



Monrovia Plan Commission Meeting
60 S. Marley Way, Monrovia, IN
Tuesday December 10, 2024,
@ 6:30pm

- Pledge/ Invocation:**

- Roll Call:**

- Public Hearing: NONE**

- Consideration of Minutes:** October 8th minutes

- Town Council Report:** **(Informational purposes only)**

- Plan and Building Report:** October & November building permits.

- Old Business:**

- New Business:**
 - Consider sending a recommendation to the Town Council for Ordinance Violations “wording” in the Code of Ordinances.
 - Review and approve the 2025 meeting schedule and deadlines

- Adjournment:**

Monrovia Plan Commission Meeting Tuesday September 10th, 2024

Call to Order: The meeting was called to order at 6:30 pm with the Pledge of Allegiance led by Eddie Menzel and the prayer led by Philip Fowler.

Meeting was held at the Government Center at 60 S. Marley Way, Monrovia, IN

Roll Call Present: Eddie Menzel, Bob Nicholls, Tammy Everett, Lori Choate, Michael Conner, Philip Fowler, Maryanne Taylor: Plan Administrator, and Samantha DeWester: Town Attorney

Absent: Ed Olleman

Public Hearing RP 24-01: Little discussion took place. The Edwards said they want to vacate the three lots and make it one large lot at 155 W. Main Street. Discussions continued about the utilities and the intentions of the property owners to rebuild.

Motion to close the public hearing:

- 1st Philip Fowler
- 2nd Michael Conner
- All in favor

Motion to approve RP 24-01:

- 1st Philip Fowler
- 2nd Michael Conner
- All in favor

Motion Carries

Motion to approve September 10th Plan Commission Minutes as presented:

- 1st Philip L. Fowler
- 2nd Lori Choate
- All in favor

Motion Carries

Building Permits: Eddie Menzel read the building permits for September.

Town Council Report: Philip Fowler did a brief recap of the Town Council meeting.

Old Business: Lori Choate was asking if the guest should have a packet of what the council and commissions get. The Plan Administrator said this would take a great deal of time, paper, ink, and resources. She suggested that we scan all the documents and if any guest would like, we can email them a link. Bob Nicholls said the people who attend meetings should do their due diligence to be informed when they come to the meeting.

New Business: Michael Conner announced the early voting locations in Morgan County.

Motion to Adjourn:

- **1st Michael Conner**
- **2nd Bob Nicholls**
- **All in favor**

The meeting was adjourned at 8:05 pm

Plan Commission President,
Eddie Menzel

Plan Commission Administrator,
Maryanne Taylor

9.5

Ordinance Violations Bureau The Ordinance Violations Bureau has the following powers and duties connected to enforcement actions regarding this Ordinance.

- To accept written appearances, waivers of trail, admissions of violations, and payment of civil penalties for violations of this Ordinance.
- B. To report to the Town Attorney if a person:
 - (1) denies a code violation,
 - (2) fails to fully pay the civil penalty after admission of a violation, or
 - (3) fails to deny or admit a violation of the ordinance. The Town Attorney may initiate an action to prosecute the ordinance violation.

9.10

Enforcement Authority the Town of Monrovia, including the Administrator, Town Council, Plan Commission, Board of Zoning Appeals, Building Commissioner, and their delegates are designated to enforce the provisions, regulations, and intent of this Ordinance, according to IC 36-7-4-100, et. seq., as amended.

9.11

Violation

- Violation of any of the provisions of this Ordinance is considered a common nuisance and may be abated as nuisances are abated under existing law. Violations may include:
 1. The erection, demolition, or conversion of any structure, building, or sign without the required approvals,
 2. The use of any land or premises used in violation of any provisions of this Ordinance, or
 3. Failure to comply with any condition, requirement, or commitment established with the approval of a variance, special exception, site plan, planned unit development, certificate of compliance, or other development approval under this Ordinance.

B.

Any person who violates or resists the enforcement of any provisions of this Ordinance is subject to judgment for each offense. Each day a violation exists constitutes a separate offense.

- A violation exists until corrected. Correction may include:
 1. Stopping an unlawful practice;
 2. Removal of a building, structure, or improvement;
 3. Faithful or otherwise-approved restoration or replacement of a building, structure, site or natural feature;
 4. Any other remedy specified in this Ordinance; and/or
 5. Other remedy acceptable to the Town.

