

ORDINANCE 5240

Revisions to Ordinance 5211

Solid Waste Disposal and Public Nuisance

WHEREAS, the Common Council of the City of Goshen has the authority to establish regulations to promote and protect the public health, safety, and welfare, and this ordinance is declared to be an exercise of the city's police powers;

WHEREAS, Public Nuisances, when allowed to exist unregulated within the corporate limits of the City of Goshen, are unsightly, detrimental to property values, and a hazard to health and safety;

WHEREAS, this ordinance is intended to regulate and prohibit and require the abatement and/or removal of Public Nuisances on all parcels of real estate within the corporate limits of the City of Goshen;

WHEREAS, this ordinance is intended to promote the public health, safety, and welfare and to protect the interests of city residents by regulating the accumulation, storage, collection, removal, and disposal of solid waste so that conditions that create fire, health, or safety hazards; harbor undesirable pests; or impair the aesthetic appearance of neighborhoods are prevented and eradicated;

WHEREAS, the City of Goshen desires to operate an orderly and clean public recycling collection site but has experienced dumping of non-recyclable materials at its recycling collection site;

WHEREAS, the City of Goshen wishes to discourage illegal dumping of non-recyclable materials at its recycling collection site by increasing the maximum fine that may be imposed for such illegal dumping; and

WHEREAS, Indiana Code § 36-1-3-8 allows the City to prescribe a penalty of a fine of not more than Two Thousand Five hundred Dollars (\$2,500.00) for a first violation of an ordinance, and not more than Seven Thousand Five hundred Dollars (\$7,500.00) for a second or subsequent violation of an ordinance.

WHEREAS, this Ordinance is a restatement and revision of City of Goshen Ordinance 5211

NOW THEREFORE, BE IT ORDAINED by the Goshen Common Council that Ordinance 5156, as amended by Ordinance 5211, also identified as Title 6, Article 10, Chapter 1 of the Goshen City Code, shall be amended to read as follows:

Chapter 1 Solid Waste Storage, Collection, and Disposal

6.10.1.1 Administration and Enforcement. The provisions of this Code Chapter (this ordinance) shall be enforced through Legal Department, Building Department, Police Department, or an Ordinance Compliance Officer who may make inspections, determine violations, and take action to enforce the provisions of this Code Chapter (this ordinance).

6.10.1.2 Solid Waste Violations Enforced without Opportunity to Correct the Violation.

Any violation of this Code Section (this Ordinance Section) may be enforced without providing the violator any prior opportunity to correct the violation. It shall be a violation of this Code Section (this Ordinance Section) for any Person to violate any of the following:

- (a)** No Person shall leave, place, throw, or deposit Solid Waste of any kind in or upon any street, alley, sidewalk, public place, public property, or private property of another Person.
- (b)** No Person shall cause or permit any other Person to leave, place, throw, or deposit Solid Waste of any kind in or upon any street, alley, sidewalk, public place, public property, or private property of another Person.
- (c)** No Person shall leave, place, throw, or deposit Solid Waste of any kind for the purpose of collection and disposal by the City or the City's agent when the Solid Waste is generated at a location outside the City limits or from a location where the City does not collect Solid Waste. This sub-section shall not apply to the public recycling drop-off site(s) designated and operated by the City.
- (d)** No Person shall cause or permit any other Person to leave, place, throw, or deposit Solid Waste of any kind for the purpose of collection and disposal by the City or the City's agent when the Solid Waste is generated at a location outside the City limits or from a location where the City does not collect Solid Waste. This sub-section shall not apply to the public recycling drop-off site(s) designated and operated by the City.
- (e)** No Person shall set out for Solid Waste collection and disposal by the City or its authorized agent any tires, electronic equipment, or any material, Solid Waste, chemical or substance determined to be hazardous by state or federal statutes or regulations, or that may be potentially hazardous to any Person, to property, or to the environment.
- (f)** No Person shall set out leaves, brush, or similar materials for collection by the City except in the manner designated by the Goshen Street Department for the Street Department's periodic collection.
- (g)** No Person shall bury Solid Waste.
- (h)** No Person shall locate Solid Waste containers for storage in the yard adjacent to a City Street unless the Board of Public Works and Safety approves the street side storage area location. The Board of Public Works and Safety shall approve a street side storage area location only if the Board determines that there is no other feasible alternative location.
- (i)** The Occupant of any premises shall keep the storage area and the area surrounding any Solid Waste container in a clean, orderly and sanitary manner. The Occupant of any premises shall secure all Solid Waste containers that are kept outside of a building. If waste is scattered by animals, wind or other means, the Occupant shall promptly clean up such scattered waste.
- (j)** The Occupant of a residence shall place Solid Waste generated from the residence into an allowable container at the collection site designated by the City for collection no sooner than the day before the regularly scheduled collection and shall retrieve all Solid Waste containers from the designated collection site and return the containers to the storage area by 10:00 p.m. on the day of collection.
- (k)** No Person shall leave, place, throw or deposit any vegetative matter resulting from landscaping and garden maintenance, including, but not limited to, leaves, grass clippings, branches, brush, shrubbery, trees and flowers, at the Goshen Environmental Center except

