**ORDINANCE NO. \_\_\_\_\_\_\_\_\_\_\_**

**ORDINANCE AMENDING TITLE IX, CHAPTER 93, § 93.02, §93.03, and §93.04(A)(1) OF THE CODE OF ORDINANCES OF THE**

**TOWN OF McCORDSVILLE, INDIANA**

**WHEREAS**, the Town Council of the Town of McCordsville, Indiana, has heretofore adopted Ordinance No. 111318 establishing noise levels that are acceptable within certain districts and during certain time periods; and

**WHEREAS**, upon the recommendation of staff members for the Town Council of the Town of McCordsville, Indiana, the Town Council believes that it is in the best interest of the health, safety, and welfare of the citizens of McCordsville, Indiana, that said revisions be further amended.

**THEREFORE BE IT ORDAINED** by the Town Council of the Town of McCordsville, Indiana, as follows:

**SECTION I**

Title IX, Chapter 93, § 93.04(A)(1) shall be amended by the addition of the following language located immediately following provision (1)(f):

“Notwithstanding the provisions set forth above, Parcel 30-01-14-300-001.000-018, identified as Subject Parcel, shall have a maximum sound level limit of 74 dB(A) during the hours of 7:00 a.m. to 10:00 p.m. and 64 dB(A) during the hours of 10:00 p.m. to 7:00 a.m at the ‘eastern parcel line’ as identified on the attached Exhibit A. This increased decibel allowance shall not apply to any other Parcel(s), or parcel line(s), nor shall it be interpreted to prevent an adjoining property owner along any other property line from requesting compliance with the other provisions of Chapter 93 at their property line limits. Exception: Enforcement of the Town’s standard noise ordinance limitations on Parcel 30-01-14-300-003.000-018, identified as Affected Parcel on the attached Exhibit A, and subsequent parcels created from said Affected Parcel shall apply except when the source of the noise is produced from the Subject Parcel in the course of normal business, in such case the maximum sound level shall be measured at the eastern parcel line and limited to the decibel limits described above.”

**SECTION II**

Ordinance Number 111318, SECTION 1 is hereby amended to correct a scrivener’s error to reference §93.03 to §93.02.

**SECTION III**

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

**SECTION IV**

Introduced and filed on the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019.  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 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019 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:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Thomas R. Strayer Thomas R. Strayer

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Larry J. Longman Larry J. Longman

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Bryan T. Burney Bryan T. Burney

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Branden D. Williams Branden D. Williams

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Barry A. Wood     Barry A. Wood

ATTEST:

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Catherine C. Gardner

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.