C. The owner of property violating this Ordinance is responsible for all enforcement costs related to the violation. This includes costs of any remedy, fines, and enforcement costs (including reasonable attorney's fees, hours worked, photocopying charges, mileage, and other costs incurred directly or indirectly by the Town). The respondent only pays for enforcement costs clearly relating to the violation. In all instances, the amount paid by the respondent is determined by a court of jurisdiction or through a compromise agreement between the parties involved.

9.12

Enforcement Options

A. Options for Enforcement. The Town has the following options to enforce the provisions of this Ordinance:

1. Issue a notice to correct violations. The notice to correct may be sent to the owner, tenant, or occupant who commits a violation of this ordinance. It may be issued through personal service, First Class U.S. Mail, or by placement of the notice in a conspicuous place on the property. A notice to correct informs the violator of:

- a. Date of the notice to correct;
- b. Date and place the violation was observed;
- c. Name and address of the property owner or responsible party;
- d. Section number in violation;
- e. The nature of the violation;
- f. Name, business address, phone number, and email of the person issuing the

notice;

- g. Action necessary to correct the violation;
- h. Actions available to the Town to remedy violations; and
- i. That a notice of correction serves as the only notice of civil violation, and no

further notice will be required by the Town

2. Issue a citation to a person alleged to have committed a violation of this Ordinance. The citation may be processed through the Ordinance Violations Bureau, according to IC 33-36 and 9.14 Citations for Zoning Violations.

3. Issue a stop work order under 9.15 Stop Work Orders.

4. Enter onto property and take action to bring that property into compliance with this Ordinance, according to IC 36-1-6-2 and 9.16 Municipal Action to Enforce Compliance or 9.17 Correcting Immediate Public Risk Violations.

5. Initiate enforcement through an administrative proceeding before the BZA, according to IC 36-1-6-9 and 9.17 Correcting Immediate Public Risk Violations.

6. To bring a civil action in any court having jurisdiction, according to IC 34-28-5-1 and 9.18 – Administrative Enforcement.

B. Exercise of Options. The Town's exercise of the options specified in this section, including the imposition of any penalties for an Ordinance violation, are not prerequisites for taking any other action against an alleged violator of this Ordinance, nor do they prohibit the Town from taking any further action.

C. Warnings. Before exercising any of the Town's options under this section, the Administrator may issue a warning to a person alleged to be in violation of this Ordinance and give the person at least 10 days but not more than 60 days to remedy the alleged violation.

9.13

Penalties

A. Maximum Penalties. The maximum civil penalty for the first violation of a provision of this Ordinance is a fine of \$2,500. The maximum civil penalty for the second or subsequent violation of a provision of this Ordinance (other than a provision that regulates parking) is a fine of \$7,500.

B. Fees for Permits Obtained After Commencement of Work. If work requiring a permit commences in violation of this Ordinance, the permit fee is

(1) a penalty fee of twice the normal permit fee (not to exceed the maximum penalties noted above), plus

(2) the normal fee for the permit.

C. Subsequent Violations. The penalties listed above for subsequent violations apply whenever the responsible party commits an additional violation of the same provision within 12 months of the first violation, regardless of whether the additional violation is on the same property as the first violation.

CHAPTER 34: ORDINANCE VIOLATIONS BUREAU

Section

- 34.01 Establishment
- 34.02 Violations Clerk designated
- 34.03 Administration
- 34.04 Schedule of fines
- 34.05 Noncompliance; enforcement

§ 34.01 ESTABLISHMENT.

There is hereby established a town Ordinance Violations Bureau, pursuant to I.C. 33-36, as amended.

§ 34.02 VIOLATIONS CLERK DESIGNATED.

The Town Council shall appoint a person to serve as the Violations Clerk, who may be the Town Clerk-Treasurer or the Town Manager, to administer the Ordinance Violations Bureau.

§ 34.03 ADMINISTRATION.

(A) The Violations Clerk and his or her staff, as agents, shall accept written appearances, waivers of trial, admissions of violations, and payment of civil penalties up to a specific dollar set forth in an ordinance adopted by the Town Council, but not more than \$250.

(I.C. 33-36-2-3)

(B) Civil penalties shall be paid to, receipted, and accounted for by the clerk under procedures provided for by the state's Board of Accounts. Payment of civil penalties under this chapter may be made in person or by mail to the Violations Clerk.

