

**ORDINANCE NO. 03-19**

**AN ORDINANCE RECODIFYING, ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF WEST LAFAYETTE**

WHEREAS, Indiana Code section 36-1-5-3 requires the City Council of the City of West Lafayette to codify, revise, rearrange, and compile the ordinances of the City into a complete, simplified code; and

WHEREAS, the existing West Lafayette City Code contains outdated provisions and references and inconsistencies internally and with federal and state law; and

WHEREAS, on March 7, 2016, the City Council of the City of West Lafayette passed Resolution No. 06-16, expressing its desire for a revised code that would enhance governmental transparency and public access to and understanding of the laws of this City; and

WHEREAS, the City engaged Municipal Code Corporation d/b/a Municode to conduct a complete legal review of the existing West Lafayette City Code and to reorganize the City Code in to a code that is more logical, easier to read and research, and up to date; and

WHEREAS, in December, 2018, Municipal Code Corporation published a new West Lafayette City Code; and

WHEREAS, the new West Lafayette City Code that Municipal Code Corporation published in December, 2018, incorporates all ordinances that were to be codified and were enacted on or before January 8, 2018, but may not incorporate all ordinances enacted after January 8, 2018.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE that:

SECTION 1. All of the foregoing recitals are incorporated by reference hererin and made part of this Ordinance hereof.

SECTION 2. The Code entitled "West Lafayette City Code," which the Municipal Code Corporation published in December, 2018, consisting of chapters 1 through 40, each inclusive (the "New Code"), is adopted. The New Code is in the possession of the City Clerk and is available at the Web address attached as Exhibit A.

SECTION 3. All ordinances of a general and permanent nature enacted on or before January 8, 2018, and not included in the New Code or recognized and continued in force by reference therein, are repealed.

SECTION 4. The repeal provided for in section 3 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

SECTION 5. Unless another penalty is expressly provided, every person liable for a violation of any provision of the New Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine of not more than maximum allowed by state law. Except as otherwise provided with respect to violations of the Code that are continuous with respect to time, each day that the violation continues is a separate offense; and with respect to other violations, each act of violation constitutes a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any New Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to any penalty prescribed as to the New Code, the City may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

SECTION 6. Additions or amendments to the New Code when passed in such form as to indicate the intention to make the same a part of the New Code shall be deemed to be incorporated in the New Code, so that reference to the New Code includes the additions and amendments.

SECTION 7. Ordinances adopted after January 8, 2018, that amend or refer to ordinances that have been codified in the New Code shall be construed as if they amend or refer to like provisions of the New Code.

SECTION 8. This Ordinance shall become effective as provided by state law as to publication.

INTRODUCED ON FIRST READING ON THE 4 DAY OF February, 2019.

MOTION TO ADOPT MADE BY COUNCILOR Keen, AND SECONDED BY COUNCILOR DeBoer.

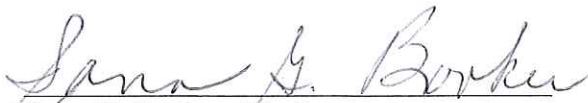
DULY ORDAINED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, ON THE 4 DAY OF March, 2019, HAVING BEEN PASSED BY A VOTE OF 9 IN FAVOR AND 0 OPPOSED, THE ROLL CALL VOTE BEING:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
DeBoer	✓			
Dietrich	✓			
Jones	✓			
Keen	✓			
Leverenz	✓			

	AYE	NAY	ABSENT	ABSTAIN
Sanders	✓			
Thomas	✓			
Wang	✓			

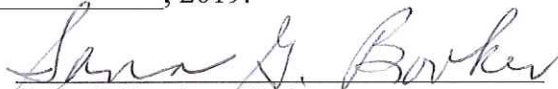
  
 Peter Bunder, Presiding Officer

Attest:


  
 Sana G. Booker, Clerk




PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA  
 ON THE 5 DAY OF March, 2019.

  
 Sana G. Booker, Clerk

THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE 7 DAY OF  
March, 2019.

  
 John R. Dennis, Mayor

Attest:

  
 Sana G. Booker, Clerk



## **Exhibit A**

The new West Lafayette City Code, which the Municipal Code Corporation published in December, 2018, is available at the Web address:

<https://library.municode.com/downloadarchive/16787>.