

ORDINANCE NO. 20230810-01

ORDINANCE ESTABLISHING THE TOWN OF CLERMONT TREE ORDINANCE AND TREE BOARD

WHEREAS, Indiana Code Sections 36-1-3-1 et. seq. permit any town in the State of Indiana to exercise any power or perform any function necessary to the public interest in the context of its municipal or internal affairs, which is not prohibited by the Constitution of the United States or of the State of Indiana, or denied or pre-empted by any other law, or is not expressly granted by any other law to another governmental entity;

WHEREAS, trees increase property values, enhance the economic vitality of business areas, and beautify the community, and also in consideration of public safety and numerous environmental benefits, the Town Council of the Town of Clermont, Indiana, finds that it is in the public interests of the Town of Clermont to establish and create a tree ordinance;

WHEREAS, the quality of life in Clermont is directly correlated to the quality of its natural environment, including its trees; and

WHEREAS, programs and policies to encourage proper tree care, planting, and protection are critical to maintaining and improving the town's natural environment; and

WHEREAS, the Town of Clermont finds that the best mechanism for comprehensively dealing with tree quantity and quality of trees in town is a Tree Board capable of receiving funds from other units of government, utility companies, and other sources; and

WHEREAS, the Clermont Town Council wishes to solicit the ongoing assistance of individuals with knowledge and experience relating to trees and their care; and

WHEREAS, pursuant to the authority vested by Indiana Code Sections 36-1-3-1 et. seq. and Indiana Code Sections 36-5-2-1 et. seq., the Town Council of the Town of Clermont desires to establish a Tree Ordinance and Tree Board for the Town of Clermont, Indiana, subject to the provisions hereinafter stated;

NOW, THEREFORE, BE IT ORDAINED, ORDERED AND RESOLVED by the Town Council of the Town of Clermont, Indiana, as follows:

Section 1. Title, Purpose, and Intent

1.1 This Ordinance shall be known as the Town of Clermont Tree Ordinance.

1.2 It is the Purpose of this Ordinance to regulate the work on and planting and maintenance of trees on public property and in the public rights of way, to encourage proper selection and planting, and to assure compatibility with other infrastructure such as utilities, sidewalks, and streets.

1.3 It is the Intent of this Ordinance to establish the responsibilities of the Town and its residents toward trees subject to these provisions and to assure those regulations and policies maintain and increase the tree canopy within the Town.

Section 2. Definitions and Interpretations

2.1 Crown is herein defined as the above-ground parts of a tree consisting of the branches, stems, buds, fruit, and leaves. It is also referred to as “canopy.”

2.2 Town Trees are herein defined as Trees, excluding Street Trees, in public parks in the Town of Clermont and in all other areas owned by the Town of Clermont.

2.3 Maintenance is herein defined as the trimming, care, pruning, protection, treating, and preservation of trees.

2.4 Owner is herein defined as the Person in whom is vested the ownership, dominion, or title of property.

2.5 Person is herein defined as any individual, partnership, corporation or other entity.

2.6 Right of Way is herein defined as a strip of land reserved for, occupied, or intended to be occupied by transportation facilities, public utilities, or other special public uses. Right of way may be held in the form of easement or fee.

2.7 Street Trees are herein defined as Trees located within the right-of-way of all public streets, avenues, alleys, and ways within the Town of Clermont.

2.8 Trees are herein defined as perennial woody plants, ordinarily with one (1) main stem or trunk, which develops many branches, and which ordinarily grows to a height of twenty (20) feet or more.

2.9 Top or Topping is herein defined as the severe cutting back to stubs of Tree limbs, branches, or stems larger than three (3) inches in diameter, or more than two (2) years old, at an indiscriminate location within the Tree's crown so as to remove the normal canopy and disfigure the tree. Such points are usually between branches, leaving stubs. Topping is not synonymous with tree trimming or pruning in general.

2.10 Town is herein defined as the Town of Clermont, Indiana.

2.11 Town Council is herein defined as the Town Council of the Town of Clermont, Indiana.

2.12 Tree Lawn is herein defined as the land lying between the boundary of the public street and private property, except such portion covered by sidewalk or used as a walkway. It is also referred to as “tree plot area.”

2.13 Utilities is herein defined to mean both public and private utility companies.

2.14 For purposes of this Ordinance, the singular shall include the plural and the plural shall include the singular, unless the context requires otherwise.