in accordance with rules and regulations as established by the entity managing the Goshen Environmental Center.

(l) No Person shall leave, place, throw, or deposit Solid Waste of any kind in, upon, or at any public recycling drop-off site designated and operated by the City, unless the Person reasonably believes that such Solid Waste is in fact a recyclable material and the Solid Waste is placed into containers provided by the City or the City's agent for collection of recyclable materials. All Persons depositing recyclable materials at any public recycling drop-off site designated and operated by the City shall follow all rules for use of the public facility adopted from time to time by the Goshen Board of Public Works and Safety.

(m) No Person shall cause or permit any other Person to leave, place, throw, or deposit Solid Waste of any kind in, upon, or at any public recycling drop-off site designated and operated by the City, unless the Person reasonably believes that such Solid Waste is in fact a recyclable material and the Solid Waste is placed into containers provided by the City or the City's agent for collection of recyclable materials. All Persons depositing recyclable materials at any public recycling drop-off site designated and operated by the City shall follow all rules for use of the public facility adopted from time to time by the Goshen Board of Public Works and Safety.

6.10.1.3 Enforcement Process. A Person who violates any provision of Code Section (Ordinance Section) 6.10.1.2, may face enforcement in the City's Ordinance Violations Bureau and/or cited into any court of competent jurisdiction in Elkhart County, Indiana for such violation and shall be subject to the penalties set forth in this Chapter. Nothing in this Chapter limits the City's authority to declare conditions a Public Nuisance under Chapter 2 of this Title.

6.10.1.4 Violations Requiring Prior Notice of Violation.

(a) Upon discovery of a violation of this Code Section (this Ordinance Section), a Person found in violation shall be given written notice of the violation and shall be given three (3) days, unless otherwise provided in Chapter 2, from the service of the notice to abate the violation.

(b) The following actions or inactions shall constitute a violation of this Code Section (this Ordinance Section):

- 1) Failure of the Owner or Occupant of any real estate used for commercial or industrial purposes to provide timely collection and disposal of Solid Waste generated at the location, and failure provide a sufficient number of containers to contain all Solid Waste generated from the location between collections
- 2) Failure of the Owner of a building containing five (5) or more residential dwelling units to collect and dispose of all Solid Waste generated from the location on at least a weekly basis, and failure to provide a sufficient number of containers to contain all Solid Waste generated between collections.
- 3) Failure of the Owner or Occupant of any premises to maintain all Solid Waste containers in good repair and to maintain the container and area around the container in a clean and sanitary manner.

- 4) Failure of the Owner or Occupant of a commercial or industrial building to store Solid Waste in a watertight, insect and rodent-proof container.
- 5) The use of a residential Solid Waste container with a capacity in excess of forty-five (45) gallons or that weighs in excess of fifty (50) pounds when full, unless such container is provided by the City or its authorized agent.
- 6) Use of wooden containers, screen or wire containers, or fifty-five (55) gallon drums for the storage and/or collection of Solid Waste.

6.10.1.5 Notice

(a) The notice of violation given under Code Section (Ordinance Section) 6.10.1.4(a) shall contain the following information:

- 1) Date;
- 2) Name of the Person(s) to whom the notice is given, however, if the name of the Occupant cannot reasonably be determined, it will be deemed sufficient for the notice to be given to "Occupant";
- 3) Address and/or parcel number of the real property that is subject to the notice;
- 4) Nature of violation and the action required, including the period of time in which the action is required to be accomplished measured from the time the notice is given or by a date certain;
- 5) Statement indicating the opportunity for a hearing and the manner by which a hearing may be requested;
- 6) Statement indicating what action can be taken by the City if the notice is not complied with; and
- 7) Name, address and telephone number of the Goshen City Department enforcing the violation.

