



**Code of Ordinances**  
CITY OF AUBURN





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Boards, Commissions, and  
Departments

CHAPTER  
**34**

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## CITY PLAN COMISSION

### **34.01 CITY PLAN COMISSION ESTABLISHED**

There is created a City Plan Commission pursuant to Acts of Indiana General Assembly of 1947, Chapter 174, and all other acts amendatory and supplemental thereto.

### **34.02 MEMBERS**

The City Plan Commission shall consist of nine members to be appointed as follows:

- A. One member selected by the City Council from its members.
- B. One member selected by the Board of Park Commissioners from its members.
- C. Any one member or any designated representative selected by the Board of Public Works and Safety.
- D. The City Engineer.
- E. Five citizen members, no more than three of whom shall be members of the same political party, to be appointed by the Mayor of the city.

### **34.03 TERM OF OFFICE**

The terms of the members of the City Plan Commission shall be as follows:

- A. The term of the member appointed by the Common Council shall be coextensive with the terms of a majority of the Councilmen, except that the Common Council at its first meeting in any year may replace any member appointed by it.
- B. The term of the member selected by the Board of Park Commissioners shall be coextensive with that person's appointment as a Park Commissioner, but it shall not exceed four years.
- C. The term of the member designated by the Board of Public Works and Safety shall be coextensive with the terms of a majority of the members of the Board of Public Works and Safety, but it shall not exceed four years.
- D. The term of the City Engineer shall be coextensive with his employment as City Engineer.
- E. The terms of the five citizen members shall be for four years, coextensive with the term for which the Mayor is elected.

### **34.04 POWERS AND DUTIES**

The City Plan Commission shall perform all the duties and shall have all the powers, rights, and privileges conferred by Acts of the Indiana General Assembly of 1947, Chapter 174, and all acts amendatory and supplemental thereto.

## DEPARTMENT OF PARKS AND RECREATION

### **34.10 DEPARTMENT OF PARKS AND RECREATION CREATED**

Under the provisions of IC 36-10-3, there is created the Department of Parks and Recreation.



## 34.11 BOARD OF PARKS AND RECREATION

- A. Park and Recreation Board shall be created, composed of four members appointed by the Mayor on the basis of their interest in and knowledge of parks and recreation. No more than two members shall be of the same political party.
- B. Upon establishment of the Board, the terms of the members initially appointed shall be the following.
  1. One for the term of one year.
  2. One for the term of two years.
  3. One for the term of three years.
  4. One for the term of four years.
- C) As a term expires, each new appointment shall be made by the Mayor for a term of four years. All terms expire on the first Monday in January, but a member shall continue in office until a successor is appointed. If an appointment for a new term is not made by the Mayor by the first Monday in April, the incumbent shall serve another term. If a vacancy occurs, the Mayor shall appoint a new member for the remainder of the unexpired term.

## 34.12 OFFICERS OF BOARD

At its first regular meeting of each year, the Board of Parks and Recreation shall elect a President and a Vice-President. The Vice President shall have authority to act as the President of the Board during the absence or disability of the President. The Board may select a Secretary either from within or without its own membership.

## 34.13 POWERS OF BOARD

The Board of Parks and Recreation shall have the power to perform all acts necessary to acquire and develop sites and facilities and to conduct such programs as are generally understood to be park and recreation functions. In addition, the Board shall have all the powers and duties listed in IC 36-10-3.

## 34.14 ANNUAL BUDGET OF BOARD

The Board of Parks and Recreation shall prepare and submit an annual budget in the same manner as other departments of the city as prescribed by the Indiana State Board of Accounts. The Board of Parks and Recreation may accept gifts, donations, and subsidies for park and recreation purposes.

## BOARD OF AVIATION COMMISSIONERS

## 34.20 POWERS AND DUTIES REPEALED ORD. 2010-03, PASSED 2-16-10

## DEPARTMENT OF REDEVELOPMENT

## 34.25 DEPARTMENT OF REDEVELOPMENT ESTABLISHED

There is hereby established a Department of Redevelopment to be controlled by the Auburn Redevelopment Commission. The Redevelopment Commission shall be governed by IC 36-7-14 et seq. All of the territory within the corporate boundaries of the city constitutes a taxing district for the purposes of levying and collecting special benefit taxes for redevelopment use as provided in IC 36-7-14 et seq.