(I.C. 33-36-3-7)

(C) A person charged with an ordinance or code violation under this chapter is entitled to a trial before a court as provided by law, unless the person waives the right to trial and enters an admission of

the violation with the Violations Clerk. Upon an admission, the Violations Clerk shall assess and receive from the violator the amount prescribed by the schedule of civil penalties established and adopted under § 34.04.

(I.C. 33-36-3-2)

(D) If a person charged with a violation under this chapter wants to exercise the right to trial, the person shall appear before the Violations Clerk and deny the violation or enter a written denial with the Violations Clerk.

(I.C. 33-36-3-3)

§ 34.04 SCHEDULE OF FINES.

The schedule of code and ordinance violations which shall be subject to admission of violation before the Violations Clerk shall, when adopted by the Town Council, be published as part of this code.

§ 34.05 NONCOMPLIANCE; ENFORCEMENT.

If a person denies an ordinance or code violation as set out herein, or fails to pay and satisfy the civil penalty assessed by the Violations Clerk after having entered an admission of violation, or fails to deny or admit the violation of any of the provisions adopted by reference in § 34.04, then the Violations Clerk shall report this fact to the Town Attorney, who may then initiate an action to prosecute the ordinance violation.

(I.C. 33-6-3-3)

IC 33-36-2 Chapter 2. Establishment

[33-36-2-1](#) Establishment of ordinance violations bureau; clerk

[33-36-2-2](#) Clerk or clerk-treasurer to serve as violations clerk if ordinance violations bureau not established

[33-36-2-3](#) Violations clerk; duties

[33-36-2-4](#) Interlocal agreements; ordinance violations

[33-36-2-5](#) Interlocal agreements with county; ordinance violations

IC 33-36-2-1 Establishment of ordinance violations bureau; clerk

Sec. 1. The legislative body of a municipal corporation may establish, by ordinance or code, an ordinance violations bureau. Upon the creation of a bureau, the legislative body shall provide for the appointment of a violations clerk (who may be the clerk or clerk-treasurer of the municipal corporation) to be the administrator of the bureau.

[Pre-2004 Recodification Citation: 33-6-3-1.]

As added by P.L.98-2004, SEC.15.

IC 33-36-2-2 Clerk or clerk-treasurer to serve as violations clerk if ordinance violations bureau not established

Sec. 2. If the legislative body does not establish an ordinance violations bureau under section 1 of this chapter, the clerk or clerk-treasurer of the municipal corporation is designated the violations clerk for purposes of this chapter.

[Pre-2004 Recodification Citation: 33-6-3-1.]

As added by P.L.98-2004, SEC.15.

IC 33-36-2-3 Violations clerk; duties

Sec. 3. The violations clerk may accept:

- (1) written appearances;
- (2) waivers of trial;
- (3) admissions of violations; and
- (4) payment of civil penalties up to a specific dollar amount set forth in an ordinance adopted by the legislative body, but not more than two hundred fifty dollars (\$250);

in ordinance violation cases, subject to the schedule prescribed under [IC 33-36-3](#) by the legislative body.

[Pre-2004 Recodification Citation: 33-6-3-1.]

As added by P.L.98-2004, SEC.15. Amended by P.L.169-2006, SEC.44.

IC 33-36-2-4 Interlocal agreements; ordinance violations

Sec. 4. A city or town that has not established a court under [IC 33-35-1](#) or an ordinance violations bureau under this chapter may enter into an interlocal agreement under [IC 36-1-7](#) with a municipal corporation that:

- (1) has established an ordinance violations bureau under this chapter; and
- (2) is located in the same judicial circuit as the city or town that has not established a court or an ordinance violations bureau;

to hear and dispose of ordinance violations that would otherwise come under the jurisdiction of an ordinance violations bureau established by the city or town under this chapter.

As added by P.L.55-2010, SEC.4.

IC 33-36-2-5 Interlocal agreements with county; ordinance violations

Sec. 5. A county may enter into an interlocal agreement under [IC 36-1-7](#) with a city or town within the county for:

- (1) use of the city or town's ordinance violations bureau; or
- (2) use of the city or town's court if the city or town has established a court under [IC 33-35](#);

to hear and dispose of ordinance violations that would otherwise come under the jurisdiction of an ordinance violations bureau established by a county under this chapter.

As added by P.L.75-2018, SEC.4.