(b) Service of this notice is deemed sufficient if given by:

- 1) Delivering a copy Personally to the Person(s) to be notified; or
- 2) Sending a copy by first-class mail to the Person(s) to be notified; and by
- 3) Leaving a copy at the location of the violation.

(c) It shall be the responsibility of the Occupant to abate the existing violation after receipt of a notice. If the notice is not complied with, the City may take appropriate action to abate the violation and the cost of the abatement may be assessed pursuant to Code Section (Ordinance Section) 6.10.1.7.

(d) If the original notice was issued to the Occupant of the real estate and the Occupant fails to take corrective action, the City may elect to notify the Owner of the premises of the violation and order the Owner to abate the violation. The Owner shall be entitled to the same notice and period of time to abate the violation that was originally given to the Occupant. If the Owner does not then abate the violation, the City may take appropriate

action to abate the violation and assess the costs of the abatement to either the Occupant or the Owner or both.

(e) This Code Chapter (this ordinance) shall not prohibit a landlord from including a provision in a lease agreement to collect any enforcement costs imposed by the City against the landlord due to the actions or inactions of a tenant.

6.10.1.6 Hearing.

(a) In the event that a Person receiving a notice seeking abatement of a violation does not believe that he or she is in violation of this Code Chapter (this ordinance), the Person may request a hearing before the Board of Public Works and Safety.

(b) The request for a hearing before the Board of Public Works and Safety must be in writing and delivered to the Clerk-Treasurer's Office within three (3) days after the date the notice is given.

(c) A hearing will be scheduled to be held within ten (10) days of receipt of the written request.

(d) At the hearing, the Person will be given the opportunity to appear, with or without counsel, to present such evidence to the Board of Public Works and Safety that reasonably relates to whether the presence of the Solid Waste on the real property is in violation of this Code Chapter (this ordinance). Each Person appearing will also be given the opportunity to cross-examine any opposing witnesses and present evidence and arguments.

6.10.1.7 Abatement of Violation by City; Collection of Costs.

(a) If the Owner of the real estate has not abated the violation or requested a hearing within three (3) days of receiving the notice required above, the City may initiate legal action requesting that the Court impose a fine upon the Owner of the real estate as provided in this Chapter and/or the City may elect to give all Persons holding a substantial interest in the real estate notice of the violation. If the violation is not abated within ten (10) days of all Persons holding a substantial interest in the real estate receiving notice of the violation, the City may enter onto the real estate and take appropriate action to bring the real estate into compliance. The expenses incurred by the City to bring the real estate into compliance constitute a lien against the property if the lien is perfected in the manner required by Indiana Code 36-1-6-2.

Notwithstanding the above paragraph, the City may initiate legal action to have a fine imposed on the Occupants of the real estate at any time at least three (3) days after the Occupants received notice of the violation.

(b) The Owner and Occupant of the real property shall be jointly and severally responsible for the City's cost for the abatement of the violation under this Section. The costs for abatement shall be One Hundred Fifty Dollars (\$150) or the actual cost of the work performed by a City department or contractor, whichever is greater.

(c) The Clerk-Treasurer shall send a bill to the Person violating this Code Chapter (this ordinance) for the City's cost for the abatement of the violation. Payment shall be due fifteen (15) days after the billing date.

(d) If the bill is not paid within forty-five (45) days of the due date, the City may file a civil action in a court of competent jurisdiction in Elkhart County against the violator to collect the costs for the abatement of the violation, including reasonable attorneys' fees.

6.10.1.8 Penalty.

(a) Any Person who violates a provision of this Code Chapter (this ordinance) may be subject to a fine in an amount not more than Two Thousand Five hundred Dollars (\$2,500.00) for a first violation of this ordinance. Any Person who violates a provision of this Code Chapter (this ordinance) more than once may be subject to a fine in an amount not more than Seven Thousand Five hundred Dollars (\$7,500.00) for a second or subsequent violation of this ordinance.

(b) If the violation is of a continuing nature, each day of failure to comply with the provisions of this Code Chapter (this ordinance) shall constitute a separate offense.

(c) A complaint for violation seeking the imposition of a fine may be filed with any court of competent jurisdiction in Elkhart County.