Section 3. Policy of Replacement of Tree Stock

3.1 It is the Policy of the Town to maintain and expand the tree cover of the Town as a whole and of individual streets and neighborhoods in particular by planting trees in accordance with urban forestry best practices and those determined by the Tree Board. Overall, the Town's annual goal shall be to plant at least 20 percent more trees than it removes, in order to maintain a planting-to-removal ratio of at least 1.2 to 1. Once a tree has been removed, it shall be replaced, wherever possible, at or near its original location as soon as the planting season permits. Further, an ongoing program of replacing previously removed trees and of planting in new areas shall be conducted.

Section 4. Tree Lawn Area Maintenance

4.1 The Town shall have all the right and authority granted to municipalities under law to require the owners of parcels of land adjacent to a public street to maintain and improve the street tree lawn area. Such maintenance and improvement shall include but is not limited to grass mowing, brush collection, landscape bed maintenance, and litter removal.

4.2 The surface of tree lawn areas shall be as level as practicable, and the grade thereof shall be the top lines of the sidewalk and curb. No Person shall pave, gravel, remove, or otherwise convert existing grassed tree lawn areas without the expressed written consent of the Clermont Town Council, which shall take into consideration the drainage functions of the tree lawn area before approving the conversion.

Section 5. Creation and Establishment of a Tree Board

5.1 The Tree Board shall consist of at least five (5) members appointed by the Clermont Town Council. Two (2) of the members shall be non-voting and current members of the Town Council, the town manager, or another employee of the Town. The remaining members shall be voting members and shall elect one of their members to serve as the chairperson of the Tree Board. All members shall serve a term of two (2) years. The voting members shall serve without compensation. All members serve at the pleasure of the Clermont Town Council. A majority of the members must be residents of Clermont, Indiana.

Section 6. Term of Appointment

6.1 The terms of the people appointed to the Tree Board shall be two (2) years. The members of the Tree Board shall serve at the pleasure of the Town Council and may be removed and/or replaced at any time by the Town Council. In the event a vacancy shall

occur during the term of any member, the successor shall be appointed by the Town Council for the unexpired portion of the term.

Section 7. Compensation

7.1 Members of the Tree Board shall serve without compensation.

Section 8. Mission of the Tree Board

8.1 It shall be the mission of the Tree Board to:

- A. Monitor Clermont's urban forest
- B. Provide tree-related educational opportunities
- C. Develop, maintain, and support efforts to increase the quantity and quality of trees in and around Clermont, including but not limited to seeking grants and partners to facilitate tree care and planting programs
- D. Create and manage Clermont tree planting program(s)
- E. Recommend to the Clermont Town Council potential tree-related policy and ordinance creation or revisions
- F. Inform residents and contractors of the existence of the town's policies and ordinances and to communicate potential violations to the town
- G. Provide research and recommendations to the Clermont Town Council regarding tree complaints, issues, proposals or initiatives related to the town's tree-related policies and ordinances
- H. Assist with the annual application to apply for or renew the town's Tree City USA designation

Section 9. Powers, Duties, and Responsibilities of the Tree Board

9.1 The Tree Board shall have the duty and responsibility and shall be empowered to study, investigate, counsel, and participate in the care, preservation, pruning, planting, replanting, removal, and disposition of Street Trees and Town Trees.

9.2 The Tree Board shall develop a written three (3) year plan addressing the care, preservation, pruning, planting, replanting, removal, and disposition of Street Trees and Town Trees. The plan shall also include a section that addresses the town's private tree canopy as well. Such plan shall be presented every three (3) years to the Town Council, and upon acceptance and approval by the Town Council, such plan shall constitute the official comprehensive tree plan for the Town.

9.3 The Tree Board, when requested by the Town Council, shall consider, investigate, make findings, report, and recommend upon any special matter or question coming within the scope of its work. The Tree Board shall also have such other powers, duties, and responsibilities as are delegated to the Tree Board pursuant to the terms and provisions of this Ordinance.

9.4 At least once per year, the Tree Board shall provide a progress report regarding its activities to the Clermont Town Council. The report shall include the cost and benefits of its activities and may include other pertinent information.