IC 33-36-3 Chapter 3. Schedule of Ordinance and Code Provisions; Violations

[33-36-3-1](#)Schedule of ordinance and code provisions; civil penalties

[33-36-3-2](#)Right to trial

[33-36-3-3](#)Denial; exercise of the right to trial

[33-36-3-4](#)Repealed

[33-36-3-5](#)Failure to appear or to satisfy assessed civil penalty; report; prosecution

[33-36-3-6](#)Court costs fee; admitted ordinance violations

[33-36-3-7](#)Disposition of civil penalties and costs collected

IC 33-36-3-1 Schedule of ordinance and code provisions; civil penalties

Sec. 1. (a) Upon the appointment or designation of the violations clerk as provided by [IC 33-36-2-1](#), the legislative body shall designate, by ordinance or code, a schedule of ordinance and code provisions of the municipal corporation that are subject to admission of violation before the violations clerk and the amount of civil penalty to be assessed to a violator who elects to admit a violation under this chapter.

(b) Civil penalties shall be paid to, receipted by, and accounted for by the clerk under procedures provided for by the state board of accounts. Payment of civil penalties under this chapter may be made in person, by mail, or to an agent or agents designated by the legislative body.

[Pre-2004 Recodification Citation: 33-6-3-2.]

As added by P.L.98-2004, SEC.15.

IC 33-36-3-2 Right to trial

Sec. 2. A person charged with an ordinance or a code violation is entitled to a trial before a court as provided by law, unless the person waives the right to trial and enters an admission of the violation with the violations clerk. Upon an admission, the clerk shall assess and receive from the violator the amount prescribed by the schedule of civil penalties established under section 1 of this chapter.

[Pre-2004 Recodification Citation: 33-6-3-2.]

As added by P.L.98-2004, SEC.15.

IC 33-36-3-3 Denial; exercise of the right to trial

Sec. 3. If a person charged with a violation wants to exercise the right to trial, the person shall appear before the violations clerk and deny the violation or enter a written denial with the clerk.

[Pre-2004 Recodification Citation: 33-6-3-2.]

As added by P.L.98-2004, SEC.15.

IC 33-36-3-4 Repealed

[Pre-2004 Recodification Citation: 33-6-3-2.]

As added by P.L.98-2004, SEC.15. Repealed by P.L.88-2006, SEC.9.

IC 33-36-3-5 Failure to appear or to satisfy assessed civil penalty; report; prosecution

Sec. 5. (a) If a person:

- (1) denies an ordinance or code violation under this article;
- (2) fails to satisfy a civil penalty assessed by the violations clerk after having entered an admission of violation; or
- (3) fails to deny or admit the violation under this article;

the clerk shall report this fact to the official having the responsibility to prosecute ordinance violation cases for the municipal corporation.

(b) Proceedings in court against the person shall then be initiated for the alleged ordinance violation.

[Pre-2004 Recodification Citation: 33-6-3-3.]

As added by P.L.98-2004, SEC.15.

IC 33-36-3-6 Court costs fee; admitted ordinance violations

Sec. 6. (a) An ordinance violation admitted under this article does not constitute a judgment for the purposes of [IC 33-37](#). An ordinance violation costs fee may not be collected from the defendant under [IC 33-37-4](#).

(b) An ordinance violation processed under this chapter may not be considered for the purposes of [IC 33-37-7-6](#) when determining the percentage of ordinance violations prosecuted in certain courts.

[Pre-2004 Recodification Citation: 33-6-3-5.]

As added by P.L.98-2004, SEC.15. Amended by P.L.1-2010, SEC.134.

IC 33-36-3-7 Disposition of civil penalties and costs collected

Sec. 7. (a) Except as provided in subsections (b) and (c), all sums collected by the violations clerk as civil penalties for ordinance violations shall be accounted for and paid to the municipal corporation as provided by law.

(b) If a city or town that has not established a court under [IC 33-35-1](#) or an ordinance violations bureau under [IC 33-36-2](#) has entered into an interlocal agreement described in [IC 33-36-2-4](#) with a municipal corporation, the sums collected by the violations clerk that involve the city or town that has not established a court or an ordinance violations bureau shall be accounted for and paid as provided in the interlocal agreement.

(c) If a county enters into an interlocal agreement under [IC 33-36-2-5](#) with a city or town, the sums collected by the violations clerk or city or town court that involve the county shall be accounted for and paid as provided in the interlocal agreement.

[Pre-2004 Recodification Citation: 33-6-3-4.]

As added by P.L.98-2004, SEC.15. Amended by P.L.55-2010, SEC.5; P.L.75-2018, SEC.5.

