

SPONSOR: Pete Torres
2nd District Councilman
and the entire Hammond Common Council

ORDINANCE NO. 9585

22-54

AN ORDINANCE CREATING A NEW SECTION KNOWN AS SECTION
_____ OF THE HAMMOND MUNICIPAL CODE ESTABLISHING
MUNICIPAL IDENTIFICATION CARDS

WHEREAS, The City of Hammond ("City") has since its inception been a welcoming place for working class residents as well as for many immigrants who make Hammond their first home;

WHEREAS, some of the City's most vulnerable residents currently do not have access to government issued identification, which restricts their access to City services, law enforcement, housing, jobs, education, and other essential services; and

WHEREAS, Government-issued identification is necessary to obtain certain City services, programs, and benefits; and

WHEREAS, public safety is benefited by persons carrying with them a government issued identification so that a municipal identification card can be used as a valid form of identification during all interactions with City police officers; and

WHEREAS, several cities around the state and country have established a municipal identification card program with much success; and

WHEREAS, the identification card policy will enhance efficient exercise of government; and

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WHEREAS, the municipal identification card shall be accepted and recognized by all city departments and affiliated entities as a valid form of identification subject to certain exclusions contained within the ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Hammond that the following shall be a new section of the Hammond Municipal Code:
SEC. _____ MUNICIPAL IDENTIFICATION CARDS.

(A) **Definitions.** For purposes of this Section _____, the following definitions apply.

"Clerk" shall mean the Office of the City Clerk, the City Clerk, or his or her designee.

"City" shall mean the City of Hammond.

"Municipal Identification Card" shall mean an identification card issued by the City that shall display, including but not limited to, the cardholder's name, photograph, date of birth, and an expiration date.

"Resident" shall mean a person who can demonstrate that he or she has been present in the City for at least thirty (30) continuous days and who presents "proof of residency" as specified in Subsection (C)(1)(b).

(B) **Issuance of Municipal Identification Cards.** Upon request, the Clerk shall issue a Municipal Identification Card to any Resident who meets the application requirements set forth below in subsection (C). The Card shall bear the seal of the

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City and the Clerk shall cause the Card to be produced in a form intended to thwart replication or counterfeit.

(C) Applications.

(1) To obtain a Municipal Identification Card, a Resident shall complete an application requiring proof of identity and proof of residence within the City. Upon receipt of the proof of identity and residency that this Section specifies, the Clerk shall issue a Card to the applicant upon payment by applicant for same. The card shall at a minimum display the cardholder's photograph, name, address, and date of birth.

(a) **Proof of Identity.** In order to establish identity, each applicant must present either:

(i) One of the following documents containing both the applicant's photograph and date of birth: a U.S. or foreign passport; a U.S. driver's license; a U.S. state identification card; a U.S. Permanent Resident Card (commonly known as a "Green Card"); a consular identification ("CID") card; or a photo identification card issued by another country to its citizens or nationals that the Clerk can validate or verify as authentic.

(ii) Two of the following documents, provided that at least one form of identification shall display the applicant's photograph and date of birth: a national identification card with photo, name, address, date of birth, and expiration date; a foreign driver's license; a U.S. or foreign military identification card; a current visa

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issued by a government agency; a U.S. Individual Taxpayer Identification Number (ITIN) authorization letter, an identification card issued by an Indiana educational institution, including elementary, middle, secondary, and post-secondary schools; a certified copy of a U.S. or foreign birth certificate; a Social Security card.

(b) **Proof of Residency.** In order to establish residency, each applicant must present one of the following items, provided that the item includes both the applicant's name and a residential address located within the City: a utility bill dated within the last thirty days; written verification issued by a hospital health clinic, or social services agency confirming at least thirty days residency; a local property tax statement or mortgage payment receipt dated within the last thirty days; a bank account statement dated within the last thirty days; proof of a minor currently enrolled in a City school; an employment pay stub dated within the last thirty days, a federal or state income tax or refund statement dated within the last thirty days; an insurance bill (homeowner's, renter's, health, life or automobile insurance) dated within the last thirty days. If a certified copy of a marriage certificate is presented at the time of application, an applicant may prove residency using documents bearing the name of his or her spouse.

(c) The Clerk may provide for acceptance of additional forms of proof of identity and/or proof of residency, provided that the Clerk determines that such forms of proof are:

(i) issued by a governmental entity, or

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(ii) issued by an entity that takes reasonable steps to verify the identity and/or residency of the individual to whom the item is issued, or

(iii) of a type that is normally accepted as proof of identity and/or proof of residency in the ordinary course of business.

(2) The Clerk shall keep confidential to the extent permitted by applicable laws, the name and other identifying information of persons applying for and receiving Municipal Identification Cards.

(D) **Implementation.** The Clerk is authorized to adopt rules and regulations not inconsistent with this Section in order to implement and administer the issuance of Municipal Identification Cards. The Clerk shall consult along with the City Law Department to select a preferred vendor for the Municipal Identification Cards and with other relevant city departments to develop any further rules and regulations to implement this section. The Clerk shall require applicants to declare the information provided in their applications under penalty of perjury. The Clerk and other City departments shall promote the cards.

(E) **Fees.** The Clerk shall charge an application fee of \$15.00 per Card.

(F) **Acceptance by City Departments and Affiliated Entities.** When requiring members of the public to provide identification or proof of residency in the City, each City department and any affiliated entity such as the Water Department, Sanitary District, or Port Authority shall accept a Municipal Identification Card as valid identification and as valid proof of residency in the City, unless such City

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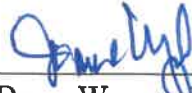
department or Entity has reasonable grounds for determining that the card is counterfeit, altered, or improperly issued to the card holder, or that the individual presenting the card is not the individual to whom it was issued.

(G) **Non-Application of ID Card.** Other than requiring the City and Entities to accept the Card as proof of identification and City residency, this Section is not intended to replace any other existing requirements for issuance of other forms of identification in connection with the administration of City services. The requirements of this Section do not apply under circumstances where (1) a Federal or State statute, administrative regulation or directive, or court decision requires the City or Entity to obtain different identification or proof of residence, (2) a Federal or State statute or administrative regulation or directive preempts local regulation of identification or residency requirements, (3) the City would be unable to comply with a condition imposed by a funding source, which would cause the City or such Entity to lose funds from that source. Further, the Municipal Identification Card shall not be used for driving, voting, or any other purpose that would violate state or federal law.

NOW BE IT FURTHER ORDAINED that herein ordinance shall have full force and effect from and after passage, approval by the Council, signing by the President thereof and approval and signing of the Mayor.

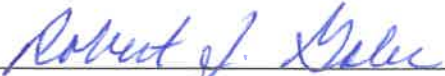
ADOPTED AND APPROVED BY the Common Council of the City of Hammond, Indiana, this 12th day of December, 2022.

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Dave Woerpel, President
Hammond Common Council

ATTEST:



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

PRESENTED BY ME, the undersigned City Clerk of the City of Hammond, Indiana,
to the Mayor, for approval and signature, this 13th day of December, 2022



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

The foregoing Ordinance No. 9585 consisting of **seven** (7) typewritten
pages, including this page, was APPROVED AND SIGNED BY ME, the undersigned
Mayor of the City of Hammond, Indiana, 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