9.5 The Tree Board may accept donations and grants to conduct its mission. To achieve such, the Tree Board may file for incorporation as a not-for-profit organization under the laws of the State of Indiana and for tax-exempt status under the Internal Revenue Code; however, it shall not be required to do so. Prior to filing for incorporation, the articles of incorporation and corporate bylaws shall be submitted to the Clermont Town Council for approval. Additionally, the articles of incorporation and corporate bylaws shall contain a provision, which requires approval by the Clermont Town Council of any subsequent amendment to the articles of incorporation, or corporate bylaws, which change the composition, or manner of selection of the membership.

Section 10. Operation of the Tree Board

10.1 The Tree Board shall adopt organizational bylaws to manage the Board's affairs, which shall be submitted to the Clermont Town Council for approval. Additionally, the bylaws shall contain a provision, which requires approval by the Clermont Town Council of any subsequent amendment to said organizational bylaws, which changes the composition, or manner of selection of the membership.

10.2 The Tree Board shall hold meetings, choose its own officers, make its own rules and regulations, and keep a record of all of its proceedings consistent with the requirements of Indiana statutes governing the operations of public agencies including the Indiana Open Door Law and the Indiana Access to Public Records Law. A majority of the members of the Tree Board shall constitute a quorum for the transaction of any business.

10.3 The Tree Board shall meet a minimum of four times each year. All meetings shall be open to the public. The Tree Board may schedule additional meetings as needed.

Section 11. Planting of Street Trees and Town Trees

11.1 Size of Trees. As a part of the comprehensive tree plan to be accepted and approved by the Town Council, the Tree Board shall designate Trees as very small, small, medium, or large Trees and shall determine the standard of measurement used in classifying Trees as very small, small, medium, or large Trees.

11.2 Species of Trees. As a part of the comprehensive tree plan to be accepted and approved by the Town Council, the Tree Board shall maintain a list of official Street Tree species and Town Tree species for the Town according to the size designations of small, medium, or large Trees. Following the acceptance and approval of the comprehensive tree plan, only the approved Street Tree species and Town Tree species may be planted in their respective areas according to the size designations unless the prior written

approval of the Tree Board is obtained. In the event that an area qualifies as both a Street Tree area and a Town Tree area, then the Tree species from either list may be used.

11.3 Spacing of Street Trees. The spacing of Street Trees shall be determined by the Tree Board or the Town in accordance with the size designations determined under subsection 11.1 above and the Tree species.

11.4 Distance from Curbs and Sidewalks. The distance that Street Trees and Town Trees may be planted from curbs or curb lines and sidewalks shall be determined by the Tree Board or the Town in accordance with the size designations determined under subsection 11.1 above and the Tree species. The minimum distance from any Street or Town Tree's center to a sidewalk or curb shall be 2 feet.

11.5 Distances from Street Corners and Fire Hydrants. Street Trees and Town Trees shall be planted no closer than thirty (30) feet to any street corner, measured from the point of nearest intersecting curbs or curb lines and no closer than ten (10) feet to any fire hydrant.

11.6 Distances from Utilities. Street Trees and Town Trees, except those designated as small or very small Trees, may not be planted under or within ten (10) lateral feet of any overhead utility line, or over or within five (5) lateral feet of any underground water line, sewer line, transmission line, or other utility line.

Section 12. Removal and Replacement of Trees

12.1 Subject to the authority of the State of Indiana with respect to the right of way of any state highway, the Town shall have the authority to plant, prune, maintain, and remove Street Trees and Town Trees as may be determined to be necessary for the public safety or for the preservation and enhancement of the symmetry and beauty of the Street Tree and Town Tree areas.

12.2 The Town may remove or cause or order to be removed any Street Tree or Town Tree or part thereof which is dead or diseased; which is affected by any injurious fungus, insect, or other pest; which is in an unsafe condition; or which by reason of its nature or location is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements or utilities. In such cases, excluding emergencies, the Tree Board shall be consulted in writing prior to removal. Once consulted, the Tree Board shall provide a written response to the request within 10 working days. If a written response is not received within 10 working days, then the removal may occur and the Town may invoice the responsible party under the process set out in subsections 22.3, 22.4 and/or 22.5.

12.3 If a Street Tree or part of a Street Tree is deemed in need of removal by the Tree Board or Town Council, the adjacent property owner shall be notified in writing by the Tree Board or the Town of the need for the removal.

12.4 If removal of a Street Tree or Town Tree is necessary for construction purposes on an adjacent property, the adjacent property owner shall pay for complete tree removal at their own cost and a replacement tree or trees of equal value planted on site or at a location owned or controlled by the Town, and determined by the Town.