IC 33-37 ARTICLE 37. COURT FEES

- [Ch. 1.](#)Applicability and Definitions
- [Ch. 2.](#)General Court Costs Provisions for Criminal Actions
- [Ch. 3.](#)General Court Costs Provisions for Civil Actions
- [Ch. 4.](#)Collection of Court Cost Fees
- [Ch. 5.](#)Collection of Additional Fees
- [Ch. 6.](#)Credit Card Service Fee
- [Ch. 7.](#)Distribution of Court Fees
- [Ch. 8.](#)Local User Fee Funds
- [Ch. 9.](#)State User Fee Funds
- [Ch. 10.](#)Juror and Witness Fees
- [Ch. 11.](#)Jury Pay Fund
- [Ch. 12.](#)Circuit Court Clerk Administrative Fee

IC 33-37-1 Chapter 1. Applicability and Definitions

- [33-37-1-1](#)Application of article
- [33-37-1-2](#)"Clerk"
- [33-37-1-3](#)Costs for all proceedings in action
- [33-37-1-4](#)Publication by notice; fees; proof
- [33-37-1-5](#)Automated judicial system; formal written commitment

IC 33-37-1-1 Application of article

Sec. 1. This article applies to all proceedings in the following courts:

- (1) Circuit courts (Article 7, Section 7 of the Constitution of the State of Indiana, [IC 33-28](#), and [IC 33-33](#)).
- (2) Superior courts ([IC 33-29](#) and [IC 33-33](#)).
- (3) Probate courts ([IC 33-31](#)).
- (4) City and town courts ([IC 33-35](#)).

[Pre-2004 Recodification Citation: 33-19-1-1.]

As added by P.L.98-2004, SEC.16. Amended by P.L.201-2011, SEC.101.

IC 33-37-1-2 "Clerk"

Sec. 2. "Clerk" refers to the following:

- (1) For purposes of [IC 33-37-1](#) through [IC 33-37-11](#), a person who is any of the following:
 - (A) A clerk of a circuit court under [IC 33-32-2-1](#).
 - (B) The clerk of a city or town court under [IC 33-35](#).
 - (C) The judge of a city or town court that does not have a clerk.
- (2) For purposes of [IC 33-37-12](#), a person who is a clerk of a circuit court under [IC 33-32-2-1](#).

[Pre-2004 Recodification Citation: 33-19-1-2.]

As added by P.L.98-2004, SEC.16. Amended by P.L.78-2014, SEC.16.

IC 33-37-1-3 Costs for all proceedings in action

Sec. 3. (a) The costs imposed by this article are for all proceedings in the action.

(b) The costs imposed by this article include fees.

[Pre-2004 Recodification Citation: 33-19-1-9.]

As added by P.L.98-2004, SEC.16. Amended by P.L.106-2010, SEC.5.

IC 33-37-1-4 Publication by notice; fees; proof

Sec. 4. (a) If publication by notice is required by law in any action, the party or the attorney for the party from whom the notice is required shall pay the cost of publication directly to the publisher of the notice.

(b) The party or the attorney for the party shall file with the clerk proof of publication of the notice.

[Pre-2004 Recodification Citation: 33-19-4-4.]

As added by P.L.98-2004, SEC.16.

IC 33-37-1-5 Automated judicial system; formal written commitment

Sec. 5. (a) As used in this section, "formal written commitment" means:

- (1) adopting a resolution or ordinance; and
- (2) entering into an agreement.

(b) In the context of this article, a county, city, or town that has made a formal written commitment to convert to or adopt the state's automated judicial system is considered to be operating under the state's automated judicial system once the conversion to the system is complete.

As added by P.L.284-2013, SEC.4.

IC 36-1-6-1 Application of chapter

Sec. 1. This chapter applies to all municipal corporations having the power to adopt ordinances.

[Local Government Recodification Citation: New.]

As added by Acts 1980, P.L.211, SEC.1.

