

ORDINANCE NO. 031423

ORDINANCE TO AMEND TITLE XV, CHAPTER 95, § 95.15

WHEREAS, the Town Council of the Town of McCordsville, Indiana, has previously adopted Ordinance No. 120995 and Ordinance No. 091305C regarding the placement of items, and/or signage within the right-of-way of McCordsville, Indiana; and

WHEREAS, upon further consideration, it is the belief of the Town Council of the Town of McCordsville, Indiana, that Title XV, Chapter 95, § 95.15 should be amended and that doing so is in the best interest of the citizens of McCordsville, Indiana.

THEREFORE BE IT ORDAINED by the Town Council of the Town of McCordsville, Indiana that:

SECTION I

Title IX, Chapter 95, § 95.15 shall be deleted and inserted in lieu thereof should be the following:

It shall be unlawful for anyone to locate any items, either permanently, or on a temporary basis, within Town owned right-of-way of the streets, roads, and alleys within the incorporated boundaries of McCordsville, Indiana, without first obtaining approval from the Public Works Commissioner of the Town subject to the following exceptions and provisions:

(A) Temporary signs are permitted in Town owned right-of-way without approval from the Public Works Commissioner in the following locations:

- (1) CR 900N
- (2) CR 800N
- (3) CR 750N
- (4) CR 700N
- (5) CR 650N
- (6) CR 600N
- (7) CR 500N
- (8) Aurora Way
- (9) CR 700W (south of CR 600N)
- (10) CR 600W
- (11) CR 500W
- (12) CR 400W

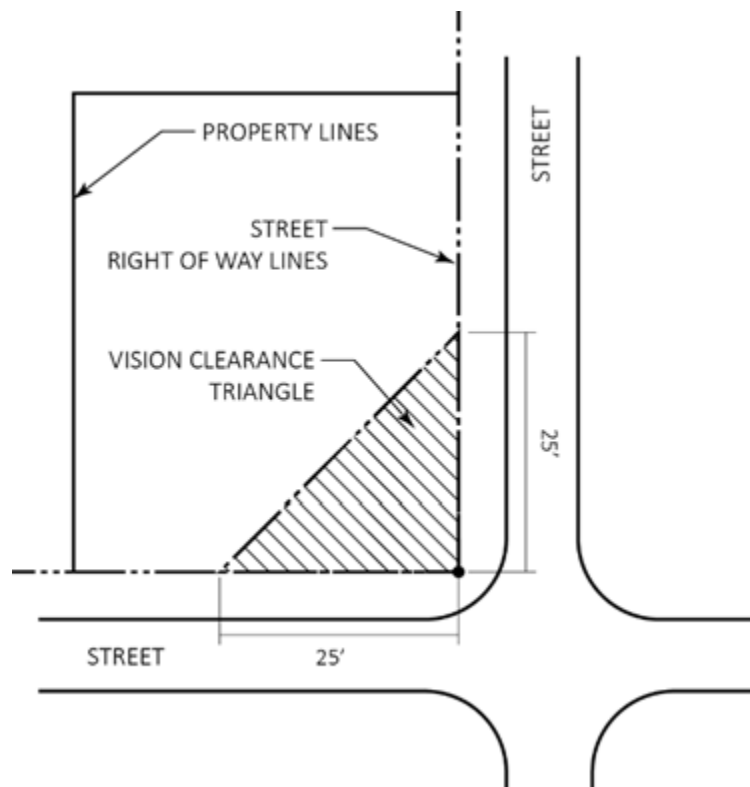
(B) Temporary political signs are permitted within the Town owned right-of-way for a period of 45 days prior to a primary, special, or general election but must be removed no later than 2 days after any such election.

(C) Temporary signs shall be no larger than 4 square feet.

(D) Temporary signs may not be placed in any Town park or in any Town owned right-of-way adjacent to a Town park.

(E) If a Town owned property is deemed a Voting Center, any and all temporary political signs may only be placed 14 days prior to a primary, special, or general election in areas designated by the Town Manager and all such signs must be removed no later than 2 days after said election.

(F) No sign shall be placed within a Vision Clearance Triangle (see below) or the directly adjacent right of way. The vision clearance triangle is defined as the triangular shaped with two sides being formed by the street right-of-way lines and the third side being the line connecting points twenty-five (25) feet from the intersection of such street right-of-way lines.



(G) It is the sole responsibility of the person(s), entity(s), or organization(s) to verify with Town authorities the exact location of the Town owned right-of-way contemplated to be used, shall ensure that any such temporary sign is located wholly and completely within the Town owned right-of-way, to ensure that the temporary sign placement does not pose a public safety risk, and to ensure that the placement of such a temporary sign does not create any potential conflict with or damage to any street or utility infrastructure.

(H) The Town reserves the right to remove any temporary sign placed in such a fashion or in such a location within the Town owned right-of-way that is deemed unsafe by the Public Works Commissioner and/or the Town Engineer.

(I) A temporary sign structure may not be placed deeper than 8 inches into the ground within the Town owned right-of-way.

(J) Any such temporary sign not placed wholly and completely within the Town owned right-of-way may be removed by the adjoining property owner of the parcel upon which the sign encroaches without liability of responsibility to the property owner and/or the Town for taking such action.

SECTION II

This Ordinance shall be in full force and effect from and after its passage and due publication according to law.

SECTION III

Introduced and filed on the ____ day of _____, 2023. A motion to consider on first reading on the day of introduction was offered and sustained by a vote of ____ in favor and ____ opposed pursuant to I.C. 36-5-2-9.8.

Duly ordained and passed this ____ day of _____, 2023 by the Town Council of the Town of McCordsville, Hancock County, Indiana, having been passed by a vote of ____ in favor and ____ opposed.

TOWN OF MCCORDSVILLE, INDIANA, BY ITS TOWN COUNCIL

Voting Affirmative:

Voting Opposed:

Gregory J. Brewer

Gregory J. Brewer

Larry J. Longman

Larry J. Longman

Branden D. Williams

Branden D. Williams

Bryan Burney

Bryan Burney

Scott Jones

Scott Jones

ATTEST:

Stephanie Crider, Clerk-Treasurer

This instrument was prepared by Gregg H. Morelock, BRAND & MORELOCK, 6 West South Street, Greenfield, IN 46140.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Gregg H. Morelock.