

ORDINANCE NO. 2021-07

CONSTRUCTION/EXCAVATING PROJECTS IN TOWN RIGHT OF WAYS

The Town Council of the Town of Bourbon, Indiana, ordains as follows:

WHEREAS, it is necessary to protect the use of any and all public right of ways within town limits for free and open use, while at the same time balancing this with any and all construction/excavation projects that aid in maintaining the Town of Bourbon as well as privately owned residences and businesses.

WHEREAS, it is necessary to prescribe the manner in which a request for construction/excavation is made as well as create enforcement procedure for any violations,

WHEREAS, the Town Council of the Town of Bourbon desires to provide for the collection of fees for such violations.

NOW THEREFORE, be it ordained the following Ordinance is now in full force and effect:

A. It shall be unlawful for any person to obstruct the free passage along and upon any street, sidewalk, space between sidewalk and curbing, or commonly travelled portion of the street or other public place, and to place or permit to be placed upon such street, sidewalk, space between sidewalks and curbing, or commonly travelled portion of the street or any other public place, any thing or object whatsoever so as to obstruct or block the use thereof or so to endanger the life or limb or property of others using such passage.

B. The Town of Bourbon, through its street superintendent, may grant a permit to exempt any person or organization from the prohibition set out in the preceding paragraph A.

C. The Town of Bourbon, by and through its street superintendent, shall enact rules and regulations governing the use of right of ways by those persons or organizations granted a permit pursuant to paragraph B of this section, if necessary. Those rules and regulations may include:

1. The price of the permit.
2. Limitation of the size, location and duration of any structure placements on the right of ways.

3. A requirement that Permittee indemnify the Town of Bourbon against any loss arising out of the use of the permit.

4. Any other matter effecting the public health, safety, and welfare.

D. The rules and regulations enacted by the street superintendent shall be subject to subsequent ratification by resolution of the Town Council.

All of which is ORDAINED this 10 day of August, 2021.

THE TOWN COUNCIL OF THE
TOWN OF BOURBON, INDIANA



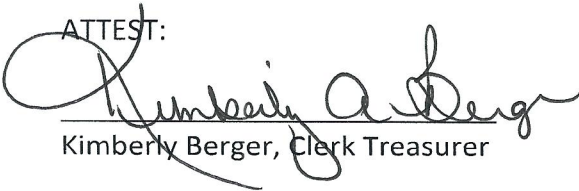
Ward Byers



Terry Clemens



Les McFarland

ATTEST:


Kimberly Berger, Clerk Treasurer