IC 36-1-6-2 Action to bring compliance with ordinance conditions; expense as lien against property; enforcement of delinquent fees and penalties

Sec. 2. (a) If a condition violating an ordinance of a municipal corporation exists on real property, employees or contractors of a municipal corporation may enter onto that property and take appropriate action to bring the property into compliance with the ordinance. However, before action to bring compliance may be taken, all persons holding a substantial interest in the property must be given a reasonable opportunity of at least ten (10) days but not more than sixty (60) days to bring the property into compliance. Continuous enforcement orders (as defined in [IC 36-7-9-2](#)) can be enforced and liens may be assessed without the need for additional notice. If the municipal corporation takes action to bring compliance, the expenses incurred by the municipal corporation to bring compliance constitute a lien against the property. The lien attaches when notice of the lien is recorded in the office of the county recorder in which the property is located. The lien is superior to all other liens except liens for taxes, in an amount that does not exceed:

(1) ten thousand dollars (\$10,000) for real property that:

(A) contains one (1) or more occupied or unoccupied single or double family dwellings or the appurtenances or additions to those dwellings; or

(B) is unimproved; or

(2) twenty thousand dollars (\$20,000) for all other real property not described in subdivision (1).

(b) The municipal corporation may issue a bill to the owner of the real property for the costs incurred by the municipal corporation in bringing the property into compliance with the ordinance, including administrative costs and removal costs.

(c) A bill issued under subsection (b) is delinquent if the owner of the real property fails to pay the bill within thirty (30) days after the date of the issuance of the bill.

(d) Whenever a municipal corporation determines it necessary, the officer charged with the collection of fees and penalties for the municipal corporation shall prepare:

(1) a list of delinquent fees and penalties that are enforceable under this section, including:

(A) the name or names of the owner or owners of each lot or parcel of real property on which fees are delinquent;

(B) a description of the premises, as shown on the records of the county auditor; and

(C) the amount of the delinquent fees and the penalty; or

(2) an instrument for each lot or parcel of real property on which the fees are delinquent.

(e) The officer shall record a copy of each list or each instrument with the county recorder, who shall charge a fee for recording the list or instrument under the fee schedule established in [IC 36-2-7-10](#).

(f) The amount of a lien shall be placed on the tax duplicate by the auditor. The total amount, including any accrued interest, shall be collected in the same manner as delinquent taxes are collected and shall be disbursed to the general fund of the municipal corporation.

(g) A fee is not enforceable as a lien against a subsequent owner of property unless the lien for the fee was recorded with the county recorder before conveyance to the subsequent owner. If the property is conveyed before the lien is recorded, the municipal corporation shall notify the person who owned the property at the time the fee became payable. The notice must inform the person that payment, including penalty fees for delinquencies, is due not later than fifteen (15) days after the date of the notice. If payment is not received within one hundred eighty (180) days after the date of the notice, the amount due may be considered a bad debt loss.

(h) The municipal corporation shall release:

(1) liens filed with the county recorder after the recorded date of conveyance of the property; and

(2) delinquent fees incurred by the seller;

upon receipt of a written demand from the purchaser or a representative of the title insurance company or the title insurance company's agent that issued a title insurance policy to the purchaser. The demand must state that the delinquent fees were not incurred by the purchaser as a user, lessee, or previous owner and that the purchaser has not been paid by the seller for the delinquent fees.

(i) The county auditor shall remove the fees, penalties, and service charges that were not recorded before a recorded conveyance to a subsequent owner upon receipt of a copy of the written demand under subsection (h).

[Pre-Local Government Recodification Citations: 18-1-1.5-5(b); 18-3-1-37 part; 18-3-1-51 part; 18-4-2-18 part; 18-5-10-3 part; 18-5-10-7.]
As added by Acts 1980, P.L.211, SEC.1. Amended by P.L.50-2002, SEC.1; P.L.144-2003, SEC.1; P.L.177-2003, SEC.2; P.L.131-2005, SEC.5; P.L.88-2006, SEC.7; P.L.194-2007, SEC.8; P.L.88-2009, SEC.5.

IC 36-1-6-3 Proceeding to enforce ordinance; law applicable

Sec. 3. (a) Certain ordinances may be enforced by a municipal corporation without proceeding in court through:

- (1) an admission of violation before the violations clerk under [IC 33-36](#); or
- (2) administrative enforcement under section 9 of this chapter.

(b) Except as provided in subsection (a), a proceeding to enforce an ordinance must be brought in accordance with [IC 34-28-5](#), section 4 of this chapter, or both.

(c) An ordinance defining a moving traffic violation may not be enforced under [IC 33-36](#) and must be enforced in accordance with [IC 34-28-5](#).

[Pre-Local Government Recodification Citations: 17-2-2.5-9(b); 18-1-14-13; 18-1-14-14 part; 18-3-1-49 part; 18-3-1-54 part; 18-5-12.5-1(b).]

