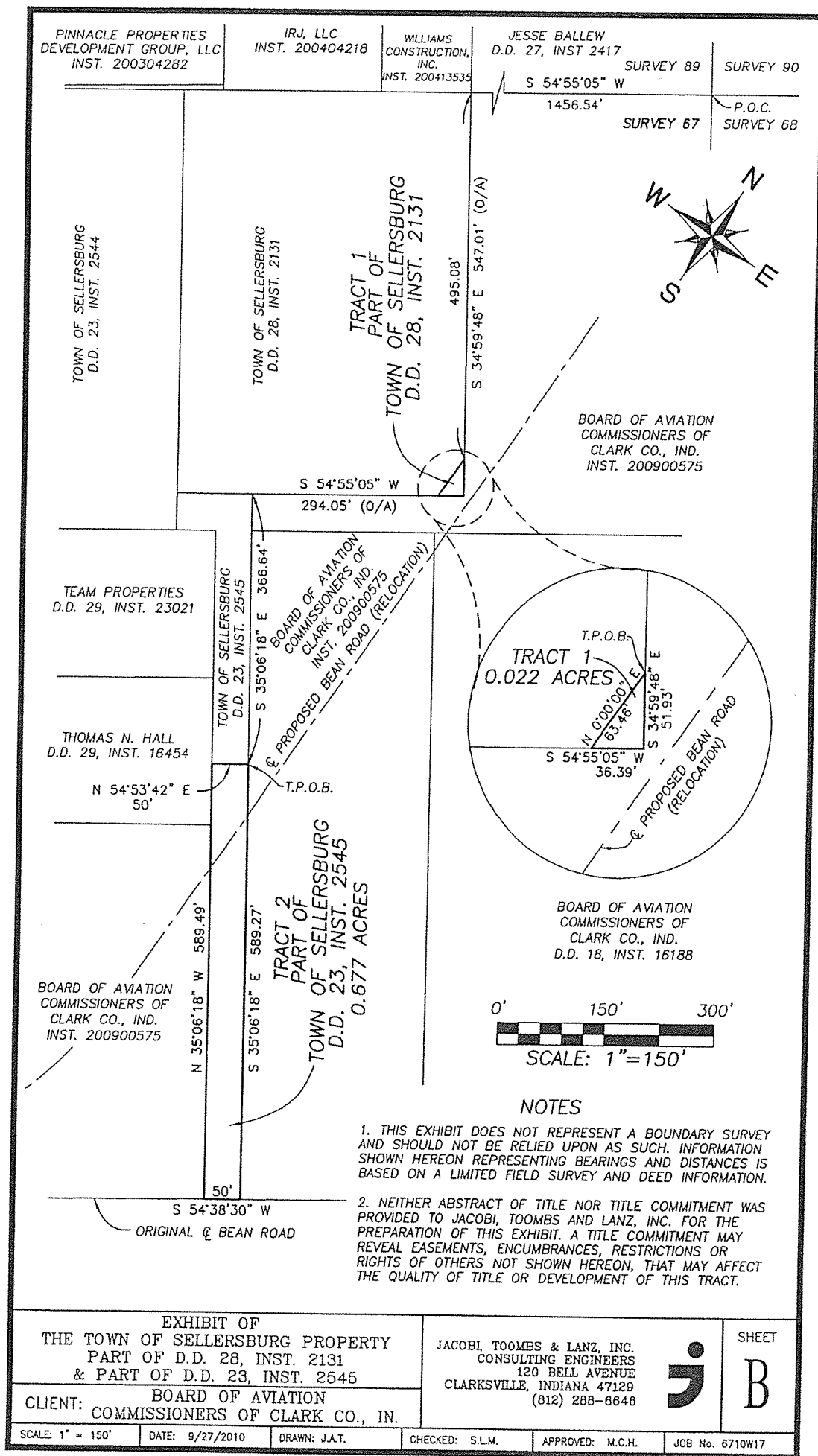
Containing 0.677 acres and being subject to any right-of-ways or easements whether recorded or not. Being a part of the lands conveyed to Town of Sellersburg by Deed Drawer 23, Instrument 2545.

120 Bell Avenue
Clarksville, IN 47129
812-288-6646
812-288-6656 Fax

1060 N. Capitol Avenue, Ste E360
Indianapolis, IN 46204
317-829-3474
317-829-3473 Fax

1400 South 1st Street
Louisville, KY 40208
502-583-5994
502-583-7321 Fax

Clarksville, IN • Indianapolis, IN • Louisville, KY
www.jtlleng.com



STATEMENT OF THE BASIS FOR JUST COMPENSATION

Code N/A

1. This is a written statement of, and summary of the basis for, the establishment of the amount believed to be, through a valuation process, just compensation for the purchase of this right-of-way for highway purposes. The amount set forth in Item 5 below is not less than the approved estimate of value. In accordance with Public Law 91-646 (the Uniform Act) specifically Sections 301 and 302 (42 U.S.C. §4652) as amended by Public Law 100-17, Uniform Relocation Act Amendments of 1987, Title IV, as amended, the "Uniform Act", and as codified in Indiana at IC 8-23-17-1 through 8-23-17-35, this value disregards any decrease or increase in fair market value of the property prior to the date of valuation caused by the public improvement for which the property is acquired other than physical deterioration within reasonable control of the owner.

2. The legal description of this acquisition is set forth in the instrument of conveyance in the following identified parcel and this acquisition is identified in the Acquiring Agency's records as:

Des. # N/A Parcel 3 Airport County Regional County Clark

Owner(s) Town of Sellersburg Indiana

3. The area and type of interest being acquired: 0.022 acres and 0.677 acres in Fee Simple

The amount in Item 5 below includes payment for the purchase of all interests in the real property and no separately held interest is being acquired separately in whole or part, except as may be explained in Item 8 below.

4. This acquisition is (Check one):

- a ☐ A total acquisition of the real property.
b ☒ A partial acquisition of the real property.

5. The Agency's Offer: Just compensation has been determined to be and the Acquiring Agency's offer for the purchase of this real property is as follows:

a. Total Land, Land Improvements and Buildings \$42,000

b. Severance Damages (i.e.: Setback, Loss in Value to the Residues, etc) N/A

c. Other Damages (Itemize)
Cost-To-Cure estimates: N/A

Temporary R/W N/A

Total Damages N/A

Total amount believed to be Just Compensation offered for this Acquisition is: \$42,000

6. The amount in Item 5 above may include payment for the purchase of certain buildings and improvements and their ownership shall pass to the Acquiring Agency. These buildings and improvements are identified as follows:

Not Applicable

7. The amount in Item 5 above may include payment for the purchase of certain Land Improvements, Fixtures, Equipment, Machinery, Signs, Etc., and their ownership shall pass to the Acquiring Agency. These items are identified as follows:

There are no compensable items located within the take areas

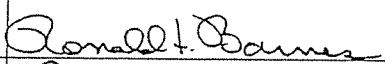
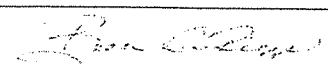
8. Items owned by others (i.e.: lessee, tenants, etc.) included in Item 5 above are identified as follows: N/A

9. Remarks:

Clark County Board of Aviation

Acquiring Agency Approval:

Reviewer:

Signature:		Signature:	
Name Printed:	RONALD F. BARNES	Name Printed:	Beth A. Riggs
		License Number CG	Indiana Certified General Appraiser 40700782
Title:	BOAC PRESIDENT	Company:	O. R. Colan Associates'
Date	3/1/12	Date	2/23/2012