12.5 In certain locations, Street Trees or Town Trees have been planted in close proximity to public sidewalks. Roots of such Trees may have caused damage to a public sidewalk, whose repair may require cutting of these roots. In such cases, the Tree Board shall be consulted in writing prior to cutting any roots. The Town shall first seek a solution that affects the tree roots as minimally as feasible, so as to preserve both the tree's health and the sidewalk, which may include altering the sidewalk's route, width, or material used. In the event a public sidewalk cannot be repaired or replaced without the removal of such a Tree, the Tree may be removed after written consultation with the Tree Board. Once consulted, the Tree Board shall provide a written response to the request within 10 working days. If a written response is not received within 10 working days, then the roots of the Street Tree or Town Tree or the entire Tree may be removed.

12.6 Property owners may file a request with the Tree Board for a Street Tree to be planted adjacent to their property at a twenty-five percent (25%) cost share (Town's portion being seventy-five percent (75%) of the cost). In its determination, the Tree Board shall consider the following factors and award Street Trees under this section in its discretion:

- A. Whether funding is available for this purpose;
- B. Whether a Street Tree had been removed at or near the location;
- C. Whether the Tree can be planted in a location without negatively affecting the nearby streets, alleys, sidewalks, utilities, building and other Trees; and
- D. The order in which requests were filed.
- E. If the Town removes a Street Tree for road widening purposes or utility construction, the Town shall plant a replacement Street Tree at or near the location of the removal, and at the Town's expense.

Section 13. Damaging or Injuring Trees

13.1 Unless approved or authorized by the Tree Board or Town, it shall be unlawful for any Person to:

- A. Damage, cut, carve, or injure any Street Tree or Town Tree;
- B. Attach any sign, wire, or injurious material to any Street Tree or Town Tree. However, wires or other supports used to stabilize Trees shall not be deemed to be unlawful; or
- C. Cause any gaseous, liquid, or solid substance harmful to Trees to come in contact with roots, leaves, or bark of any Street Trees or Town Trees.

Section 14. Tree Topping Prohibited

14.1 In accordance with Section 744-503 General Landscaping Standards, Part S. Maintenance, of the Municipal Code of the Consolidated City of Indianapolis and Marion County, tree topping is prohibited on all Trees within the town.

Section 15. Street Tree or Town Tree Topping and Removal

15.1 It shall be unlawful for any Person to Top or remove any Street Tree or Town Tree unless approved or authorized by the Tree Board or Town Council. Prior to any Topping or removal, the Tree Board or Town shall review and investigate the request and shall approve or deny the request. Utilities are not exempted from this section.

Section 16. Tree Clearances

16.1 The owner of any Tree overhanging any right of way within the Town shall prune the branches so that such branches

- A. Shall not obstruct the light from any street lamp,
- B. Shall not obstruct the view of any street intersection,
- C. Shall not obstruct the visibility of any traffic control device or sign, and
- D. Allow for a clear space of eight (8) feet above the surface of a public sidewalk and fourteen (14) feet above the surface of a street.

16.2 The owner shall perform the pruning at the owner's expense within thirty (30) calendar days after receiving a written notice from the Town. In the event the owner fails to comply with the notice, the Town shall have the authority to perform the pruning and to charge the cost of pruning to the owner, and invoice the responsible party under the process set out in subsections 22.3, 22.4 and/or 22.5.

16.3 Nothing contained herein shall prohibit the Town from performing the pruning without notice and charging the cost thereof to the owner in the event that it is determined that an emergency exists. The Tree Board shall make such recommendations as it deems appropriate to assist the Town in implementing this section.

Section 17. Dead, Damaged or Diseased Tree Removal on Private Property

17.1 The Town shall have the authority to remove or cause or order to be removed any dead, damaged, or diseased Trees on private property within the Town or any Trees which are affected by any injurious fungus, insect, or other pest on private property within the Town when it is determined that such Trees may constitute a hazard to the public or persons, property, or Trees at adjacent properties within the Town. The owner shall remove such Trees or parts thereof at the owner's expense within sixty (60) calendar days after the date of service of notice from the Town. In the event the owner fails to comply with the notice, the Town shall have the authority to remove such Trees

and to charge the cost of removal to the owner, and invoice the responsible party under the process set out in subsections 22.3, 22.4 and/or 22.5.

