

Sponsor: Scott Rakos
6th District Councilman

22-52A

**ORDINANCE NO. 9583
(AS AMENDED)**

**AN ORDINANCE TO AMEND ORDINANCE
3890, 4934, 6009, 7972, 8172, 8261, 8328, 8750, AND 9343 ALSO
KNOWN AS CHAPTER 73 SECTION 99 OF TITLE VIII OF THE HAMMOND
MUNICIPAL CODE AS IT PERTAINS TO PENALTIES FOR VIOLATING
THE UNIFORM OPERATION OF TRUCK TRAFFIC WITHIN THE CITY**

WHEREAS, under Indiana law the City of Hammond has the statutory power to regulate conduct, use or possession of property that might endanger the public health, safety, or welfare.” (I.C. 36-8-2-4); and

WHEREAS, under Indiana law the City of Hammond also has the statutory power and authority to regulate the use of public ways (I.C. 36-9-2-7); and

WHEREAS, the City of Hammond regulates the use of its roadways related to the use of trucks throughout the city in Chapter 73 of the Hammond Municipal Code and has established Through Truck Routes in Schedule VII of Chapter 76 of the Hammond Municipal Code; and

WHEREAS, the City has an interest in regulating Through Truck Routes as the city is located between two major interstates and in the middle of heavy industry in the Chicagoland and Northwest Indiana and its streets are used consistently by truck traffic that is passing through the city; and

WHEREAS, enforcing the use of Through Truck Routes encourages safety, promotes smooth traffic flow, and preserves other city streets from truck traffic, which incurs a heavier burden on the city roadways that normal vehicular traffic; and

WHEREAS, the City has prescribed penalties for violations of Chapter 73 for trucks who fail to travel on Through Truck Routes through the city, however, said fines and penalties have not been updated since at least 1985 (Ordinance 4934) and the necessity for updating these penalties to encourage proper use of Through Truck Routes and deter violations is present;

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NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Hammond that Section §73.99 of Title VIII be amended by replacing it in its entirety with the following new section 73.99:

§ 73.99 Penalties

- (A) Violations of this chapter shall be subject to a fine not to exceed Two Thousand Five Hundred Dollars (\$2,500).
- (B) The minimum fine under this chapter shall be One Thousand Dollars (\$1,000). Each violation of this chapter shall constitute a separate offense.

THEREFORE, BE IT FURTHER ORDAINED that if any part of this ordinance shall be held invalid by a court of competent jurisdiction, the remainder thereof shall not be affected.

BE IT FURTHER ORDAINED this Ordinance shall be considered as amending Ordinance Numbers listed in the title hereof and if there be any conflict therewith, this ordinance shall take precedence.

BE IT FURTHER ORDAINED by the Common Council, that this Ordinance shall be in full force and effect upon signing by the President of the Common Council and approval by the Mayor, and Publication as provided by law.

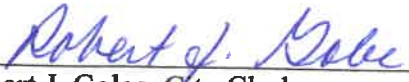
ADOPTED AND APPROVED BY the Common Council of the City of Hammond, Indiana this 12th day of December, 2022



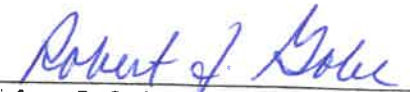
Dave Woerpel, President
Hammond Common Council

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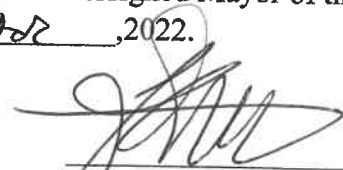
ATTEST:


Robert J. Golec, City Clerk

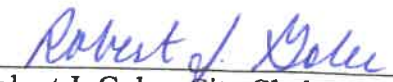
PRESENTED BY ME, the undersigned City Clerk of the City of Hammond to the Mayor of said City for his approval on the 13th day of December, 2022.


Robert J. Golec, City Clerk
City of Hammond, Indiana

The foregoing Ordinance No. 9583 consisting of three (3) typewritten pages, including this page, was APPROVED AND SIGNED BY ME, the undersigned Mayor of the City of Hammond, Indiana on this 13th day of December, 2022.


Thomas M. McDermott, Jr., Mayor
City of Hammond, Indiana

PASSED by the Common Council on the 12th day of December, 2022 and Approved by the Mayor on the 13th day of December, 2022.


Robert J. Golec, City Clerk
City of Hammond, Indiana