

**AN ORDINANCE AMENDING ORDINANCE 1492,  
PERTAINING TO UNSAFE BUILDINGS IN THE TOWN OF ORESTES AND  
ADOPTING THE PROVISIONS OF I.C. 36-7-36-1 AS TO THE  
ABATEMENT OF VACANT AND ABANDONED STRUCTURES**

WHEREAS, the Town Council of the Town of Orestes has previously adopted Ordinance 1492, adopting the provisions of I.C. 36-7-9 prohibiting unsafe buildings in the town, designating the town marshal as the enforcement authority as that term is defined within I.C. 36-7-9-2 and the town council as the hearing authority and otherwise allowing the town to deal with unsafe buildings in accordance with the provisions of the law; and

WHEREAS, the town desires to amend its unsafe building ordinance to also include "abandoned structures" as that term is defined within I.C. 36-7-36-1, and to otherwise adopt the provisions of I.C. 36-7-36, allowing for the abatement of vacant structures and abandoned structures; and

WHEREAS, the town also desires to avail itself of the provisions of I.C. 32-29-7-3 allowing for the enforcement authority that has issued an order under I.C. 36-7-36-9 to file a praecipe with the clerk of the county where a judgment and decree of mortgage foreclosure has been filed if more than 180 days have elapsed since the issuance of such judgment and decree.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Orestes, Indiana, as follows:

SECTION ONE: Pursuant to I.C. 36-7-36-7, the provisions of I.C. 36-7-36-1 through I.C. 36-7-36-10, (Chapter 36, pertaining to the abatement of vacant and abandoned structures), are now hereby adopted, and are hereby incorporated herein this ordinance as if set out in their entirety. Accordingly, the town marshal as enforcement authority shall have all such powers regarding vacant and abandoned structures as set out within such chapter, including specifically those set forth within I.C. 36-7-36-9.

SECTION TWO: In the administration and enforcement of this ordinance, the town marshal as enforcement authority and the town council as hearing authority shall follow the procedures as set out within I.C. 36-7-9 pertaining to the issuance of orders, the giving of notice, and the enforcement of orders.

SECTION THREE: This ordinance shall become effective upon passage of the council, signature of the Clerk Treasurer and publication as required by law.

SO ORDAINED THIS 24 day of August, 2010.

TOWN COUNCIL OF TOWN OF ORESTES

BY John J. Skettle  
President

Frank M. Ward  
Member

Deborah Atwood  
Member

ATTEST:

Erin A. Atwood  
Clerk/Treasurer

Prepared by:  
Timothy S. Lanane