17.2 Nothing contained herein shall prohibit the Town from removing any such Tree or part thereof without notice and charging the cost thereof to the owner in the event that it is determined that an emergency exists. The Tree Board shall make such recommendations as it deems appropriate to assist the Town in implementing this Section. The Town may invoice the responsible party under the process set out in subsections 22.3, 22.4 and/or 22.5.

Section 18. Removal of Stumps

18.1 All stumps of removed Street Trees and Town Trees shall be eliminated below the surface of the ground so that the top of the stump shall not project above the surface of the ground.

Section 19. Interference with Official Action

19.1 It shall be unlawful for any Person to prevent, delay, or interfere with any agents or employees of the Town or of the Tree Board while engaging in and about the care, preservation, pruning, planting, replanting, removal, and disposition of any Street Trees, Town Trees, or other Trees as authorized in this Ordinance.

Section 20. Arborists Hired By Town

20.1 It shall be unlawful for any Person to engage in the business or occupation of the care, preservation, pruning, planting, replanting, removal, and disposition of Street Trees or Town Trees or other Trees as authorized by this Ordinance on behalf of the Town without first filing evidence of liability insurance in the minimum amounts of Five Hundred Thousand Dollars (\$500,000) for injury and property damage combined indemnifying the Town or any person injured or damaged as the result of the pursuit of such endeavors as herein described. For purposes of this section, utility companies, Town employees, and volunteers of the Tree Board or Town shall not be considered to be engaged in the business or occupation of the care, preservation, pruning, planting, replanting, removal, and disposition of Street Trees or Town Trees or other Trees as authorized by this Ordinance on behalf of the Town.

20.2 Except in the case of an emergency, the Town shall not hire an arborist or tree service to conduct Street Tree or Town Tree pruning or trimming without first receiving an assessment and recommendation of the subject tree(s) by an arborist possessing the "ISA Certified Arborist" certification through the International Society of Arboriculture (ISA).

20.3 Except as may be specified otherwise in this Ordinance, all maintenance of Street Trees and Town Trees shall conform to the American National Standards Institute (ANSI)

A-300 "Standards for Tree Care Operations" and shall follow all tree care Best Management Practices (BMPs) published by the International Society of Arboriculture.

Section 21. Public Nuisance

21.1 All Trees within the Town that are determined by the Town to constitute a public hazard or threat to health, safety, life, or property may be declared to be a public nuisance. The Town Council may order removal of such nuisances or other violations of this Ordinance and invoice the responsible party under the process set out in subsections 22.3, 22.4 and/or 22.5.

Section 22. Enforcement and Penalties

22.1 This Ordinance shall be enforced by the Town Council of the Town of Clermont or its authorized agents. Any Person who is found to have violated any provision of this Ordinance shall be punished by a fine of not less than Twenty-Five Dollars (\$25.00) nor more than Five Hundred Dollars (\$500.00) for each separate offense. Each day that a violation exists with respect to any provision of this Ordinance shall constitute a separate offense.

22.2 Any person who has been found by the Tree Board to have violated any provision of this Ordinance shall have a right to appeal against the decision of the Tree Board to the Clermont Town Council. Any appeal of a decision of the Tree Board shall be in writing and shall set out, with particularity:

1. the decision of the Tree Board being appealed;
2. the legal standing or right of the person making the request to do so;
3. the decision of the Tree Board on the request;
4. the date of the decision of the Tree Board;
5. why the Tree Board's decision should be changed;

Any such request to appeal a decision of the Tree Board shall be mailed within thirty (30) days of the Tree Board decision, by US Mail, postage prepaid, certified mail return-receipt requested to:

Clermont Clerk-Treasurer
9049 Crawfordsville Rd.
Indianapolis, IN 46234

Upon receipt of the requested appeal the Clermont Clerk-Treasurer shall place the appeal on the agenda of the next upcoming council meeting and copies of the appeal shall be emailed by the Clerk-Treasurer to all members of the town council. The appeal shall heard at the next upcoming council meeting but in no case sooner than ten (10) days after the appeal has been received by the Clermont Clerk-Treasurer. The person appealing the Tree Board decision shall be notified, in writing, by the Clerk-Treasurer of

the date, time and location of the appeal hearing. The appeal hearing by the Clermont town council may be continued at the discretion of the Clermont Town Council. The person filing the appeal may be represented by counsel if they so choose.

The Clermont Town Council shall have continued authority to revise, modify and/or rescind any policy relating to the Clermont Tree Board at any time with or without notice.

