

HENDRICKS COUNTY BOARD OF COMMISSIONERS

PHYLLIS A. PALMER, PRESIDENT
BOB GENTRY, VICE PRESIDENT
DENNIS W. DAWES, MEMBER



355 S. WASHINGTON STREET, SUITE 100
DANVILLE, IN 46122
TELEPHONE (317) 745-9221

NOTICE OF PUBLIC HEARING OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDRICKS, INDIANA

In accordance with IC 5-3-1-2(b), notice is hereby given that the Board of Commissioners of the County of Hendricks, Indiana will hold a Public Hearing during the Commissioners' Meeting on Tuesday, October 26, 2021 at 9:00 AM in the Commissioners' Meeting Room at the Hendricks County Government Center; 355 S. Washington Street, Suite 140 in Danville, Indiana for a proposed nuisance control ordinance to establish recourse against loud, raucous, improper, unreasonable, offensive or unusual noise, disorder or tumult, which disturbs, injures or endangers the comfort, repose, health, peace or safety of welfare of others.

A full copy of the proposed ordinance is available in the Hendricks County Commissioners' Office located at the Hendricks County Government Center, 355 S. Washington Street, Suite 100 in Danville, Indiana between the hours of 8:00 AM and 4:00 PM, Monday through Friday, excluding holidays.

Hendricks County Government acknowledges its responsibility to comply with the American Disabilities Act of 1990. In order to assist individuals with disabilities who require special accommodations for participation in or access to County sponsored public programs, services and or meetings, please contact the Commissioners' Office at (317) 745-9221 at least forty-eight (48) hours before the scheduled program, services and/or meeting.

The Board of Commissioners of the County of Hendricks, Indiana

Phyllis A. Palmer, President
Bob Gentry, Vice President
Dennis W. Dawes, Member

HENDRICKS COUNTY NUISANCE CONTROL ORDINANCE

WHEREAS, the Board of Commissioners of Hendricks County Indiana have determined that the citizens of Hendricks County are entitled to have recourse against loud, raucous, improper, unreasonable, offensive or unusual noise, disorder or tumult, which disturbs, injures or endangers the comfort, repose, health, peace or safety and welfare of others; and

WHEREAS, the Board of Commissioners desire to enact a County Nuisance Ordinance; and

BE IT THEREFORE ORDAINED by the Board of Commissioners of Hendricks County, Indiana as follows:

1) **Nuisances in General.**

In addition to what is declared in this ordinance to be a nuisance, those offenses which are known to the common law and statutes of the state as public nuisances may, in case any thereof, exist in unincorporated areas of Hendricks County be treated as such and be proceeded against as in provided in this Ordinance or in accordance with any other provisions of law. Whenever the word “nuisance” is used in this Ordinance it refers to a public nuisance.

2) **Conditions Defined as Nuisances.**

The following conditions within this Ordinance as declared to be nuisances: any device or otherwise, any unreasonably loud, disturbing or unnecessary noise or any noise of a character, intensity or duration as to be detrimental to the life, health, safety, peace, comfort, repose or general welfare of any individual.

3) **Exemptions.**

- A. Any noise commonly associated with normal or customary farm or related farming activities.
- B. Fireworks or related activities permitted under applicable Indiana Code.
- C. Authorized special events permitted by any county agency.
- D. Normal school related activities.
- E. Noise related to any normal or customary construction activities.

F. Sporting events related to school activities.

G. Normal and customary residential uses such as lawn care.

4) **Other Provision.**

This Ordinance is only effective from ten o'clock (10:00) p.m. until six o'clock (6:00) a.m.

5) **Penalty.**

The penalty for the first violation is up to a One Hundred Dollar (\$100) fine plus court costs.

The penalty for the second (2nd) violation is up to a Two Hundred Fifty Dollar (\$250) fine plus court costs.

The penalty for the third (3rd) or more violation is up to a Five Hundred Dollar (\$500) fine plus court costs.

6) **Enforcement.**

It shall be the duty of the Hendricks County Sheriff to enforce this ordinance.

ADOPTED by the Board of Commissioners of Hendricks County, Indiana this _____ day of _____, 2021.

Phyllis Palmer, President

Bob Gentry, Vice President

Dennis Dawes, Member

ATTEST:

Nancy Marsh
Hendricks County Auditor