

ORDINANCE 2022- _____
OF THE TOWN OF THORNTOWN, BOONE COUNTY, INDIANA

AN ORDINANCE ABOLISHING THE THORNTOWN TOWN COURT

WHEREAS, the Town of Thorntown (“Town”) established and created a Town Court of the Town of Thorntown, Indiana (“Town Court”) by Ordinance _____ adopted on _____; and

WHEREAS, since _____, the Town Court has operated within the Town and has been presided over by an honorable Judge and maintained by Court Clerks and staff who should all be commended for their efforts and their service to the Town; and

WHEREAS, the Town Council has determined that it is in the public interest to abolish the Thorntown Town Court and take such action as is necessary to provide for the disposition of future citations and Town ordinance violations in the Boone County courts of general jurisdiction; and

WHEREAS, pursuant to Indiana Code §33-35-1-1(d), a Town Court in existence on January 1, 1986 may be abolished by Ordinance at any time **OR pursuant to Indiana Code §33-35-1-1(a) during 2022 a town may, by ordinance, abolish a town court**^[H1]; and

WHEREAS, the Town desires to provide for ample time for the affairs of the Thorntown Town Court to be wound up prior to its dissolution and supports all steps to be taken during that time that will provide for a smooth transition; and

WHEREAS, the Town Council desires to commend the Judge and the Court Clerk for their valuable service to the Town of Thorntown; and

WHEREAS, the Town Council now desires to abolish the Town Court.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Town Council of the Town of Thorntown, Boone County:

Section One. Abolishment of Town Court. The Town Court of the Town of Thorntown, Indiana, is hereby abolished pursuant to Indiana Code § 33-35-1-1.

Section Two. Date of Abolishment. The effective date (“Effective Date”) of the abolishment of the Town Court shall be midnight on December 31, 2022.

Section Three. Winding Up and Transition. All steps which are necessary and proper are hereby authorized and shall be taken by Town personnel to ensure a smooth winding up of the affairs of

the Town Court, transition of affairs to the Boone County courts and Boone County Clerk and an orderly dissolution of the Town Court.

Section Four. Dissolution of Court Positions. As of the Effective Date, the positions of Town Judge and Town Court Clerk are hereby dissolved.

Section Five. Repeal of Conflicting Ordinances. The provisions of all other Town ordinances in conflict with the provisions hereof, if any, are of no further force or effect and are hereby repealed.

Section Six. Severability. If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.

Section Seven. Construction of Clause Headings. The clause headings appearing herein have been provided for convenience and reference and do not purport and shall not be deemed to define, limit or extend the scope or intent of the clause to which they appertain.

DULY PASSED AND ADOPTED this _____ day of _____, 2022, by the Town Council of the Town of Thorntown, Boone County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

THORNTOWN TOWN COUNCIL THORNTOWN, INDIANA

President

Member

Member

Member

Member

ATTEST:

Clerk/Treasurer

DRAFT