

# ORDINANCE 321

AN ORDINANCE DEFINING CERTAIN CONDITIONS AND ACTS TO  
CONSTITUTE NUISANCES AND PROVIDING FOR THE ABATEMENTS  
THEREOF AND PROVIDING FOR PENALTIES FOR VIOLATIONS.

Be it ordained by the Council of the Town of Battle Ground, Indiana, as follows:

Section 1. It shall be unlawful for the owner or occupant of any building, structure, yard or place to suffer or permit said building, structure, yard or place to become dangerous, obnoxious or offensive to public health or safety. Any building, structure, yard or place so suffered or permitted to become dangerous, obnoxious or offensive is hereby declared a nuisance.

Section 2. It shall be unlawful for the owner or occupant of any lot, yard or parcel of ground to suffer or permit weeds or other like vegetation to grow thereon. Any yard, lot or parcel of ground where weeds or other rank vegetation are suffered or permitted to grow is hereby declared to be a nuisance.

Section 3: It shall be unlawful for any person other than a licensed automobile, truck or farm implement dealer to keep, park, store or maintain or cause to be kept, parked, stored or maintained on any private or public grounds or property within the corporate limits of the Town of Battle Ground, Indiana, and within public view any abandoned motor vehicle of any and all kinds as set out under Indiana Code 9-13-2-1 or any junk, dismantled, disused or abandoned tractor, implement or farm tool, maintained as above provided is hereby declared a nuisance.

Amended by [Ordinance No. 11-491A](#), adopted 9/12/2011.

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### **Section 3, before amendment:**

Section 3. It shall be unlawful for any person other than a licensed automobile, truck or farm implement dealer to keep, park, store or maintain or cause to be kept, parked, stored or maintained on any private or public grounds or property within the corporate limits of the Town of Battle Ground, Indiana, and within public view any junk, dismantled, disused or abandoned motor vehicle of any and all kinds whatsoever which is not currently and legally registered and licensed or any Junk dismantled, disused or abandoned tractor, implement or farm tool, maintained as above provided is hereby declared a nuisance.

Section 4. It shall be unlawful for the owner or occupant of any yard, lot or parcel of ground to accumulate or suffer or permit the accumulation thereon, of any trash, Junk or refuse. Any such accumulation of trash, junk or refuse is hereby declared a nuisance.

Section 5: Repealed by [Ordinance No. 2009-467](#), adopted 6/8/2009.

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**Section 5, before repeal:**

Section 5. It shall be unlawful for the owner or occupant of any land adjacent to and abutting upon any sidewalk to suffer or permit snow to accumulate, be or remain upon said sidewalk abutting thereon, for a longer period than three hours after daylight, and after the snow ceases to fall.

Section 6. A "person" as used in this ordinance shall include, individuals, firms, corporations, together with their officers and employees.

Section 7. Any person maintaining or suffering or permitting the maintenance of a nuisance as described in this ordinance shall remove and abate the same within ten days of receiving notice to do so by the Town Marshal of the Town of Battle Ground, Indiana. If said person shall not within said ten days period abate and remove said nuisance the Town Marshal shall cause said nuisance to be removed and abated. The Town Marshal shall keep an accurate record of the expense incurred in such abatement or removal. Said expense shall be certified to the Auditor of Tippecanoe County by the Town Clerk Treasurer and said Auditor shall cause such expense to be placed on the tax duplicate of the person so violating this ordinance and shall be collected at the times property taxes are collected from said persons.

Section 8. Any person violating the terms of this ordinance shall be guilty of a misdemeanor and upon conviction shall be fined the sum not to exceed Three Hundred (\$300.00) Dollars, and a separate offense shall be deemed committed on each and every day during or on which the violation occurs or is permitted to continue.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1994.

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Dave Ferring  
Council President

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Don McKee, Councilperson

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Steve Egly, Councilperson

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Stan Cunningham, Councilperson

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Marie McCoy, Councilperson

ATTEST:

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Geraldine Berghoff  
Clerk-Treasurer