(d) Enforcement of this Code Chapter (this ordinance) against any Owner of record shall not in any manner diminish the ability of the City to enforce this Code Chapter (this ordinance) against an Occupant of the real property, and the enforcement of this Code Chapter (this ordinance) against any Occupant shall not in any manner diminish the ability of the City to enforce the Code Chapter against an Owner of record of the real property.

6.10.1.9 Definitions. For the purposes of this Code Chapter (this ordinance), the following words, terms and phrases shall have the meanings set forth:

(a) OCCUPANT. The Person in actual possession of the property, premises, building or dwelling unit, whether or not the Owner. It does not include anyone under eighteen (18) years old.

(b) OWNER. The legal or equitable owner of record who has a right to participate in controlling the property, premises, building, or dwelling unit, whether or not the Occupant.

(c) PERSON. Any individual, firm, association, or legal entity, including partnership, corporation, limited liability company, or similar entity.

(d) SOLID WASTE. All discarded solid and semisolid materials, garbage, litter, trash, refuse, and rubbish including, but not limited to brush, paper, food products, metals, rubber, concrete, glass, plastics, wood products, cardboard boxes, and similar materials.

(e) RECYCLABLE MATERIALS. Acceptable materials that have been recovered or diverted from the Solid Waste stream for use or reuse; conversion into raw materials; or use in the production of new products. Recyclable Materials shall include, at a minimum, cardboard, paperboard, newspaper, magazines/catalogs, copy paper, mail, other paper products, plastic products (#1 through #7), glass products (clear & colored), and metal products (aluminum, steel, tin, and bi-metal).

Chapter 2 Public Nuisance

6.10.2.1 Definitions. For the purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(a) DEPARTMENT. The City of Goshen Building Department, Planning and Zoning Department, Code Enforcement Department, Police Department, and Legal Department.

(b) DULY AUTHORIZED REPRESENTATIVES. All employees of the Department(s).

(c) PUBLIC NUISANCE. Any condition or action that is injurious to health, indecent, offensive to the senses or an obstruction to the free use of property so as essentially to interfere with the comfortable enjoyment of life or property, as well as other conditions or actions that are otherwise known to the common law or to the statutes of the state as a nuisance, and shall include, but is not limited to, the following:

- 1) Litter;
- 2) Boxes, appliances, furniture, household items, unused building supplies, and items of a similar nature that have accumulated outside a storage structure;
- 3) Demolition remains;
- 4) Accumulated garbage or trash;
- 5) Automobile parts, tires, or scrap metal;
- 6) Structures defaced with paint or graffiti;
- 7) Any waste water, filth, offal, garbage, rubbish or human excrement, which is deposited, allowed, or caused to be upon any public or private property;
- 8) The construction of, or the placement of any structure or materials within the drainage way of any right-of-way or public utility easement that will prevent the natural flow of water and cause it to collect and pool upon any private or public property;
- 9) Any dead domestic or wild animal;
- 10) Any real or personal property that is infected with contagious disease or on which a condition exists that is likely to cause an immediate health hazard;
- 11) The placing or accumulating on or within any real or personal property, or the permitting of the same, of any matter that attracts or may attract rodents, insects, domestics or wild animals, in such a manner as to create a health hazard, unsanitary, or dangerous condition;
- 12) Trees, shrubbery, weeds, or other matter obstructing public ways, or causing visual barriers that create vehicular traffic or pedestrian safety hazards; or
- 13) The unauthorized placement of fences, signs, shrubbery, or barriers within city road rights-of-way.

(d) PUBLIC NUISANCE PREMISES. The tract of real property on which a public nuisance is located.

(e) ENFORCEMENT AUTHORITY. The City of Goshen Building Commissioner shall be the Enforcement Authority, as that term is understood in I.C. § 36-7-9-2, as amended.

(f) HEARING AUTHORITY. The City of Goshen Board of Public Works and Safety shall be the Hearing Authority, as that term is understood in I.C. § 36-7-9-2, as amended.

6.10.2.2 Administration and Enforcement. The Departments are authorized to administer the terms and provisions of this subchapter. The Enforcement Authority shall enforce the terms and provisions of this chapter. The Departments and the Enforcement Authority are hereby granted all powers reasonable and necessary for the performance of their responsibilities under this chapter.