As added by Acts 1980, P.L.211, SEC.1. Amended by Acts 1981, P.L.108, SEC.39; P.L.177-1988, SEC.8; P.L.130-1991, SEC.35; P.L.1-1998, SEC.202; P.L.98-2004, SEC.159.

IC 36-1-6-4 Civil action by municipal corporation; action by court

Sec. 4. (a) A municipal corporation may bring a civil action as provided in [IC 34-28-5-1](#) if a person:

- (1) violates an ordinance regulating or prohibiting a condition or use of property; or
- (2) engages in conduct without a license or permit if an ordinance requires a license or permit to engage in the conduct.

(b) A court may take any appropriate action in a proceeding under this section, including any of the following actions:

- (1) Issuing an injunction.
- (2) Entering a judgment.
- (3) Issuing a continuous enforcement order (as defined in [IC 36-7-9-2](#)).
- (4) Ordering the suspension or revocation of a license.
- (5) Ordering an inspection.
- (6) Ordering a property vacated.
- (7) Ordering a structure demolished.
- (8) Imposing a penalty not to exceed an amount set forth in [IC 36-1-3-8\(a\)\(10\)](#).
- (9) Imposing court costs and fees in accordance with [IC 33-37-4-2](#) and [IC 33-37-5](#).
- (10) Ordering a defendant to take appropriate action to bring a property into compliance with an ordinance within a specified time.
- (11) Ordering a municipal corporation to take appropriate action to bring a property into compliance with an ordinance in accordance with [IC 36-1-6-2](#).

[Pre-Local Government Recodification Citations: 18-1-1.5-5(c); 18-4-2-26 part.]

As added by Acts 1980, P.L.211, SEC.1. Amended by P.L.194-2007, SEC.9; P.L.88-2009, SEC.6.

IC 36-1-6-5 Repealed

[Pre-Local Government Recodification Citations: 17-2-2.5-9(a); 18-1-14-14 part; 18-3-1-54 part; 18-5-12.5-1(a).]

As added by Acts 1980, P.L.211, SEC.1. Repealed by Acts 1981, P.L.108, SEC.40.

IC 36-1-6-6 Repealed

[Pre-Local Government Recodification Citations: 17-2-2.5-9(c); 18-5-12.5-2.]

As added by Acts 1980, P.L.211, SEC.1. Repealed by Acts 1981, P.L.108, SEC.40.

IC 36-1-6-7 Repealed

[Pre-Local Government Recodification Citations: 9-4-1-131 part; 17-2-2.5-9(d); 18-5-12.5-3.]

As added by Acts 1980, P.L.211, SEC.1. Repealed by Acts 1981, P.L.108, SEC.40.

IC 36-1-6-8 Repealed

[Pre-Local Government Recodification Citations: 17-2-2.5-9(e); 18-5-12.5-4.]

As added by Acts 1980, P.L.211, SEC.1. Repealed by Acts 1981, P.L.108, SEC.40.

IC 36-1-6-9 Enforcement of ordinances through administrative proceedings; appeal

Sec. 9. (a) The legislative body of a county or municipality may adopt an ordinance providing that certain other ordinances may be enforced through a proceeding before an administrative body of the county or municipality.

(b) An ordinance adopted under subsection (a) must designate the following:

- (1) The ordinances that may be enforced through an administrative proceeding.
- (2) The administrative body before which the proceeding may be brought.

(c) An ordinance may not be designated under subsection (b) for enforcement through an administrative proceeding unless the ordinance restricts or prohibits actions harmful to the land, air, or water, governs use of the public way, or governs the standing or parking of vehicles.

(d) In a proceeding to enforce an ordinance brought before an administrative body designated under subsection (b):

- (1) a violation of the ordinance must be proven by a preponderance of the evidence; and
- (2) the administrative body may not impose a penalty other than a fine in an amount within the limit set forth in [IC 36-1-3-8\(a\)\(10\)](#).

(e) A person who receives a penalty under subsection (d) may appeal the order imposing the penalty to a court of record in:

- (1) the county that brought the enforcement proceeding if the proceeding is brought by a county; or
- (2) the county in which the municipality is located if the proceeding is brought by a municipality.

(f) An appeal under subsection (e) from an order imposing a penalty must be filed not more than sixty (60) days after the day on which the order is entered.

As added by P.L.130-1991, SEC.36. Amended by P.L.64-1992, SEC.8; P.L.308-1995, SEC.1; P.L.149-2016, SEC.93.