22.3 In the event that a person responsible for a property fails to correct a condition of the property which constitutes a violation of Sections 15, 16, 17, 18 and/or 19 within the time specified in said sections the town may take action to abate the violation(s) or nuisance(s), as the case may be, as follows:

(1) The Town Marshal shall be responsible for the administration of the ordinance.

(2) Written Notice of Violation shall be issued to the owner at the last address of the owner(s) for the property as indicated in the records of the county auditor on the date of the notice mailed and to the occupier of the real property, at the address of the real property in violation, by personal service or first class U.S. mail or equivalent service as provided in IC 1-1-7-1.

(3) In the event the violation is not corrected by the owner, or occupier, within fourteen (14) days of the Notice of Violation then the Town Marshal, the Marshal's designee or a contractor may enter the real estate and take action necessary to abate the violation at the cost of the property owner.

(4) In the event the Town Marshal, the Marshal's designee or contractor carries out the abatement of the violation then the Clerk/Treasurer shall issue an invoice to the owner at the last address of the owner(s) for the property as indicated in the records of the county auditor on the date of the notice and to the occupier of the real property, at the address of the real property in violation. The Notice of Violation may be delivered by personal service or by first class U.S. mail (at the address as set out above) for the costs incurred by the Town to abate the violation plus an administrative charge for the abatement.

(5) In the event the owner or occupier do not pay the amount of the invoice within fourteen (14) days of the date of the mailing of the invoice plus the amount of the civil violation then an enforcement action may be filed against the owner and occupier in any court of competent jurisdiction.

(6) The procedure for appealing a Notice of Violation or a civil penalty shall be that the owner or occupier shall mail a written denial of the violation to the Clerk/Treasurer of Clermont within ten (10) days of the date of Notice of Violation or Civil penalty. In the event the Notice of Violation or Civil Penalty are

sent to the owner(s) and occupier(s) of the real estate by U.S. Mail then the owner(s) and/or occupier(s) shall have an additional three (3) days to file their denial or appeal.

If an initial Notice of the Violation of an ordinance adopted under this section was provided by certified mail, first class mail, or equivalent service under IC 1-1-7-1, a continuous abatement notice may be posted at the property at the time of abatement instead of by certified mail, first class mail, or equivalent service as required. A continuous abatement notice serves as notice to the real property owner that each subsequent violation during the same year for which the initial notice of the violation was provided may be abated by the municipality, or its contractors.

22.4 Failure of real property owner to pay bill; methods of collection

(a) Except as provided in subsection (b), if the owner of real property fails to pay a bill issued under section 3 of this chapter within the time specified in the ordinance, the department specified in the ordinance shall certify to the county auditor the amount of the bill, plus any additional administrative costs incurred in the certification. The auditor shall place the total amount certified on the tax duplicate for the property affected, and the total amount, including any accrued interest, shall be collected as delinquent taxes are collected and shall be disbursed to the general fund of the municipality or county.

(b) If the owner of real property fails to pay a bill issued under section 3 of this chapter within the time specified in the ordinance, the municipality may bring an action in an appropriate court to collect the amount of the invoice, plus any additional costs incurred in the collection, including court costs and reasonable attorney's fees. If the municipality obtains a judgment under this subsection, the municipality may obtain a lien in the amount of the judgment on any real or personal property of the owner.

22.5 Disbursement of bill collections to general fund of department enforcing ordinance

Notwithstanding section 4 of this chapter, the municipality may provide that the amounts collected shall be disbursed to the general fund of the department specified to enforce the ordinance.

Section 23. Severability

23.1 The provisions of this Ordinance are hereby declared to be severable. If any provision contained in this Ordinance shall be declared to be invalid or void for any reason, such declaration shall not affect the remaining portions of this Ordinance which shall remain in full force and effect.

Section 24. Effective Date and Repealing Effect

24.1 This Ordinance shall take effect upon adoption and publication in accordance with the requirements of law. This Ordinance supersedes the provisions of other town ordinances or parts thereof in conflict herewith.

Approved and Adopted at the duly noticed and regularly scheduled meeting of the Clermont Town Council held this 10 day of August, 2023.

YEA

Michael A. Beam
Aaron M. Tapp
Frank Lettmaire

NAY

JA

Michael A. Beam

Michael Beam
President of the
Clermont Town Council

ATTEST:

Larry Beiter

Larry Beiter
Clerk-Treasurer of the
Town of Clermont