6.10.2.3 Enforcement Discretion. The Departments shall have all rights and authorities as are provided under state law as the executive department authorized to administer and enforce this chapter. It is hereby acknowledged, understood, and declared by the City of Goshen Common Council that the Enforcement Authority is required to exercise and is vested with the authority to exercise his or her discretion and judgment in order to protect and preserve the public health, safety, and general welfare of the citizens of the City in administering and enforcing this chapter. The authority of the Enforcement Authority to issue or revoke, or fail or refuse to issue or revoke, any notice, approval, order, or similar action under this chapter is hereby declared to be discretionary.

6.10.2.4 Violation. It is a violation of this chapter to have, maintain, or allow a public nuisance on any parcel of real estate in the corporate limits of the City. All owners of parcels of real estate in the City are hereby required to abate and/or remove from such real estate all public nuisances created or existing thereon. All tenants, renters, occupants, or other possessors of real estate who allow, create, make, generate, produce, or otherwise establish a public nuisance on such real estate within the City are hereby required to abate and/or remove from such real estate the public nuisance created or existing thereon.

6.10.2.5 Order to Abate.

(a) If the Enforcement Authority determines after an inspection that a public nuisance exists, the Enforcement Authority may issue an order requiring action relative to the public nuisance, including the abatement and/or removal of the public nuisance. The ordered action must be reasonably related to the condition constituting the public nuisance. Notice of the order must be given in accordance with Section 6.10.2.7.

(b) The order must contain:

- 1) The name of the person to whom the order is issued;
- 2) The legal description or address of the public nuisance premises that is the subject of the order;
- 3) The action the order requires;
- 4) The period of time in which the action is required to be accomplished;
- 5) A statement briefly indicating what action can be taken by the Departments if the order is not complied with;
- 6) If the Enforcement Authority has scheduled a hearing before the Hearing Authority, a statement indicating the exact time and place of the hearing, and stating that person to whom the order was issued is entitled to appear at the hearing with or

without legal counsel, present evidence, cross-examine opposing witnesses, and present arguments.

7) If the Enforcement Authority has not scheduled a hearing before the Hearing Authority, a statement that the order becomes final ten (10) days after notice is given, unless a hearing is requested in writing by a person holding a fee interest, life estate interest, or equitable interest of a contract purchaser in the subject real estate, and the request is delivered to the Enforcement Authority before the end of the ten (10) day period.

8) A statement, including the obligation created by Section 6.10.2.8 relating to notification of subsequent interest holders and the enforcement authority;

9) The name, address, and telephone number of the Enforcement Authority.

(c) The order must allow a sufficient time, of at least ten (10) days but not more than sixty (60) days, from the time when notice of the order is given, to accomplish the required action. If the order allows more than thirty (30) days to accomplish the action, the order may require that a substantial beginning be made in accomplishing the action within thirty (30) days.

(d) The Enforcement Authority may issue an order that modifies an order previously issued, or the Enforcement Authority may rescind an order previously issued, all within the discretion of the Enforcement Authority. The decision to schedule a hearing before the Hearing Authority as provided in Section 6.10.2.5(b)(6) is solely in the discretion of the Enforcement Authority, unless otherwise requested as provided in Section 6.10.2.5(b)(7).

6.10.2.6 Enforcement. In the event that the person or persons given notice of a public nuisance fails to perform the action required by an order issued in Section 6.10.2.5, the Enforcement Authority may:

(a) File a civil action in a court of competent jurisdiction to enjoin or abate the condition or action causing the public nuisance, and in such civil action may seek damages cause by such public nuisance. The Enforcement Authority may also seek an order from the court allowing the Departments or other City personnel, or a private contractor hired by the Departments, to perform work reasonably necessary to abate or remove the condition or action causing the public nuisance.

1) Damages that the Enforcement Authority may seek to collect in a civil action shall include reimbursement for all costs incurred by the City to abate or remove a public nuisance, including:

(a) The actual cost of the work performed by the Department or other City personnel, or a private contractor hired by the Department, reasonable charges for the equipment used, repair costs for damage to equipment used, mileage costs incurred in driving to and from the subject property, disposal costs, and other related expenses and/or the bid price of work accomplished by a contractor hired by the Department to perform work under court order; and

(b) Administrative costs incurred by the Department in abating or removing a public nuisance, including compensation for the time of the Enforcement

Authority and duly authorized representatives spent in enforcing this chapter, costs of sending notice under Section 6.10.2.5, postage charges, charges for office supplies incurred by the Enforcement Authority, reasonable attorney fees and court costs, and other related charges.