IC 36-1-6-10 Establishing election districts; effect of order or ordinance on right of incumbent to continue to serve in office

Sec. 10. (a) This section applies to:

- (1) an ordinance adopted by a unit; or
- (2) an order adopted by a county redistricting commission under [IC 36-2-2](#) or [IC 36-2-3](#);

to establish executive, fiscal, or legislative body election districts within the unit.

(b) Except as otherwise provided in the ordinance or order, the ordinance or order takes effect immediately upon passage. However, a previously adopted ordinance or order establishing election districts remains in effect for the purpose of filling a vacancy in the executive, fiscal, or legislative body until the expiration of the term of that office.

(c) A reference in the ordinance or order to the boundary of a political subdivision, a precinct boundary, or an election district boundary refers to the precinct or boundary as the precinct or boundary existed on the date of adoption of the ordinance or order. A change in the boundary of a political subdivision, precinct, or election district following the date of adoption of the ordinance or order does not alter the boundaries of the election districts established by the ordinance or order.

(d) The adoption of an ordinance or order does not affect the right of an individual serving as a member of the executive, fiscal, or legislative body of the unit to continue to serve in office until the expiration of the member's current term specified under state law.

As added by P.L.3-1995, SEC.152. Amended by P.L.3-1997, SEC.449; P.L.176-1999, SEC.131; P.L.169-2015, SEC.170.

IC 36-1-6-11 Notices to department of environmental management concerning environmental restrictive ordinances; waiver of notice; ordinance must state notice requirements, but is not void for failure to state

Sec. 11. (a) Subject to subsection (e), the legislative body of a municipal corporation shall:

- (1) subject to subsection (b), give written notice to the department of environmental management not later than sixty (60) days before amendment or repeal of an environmental restrictive ordinance; and
- (2) give written notice to the department of environmental management not later than thirty (30) days after passage, amendment, or repeal of an environmental restrictive ordinance.

(b) Upon written request by the legislative body, the department of environmental management may waive the notice requirement of subsection (a)(1).

(c) An environmental restrictive ordinance passed or amended after 2009 by the legislative body must state the notice requirements of subsection (a).

(d) The failure of an environmental restrictive ordinance to comply with subsection (c) does not void the ordinance.

(e) The notice requirements of subsection (a) apply only if the municipal corporation received under [IC 13-25-5-8.5](#)(f) written notice that the department is relying on the environmental restrictive ordinance referred to in subsection (a) as part of a risk based remediation proposal:

(1) approved by the department; and

(2) conducted under [IC 13-22](#), [IC 13-23](#), [IC 13-24](#), [IC 13-25-4](#), or [IC 13-25-5](#).

As added by P.L. 78-2009, SEC.22. Amended by P.L.159-2011, SEC.43.

Monrovia Plan Commission



2025 Meeting Schedule

(Commission typically meets 2nd Tuesday)

January 14th

February 11th

March 11th

April 8th

May 13th

June 10th

July 8th

August 12th

September 9th

October 14th

November 10th **Monday**

December 9th

All meetings will be held at the Government Center unless otherwise specified, 60 Marley Way Monrovia, IN 46157 at 6:30 pm on date scheduled.



MONROVIA PLAN COMMISSION
 60 S. Marley Way
 Monrovia, IN 46157
 317-996-6116 Ext. 2
 Monrovia.in.gov

2025 PLAN COMMISSION

Meeting Dates and Filing Deadlines

Meeting Dates		Filing Deadlines
January 14, 2025		December 13, 2024
February 11, 2025		January 10, 2025
March 11, 2025		February 7, 2025
April 8, 2025		March 7, 2025
May 13, 2025		April 11, 2025
June 10, 2025		May 9, 2025
July 8, 2025		June 6, 2025
August 12, 2025		July 11, 2025
September 9, 2025		August 8, 2025
October 14, 2025		September 12, 2025
*November 10, 2025		October 10, 2025
December 9, 2025		November 7, 2025

All meetings take place at 6:30 PM in the
 Monrovia Government Center
 unless otherwise specified.

- All items on the first page of procedures and any plans for town engineer due before being placed on the agenda.
- Town engineer will return any changes to be made within ten (10) days.
- Tech Review (if needed) will happen twelve (12) days prior to meeting.
- Legal notifications fifteen (15) days before meeting. Due to Administrator ten (10) days before the meeting date.
- Town engineer emails final findings to the Plan Administrator and Plan Commission the Friday before the meeting.