

Sponsors: Dan Spitale, At-Large
Janet Venecz, At-Large
Dave Woerpel, 5th District
Scott Rakos, 6th District

ORDINANCE NO. 9619

**AN OMNIBUS ORDINANCE OF THE CITY OF HAMMOND TO AMEND CERTAIN
SECTIONS OF THE HAMMOND MUNICIPAL CODE
(as amended)**

WHEREAS, the City of Hammond Common Council must at times amend the Hammond Municipal Code (HMC) with respect to certain sections that have not been updated, in some instances for over 60 years; and

WHEREAS, an omnibus ordinance provides the City of Hammond the opportunity to update multiple provisions within the HMC to reflect changes in law, for correction of unclear language or references, and for revision of outdated or unfeasible policies and procedures; and

WHEREAS, the Hammond Common Council now deems it necessary and appropriate to adopt an omnibus ordinance in order to keep the HMC up to date, accurate, and reflective of current City practices.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Hammond, in the exercise of their powers, as follows:

Section 1. §123.18 (Terms and Conditions), Subsection (H) of Chapter 123 (Public Garages) of Title XI (Business Regulations) of the Hammond Municipal Code is hereby amended to read as follows (the remainder of §123.18 is not affected and therefore not set out):

§123.18(H) *Insurance.* Each public garage shall have public liability and property damage coverage insurance in an amount not less than that provided in I.C. 9-32-11-14.

Section 2. §73.04 (Permits for Oversize Weight Loads), Subsection (E) of Chapter 73 (Trucks) of Title VII (Traffic Code) of the Hammond Municipal Code is hereby amended to read as follows (the remainder of §73.04 is not affected and therefore not set out):

§73.04(E) In lieu of any weight tax, the applicant shall pay a special permit fee of \$100.00, which shall be collected and paid to the Controller of the city.

Section 3. §93.005 (Ambulance User Fees) of Chapter 93 (Fire Prevention) of Title IX (General Regulations) is hereby amended to read as follows:

§93.005 Ambulance User Fees.
(A) Fees.

- 1) The fee for Basic Life Support (BLS) ambulance service (BLS) shall be \$750.00
- 2) The fee for Advanced Life Support (ALS) ambulance service shall be \$1,000.00.
- 3) A nonresidential fee of \$100.00 shall be assessed when applicable.
- 4) A non-transport fee shall be assessed in the amount of \$100.00 for all calls for ambulance service where:
 - a) The Hammond Fire Department provides any type of medical treatment; and
 - b) The patient declines transportation thereafter.
- 5) The mileage fee for a loaded ambulance being used to transport any person shall be \$17.50 per mile, from place of pick up to medical destination.
- 6) The standard fee for any ambulance being used to transport any person who requires oxygen shall be \$20.00 per transport, regardless of quantity utilized.

(B) Funds. *Repealed.*

(C) Collection.

- 1) The funds shall be collected at the direction of the Chief Fiscal Officer of the city.
- 2) The Law Department is authorized to initiate collection actions for the ambulance fee in the following situations:
 - a) The ambulance fee is a covered item under an insurance policy and the insurance company or patient fails to pay their respective portion of the fee; or
 - b) The insurance company paid the fee to the insured individual and that individual has not paid the fee to the city.
 - c) The ambulance fee is due and owed by the patient.
- 3) In the event that collections for ambulance service exceed

\$665,000.00 during a calendar year, the first \$125,000.00 of the balance collected over that amount shall be appropriated the following year to a non-reverting fund for the Hammond Fire Department. The fund shall be used only for the purchase of equipment or supplies or to cover training or testing costs. This fund shall not be used for salaries, benefits, or compensation.

(D) Repealed.

Section 4. Chapter 37 (City Policy) of Title III (Administration) of the Hammond Municipal Code is hereby amended to include a newly added §37.014, titled, “Transaction Processing Fees” as follows:

§37.014 TRANSACTION PROCESSING FEES
A payer desiring to pay by credit card, charge card, debit card, or e-check, shall bear the cost of processing the transaction in the amount determined by the City Controller, not to exceed the fees charged by the processor.

Section 5. Chapter 117 (Food and Beverage Sales Establishments) of Title XI (Business Regulations) of the Hammond Municipal Code is hereby amended to include the following (the remainder of Chapter 117 is not affected and therefore not set out):

§117.005(B)(3) Time restrictions. No mobile food vendor shall operate in the City of Hammond between the hours of 10:00 p.m. and 7:00 a.m.

§117.005(B)(5) Storage and parking. Outside of the hours of operation, a mobile food vendor vehicle may not be stored, parked, or left overnight on any mobile food vending site, including but not limited to any private property, public street, or sidewalk.

§117.017(B) An additional fee shall be collected by the City Controller in addition to division (A) above for any applicant that is a mobile food vendor. The fee shall be \$1,500.00 dollars annually. This fee does not apply for temporary food vendors.

Section 6. Chapter 94 (Garbage, Litter and Weeds) of Title IX (General Regulations) of the Hammond Municipal Code is hereby amended as follows, the remaining provisions in Chapter 94 remain unaltered and enforceable:

§ 94.041 FEES.

(A) The fees for garbage collection shall be as set forth below.

(1) Collection from residential building units. The current fee for collection of garbage and rubbish is \$21 per month. Any future change to this fee shall be made by the Common Council.

(2) Replacement containers. The Board of Public Works and Safety shall set the fee for replacement containers. In the event that the container is stolen or worn out, the city will agree to pay half the price pursuant to the requirements set forth in section 94.039(F).

(B) The fees shall be payable monthly or as fixed by the Water Board, and shall, upon agreement of the Waterworks Department, be billed with the regular Waterworks Department billing.

(C)

(1) The user charges shall be billed to the person who is billed for water service at the residence dwelling apartment, unless by contract with the Board another person assumes this responsibility.

(2) If a tenant, occupant or other nonowner is billed, the owner shall be liable for the user charge in the event payment is not made by the tenant, occupant or other nonowner when the payment is due as herein required.

(3) The owner shall have the right to examine the Board's collection records to ascertain whether the charges have been paid.

§ 94.043 CITY PICK-UP EXCLUSIONS.

(A) Apartment buildings, houses, or structures which have 3 or more units or apartments, non-residential properties, commercial properties, or industrial properties that do not currently have garbage picked up by the city shall be excluded from city pick-up under this chapter. It shall be the responsibility of the owner of the building, house, or structure to obtain private garbage and rubbish pick-up for these properties.

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 by the Common Council, that all other provisions of the Hammond Municipal Code remain unchanged and enforceable.


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 18th day of December, 2023.



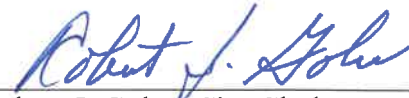
Scott Rakos, President
Hammond Common Council

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 18th day of December, 2023.



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

The foregoing Ordinance No. 9619 consisting of five (5) typewritten pages,
including this page, was APPROVED AND SIGNED BY ME, the undersigned Mayor of the
City of Hammond, Indiana, this 19th day of December, 2023.



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

PASSED by the Common Council on the 18th day of December, 2023 and
Approved by the Mayor on the 19th day of December, 2023.



Robert J. Golec, City Clerk,
Hammond, Indiana