(b) Take administrative enforcement action to abate or remove the public nuisance as authorized by I.C. § 36-7-9-10 and I.C. § 36-7-9-11. Such action may include, but is not limited to, causing the abatement or remove work to be performed by the City or by a contractor engaged by the City. The costs of such action, together with administrative expenses, legal expenses, and attorney fees, may be collected and enforced as provided by the Indiana Unsafe Building Law, including the imposing of liens and the recovery of personal judgments against the responsible parties.

(c) All monies recovered under enforcement actions hereunder shall be made payable to and shall be deposited in the City Unsafe Building Fund.

6.10.2.7 Notice. Notice of orders shall be given in accordance with the provisions of I.C. § 36-7-9-25, as amended.

6.10.2.8 Transfers of Property.

(a) A person who has been issued and has received notice of an order relative to a public nuisance and has not complied with that order:

1) Must supply full information regarding the order to a person who takes or agrees to take a substantial property interest in the subject real estate before transferring or agreeing to transfer that interest; and

2) Must, within five (5) days after transferring or agreeing to transfer a substantial property interest in the subject real estate, supply the Enforcement Authority with written copies of:

(a) The full name, address, and telephone number of the person taking a substantial property interest in the public nuisance premises; and

(b) The legal instrument under which the transfer or agreement to transfer the substantial property interest is accomplished.

(b) If a judgment is obtained against the Department, Enforcement Authority, or other government entity for the failure of that entity to provide notice to persons holding an interest in a subject real estate in an action taken by the entity under this chapter, a person who failed to comply with this section is liable to the entity for the amount of the judgment if it can be shown that the entity's failure to give notice was a result of that person's failure to comply with the requirements of this section.

6.10.2.9 Penalty.

(a) Fines. Any person found to be in violation of this chapter shall be guilty of an ordinance violation and shall be subject to a civil penalty up to \$2,500 for each violation. Each day that a violation continues shall constitute a separate violation. Any failure to comply with any of the terms and provisions of this chapter shall constitute a violation. The

assessment of a civil penalty shall in no way limit the operation of any other enforcement remedies provided elsewhere in this chapter or other applicable law.

(b) Expenses. The Department may recover reasonable attorney fees, court costs, and other expenses associated with the enforcement of this chapter from any person found to be in violation of this chapter.

(c) Agreed Order. The Enforcement Authority may enter into an agreed order that may include the payment of a civil penalty and other expenses associated with the enforcement of this chapter.

(d) Suit for civil penalties. The Enforcement Authority may file a complaint in a court of competent jurisdiction within the county seeking a judicial determination that this chapter has been violated and requesting the imposition of civil penalties.

(e) Enforcement of Agreed Order. The Enforcement Authority may file a complaint in a court of competent jurisdiction within the county seeking to enforce the terms of an agreed order.

(f) Other action. Nothing contained herein shall prevent the Enforcement Authority from taking any other lawful action as is necessary to prevent or remedy any violation of this chapter.

6.10.2.10 Unsafe Building Law. This Code Chapter specifically adopts the provisions of the Indiana Unsafe Building Law that are included in Indiana Code §§ 36-7-9-1 through 36-7-9-28 inclusive, as amended, specifically noting that the existence of a public nuisance renders a parcel of real estate an unsafe premise under the Indiana Unsafe Building Law.

6.10.2.11 Repeal of Prior Ordinances. All provisions of ordinances and the City Code not modified by this ordinance shall remain in full force and effect.

6.10.2.12 Severability Clause. If any provision of this ordinance shall be held invalid, such provision shall be deemed severable and the invalidity thereof shall not affect the remaining provisions of this ordinance.

6.10.2.13 Effective Date. This ordinance shall be in full force and effect from and after its passage, approval and adoption according to the laws of the State of Indiana.

PASSED by the Goshen Common Council on November ____, 2025.

Presiding Officer

ATTEST:

Richard R. Aguirre, Clerk-Treasurer

PRESENTED to the Mayor of the City of Goshen on November ____, 2025, at the hour of ____:____ m.

Richard R. Aguirre, Clerk-Treasurer

APPROVED and ADOPTED on November _____, 2025.

Gina M. Leichty, Mayor