

ORDINANCE 2013-20

**AN ORDINANCE OF THE COMMON COUNCIL ADOPTING THE MUNICIPAL
CODE OF THE CITY OF HOBART, LAKE COUNTY, INDIANA**

WHEREAS, the Indiana State Legislature has provided for the codification and publication of the permanent and general ordinances of cities and towns in IC 36-1-5-1 through IC 36-1-5-6; and

WHEREAS, the last codification of the City of Hobart Municipal Code was completed and effective on July 2, 2008; and

WHEREAS, more than 38 Ordinances, affecting more than 200 sections of the Hobart Municipal Code have been adopted by the Common Council since the last codification adoption; and

WHEREAS, there are minor technical corrections throughout the Hobart Municipal Code, not substantive in nature, that are needed to place the Ordinances adopted by the Common Council into the Hobart Municipal Code and to provide for consistent numbering, formatting and correcting of typographical errors; and

WHEREAS, there were updates needed in the traffic schedules (Chapter 74) of the Hobart Municipal Code to correctly designate the placement of stop signs and stop lights as are currently situated throughout the City of Hobart; and

WHEREAS, the City of Hobart staff has incorporated those ordinances duly adopted by the Common Council into a published codification of the permanent and general ordinances of the City of Hobart, Indiana, including updates to the Table of Contents, Parallel References and Index of the Hobart Municipal Code; and

WHEREAS, there have been filed and there are now on file in the office of the Clerk-Treasurer, for public inspection, two (2) copies of this document which is entitled the "City of Hobart Municipal Code" as required by IC 36-1-5-4;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the city of Hobart, Indiana:

Section 1. Adoption. Pursuant to the provisions of IC 36-1-5-1 through IC 36-1-5-6, there is hereby adopted the "City of Hobart Municipal Code" as provided by the City of Hobart staff.

Section 2. Title – Citation – Reference. This code shall be known as the "City of Hobart Municipal Code" and it shall be sufficient to cite to or refer to said code as such in any prosecution for the violation of any provision thereof or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any part or portion thereof as an addition to, amendment to, correction or repeal of the "city of Hobart Municipal Code." Further reference may be had to the titles, chapters, sections and

47 subsections of the “City of Hobart Municipal Code” and such references shall apply to that
48 numbered title, chapter, section or subsection as it appears in the code. This code is declared to
49 be prima facie evidence of the law of the City of Hobart, Indiana and shall be received in
50 evidence as such by the courts of the State of Indiana.

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52 **Section 3. Codification Authority.** This code consists of all of the regulatory and penal
53 ordinances of the City of Hobart, Indiana, codified pursuant to the provisions of the Indiana
54 Code cited above. This code is a restatement of the properly enacted ordinances of the City of
55 Hobart and such ordinances shall be considered re-ordained by passage of the code as provided
56 in IC 36-1-5-6. This code also adopts by reference certain statutes and administrative rules of
57 the State of Indiana as identified in the code.

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59 **Section 4. Ordinances Passed Prior to Adoption of the Code.** The ordinances included in this
60 code are current through those adopted through March 6, 2013, specifically Ordinance No. 2013-
61 09.

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63 **Section 5. Reference Applies to All Amendments.** Whenever a reference is made to this code as
64 the “City of Hobart Municipal Code” or to any portion thereof, or to any ordinance of the City of
65 Hobart, Indiana, the reference shall apply to all amendments, corrections and additions
66 heretofore, now or hereafter made.

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68 **Section 6. Title, Chapter and Section Headings.** Title, chapter and section headings contained
69 in this code shall not be deemed to govern, limit, modify or in any manner affect the scope,
70 meaning or intent of the provisions of any title, chapter or section thereof.

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72 **Section 7. Reference to Specific Ordinances.** The provisions of this code shall not in any
73 manner affect matters of record which refer to, or are otherwise connected with ordinances
74 which are therein specifically designated by number or otherwise and which are included within
75 the code, but such reference shall be construed to apply to the corresponding provisions
76 contained within this code.

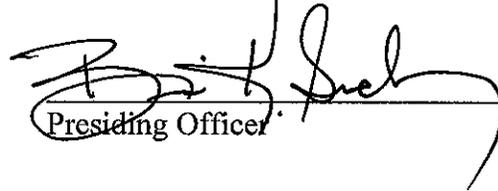
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78 **Section 8. Effect of Code on Past Actions and Obligations.** Neither the adoption of this code
79 nor the repeal or amendment hereby of any ordinance or part or portion of any ordinance of the
80 City shall in any manner affect the prosecution for violations of ordinances, which violations
81 were committed prior to the effective date hereof, nor affect any right established prior to the
82 effective date hereof, nor be construed as a waiver of any license, fee, charge or penalty at said
83 effective date due and unpaid under such ordinances, nor be construed as affecting any of the
84 provisions of such ordinances relating to the collection of any such license, fee, charge or
85 penalty, or the penal provisions applicable to any violation thereof, nor to affect the validity of
86 any bond or cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any
87 ordinance and all rights and obligations pertaining thereto shall continue in full force and effect.

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89 **Section 9. Effective Date.** This code shall become effective immediately upon the date of
90 adoption of this Ordinance.

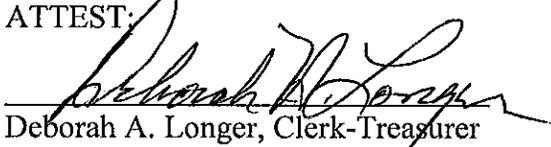
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Section 10. Severability. If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The Common Council hereby declares that it would have passed this code, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more of these parts had been declared invalid or unconstitutional, and if for any reason this code should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

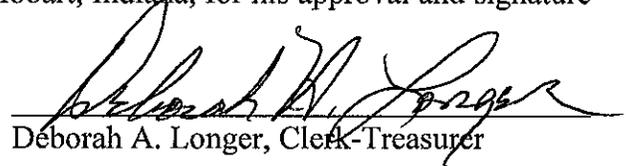
PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana this 15th day of MAY, 2013.



Presiding Officer

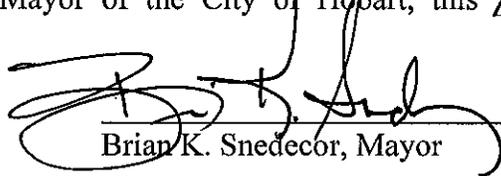
ATTEST:

Deborah A. Longer, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart, Indiana, for his approval and signature this 15th day of MAY, 2013.

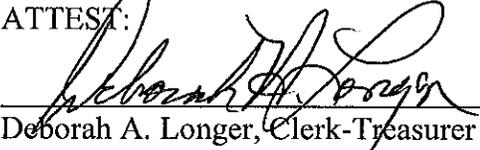


Deborah A. Longer, Clerk-Treasurer

APPROVED and SIGNED by me, the Mayor of the City of Hobart, this 15th day of MAY, 2013.



Brian K. Snedecor, Mayor

ATTEST:

Deborah A. Longer, Clerk-Treasurer

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