## ELECTRIC AND WATER WORKS COMMITTEE

### 34.30 POWERS AND DUTIES REPEALED ORD. 2010-03, PASSED 2-16-10

## DEPARTMENT OF DEVELOPMENT

### 34.35 DEPARTMENT OF DEVELOPMENT ESTABLISHED

Pursuant to authority granted by Public Law 182, IC 36-7-12, as amended, there is created the Department of Development which shall be in addition to existing executive departments of the city.

### 34.36 DEVELOPMENT COMMISSION

The Department of Development shall be under the control of three members, to be known as the Development Commission. The members of the Commission shall be appointed and shall perform the duties and exercise the powers set forth in Public Law 182, IC 36-7-12, as amended.

## PORT AUTHORITY

### 34.40 ESTABLISHMENT

A port authority to be known as the City of Auburn Port Authority is established and shall have all of the powers and jurisdiction set forth in IC 8-10-5-1 through 8-10-5-20, as amended and as hereinafter from time to time amended, except for the limitations set forth herein.

### 34.41 BOARD OF DIRECTORS

The Port Authority shall be governed by a Board of Directors consisting of five members, who shall be appointed by the Mayor with the advice and consent of the Common Council. Each director shall have been a qualified elector of the city for a period of at least three years preceding his appointment. The directors of the authority first appointed shall serve staggered terms. Thereafter each successor shall serve for a term of four years, except that any person appointed to fill a vacancy shall be appointed to only the unexpired term, and any director shall be eligible for reappointment. The Mayor may, at any time, remove a director appointed by him for misfeasance, nonfeasance, or malfeasance in office

### 34.42 PROCEDURE

The directors shall elect one of their membership as Chairman, and another as Vice-Chairman, and shall designate their terms of office, and shall appoint the Clerk-Treasurer of the city as its Secretary-Treasurer. A majority of the Board of Directors shall constitute a quorum, the affirmative vote of which shall be necessary for any action taken by the Port Authority. No vacancy in the membership of the Board shall impair the rights of a quorum to exercise all the rights and perform all the duties of the Port Authority.

### 34.43 COMPENSATION OF BOARD MEMBERS

Each member of the Board of Directors of the Port Authority shall be entitled to receive from the Port Authority such sum of money as the Board of Directors may determine as compensation for his service as Director, and reimbursement for his reasonable expenses in the performance of his duties.

### 34.44 LIMITATION ON BONDING AUTHORITY

The Port Authority shall not issue bonds of any kind or character without the specific consent of the Common Council by a duly enacted ordinance.



## HOUSING AUTHORITY

### 34.50 ESTABLISHMENT

- A. The Common Council has found that there is a shortage of safe or sanitary dwelling accommodations in the city available to persons of low income at rentals they can afford, especially elderly residents of the city.
- B. In order to assist in the alleviation of the shortage of safe or sanitary dwelling accommodations available to persons of low income at rentals they can afford, the Common Council, pursuant to IC 36-7-18-1 and 36-7-18-4 declares the necessity for establishing a housing authority in the city to be known as the Auburn Housing Authority, whose jurisdiction shall include the corporate boundaries of the city and the area within five miles therefrom in accordance with IC 36-7-18-4, as from time to time may be amended.

### 34.51 POWERS AND DUTIES

The Housing Authority shall exercise or have all powers, duties, privileges, and immunities provided by the laws of the state, including all powers conferred by the Housing Authorities Act (Acts 1937, Ch. 207) as amended, or as the same may exist from time to time.

### 34.52 MAYOR TO APPOINT MEMBERS

Notice of the adoption of this subchapter shall be made to the Mayor of the city in order that the Mayor may appoint five citizens of the city as the initial Board of Commissioners of the Housing Authority, as provided in IC 36-7-18-5.

## CITY TREE COMMISSION

### 34.80 CREATION OF CITY TREE COMMISSION

There is hereby created and established a City Tree Commission for the City of Auburn, Indiana, which shall consist of seven (7) members. Five (5) members of the Commission shall be appointed by the Mayor from Auburn City residents at-large, one member shall be the City of Auburn Director of Parks and Recreation Director or the Superintendent's designee, and one (1) member shall be the City of Auburn Street Superintendent or the Superintendent's designee.

### 34.81 TERM OF OFFICE

The term of the five (5) persons to be appointed by the Mayor and shall be for four (4) years and staggered in a manner so as to rotate the terms, with at least one (1) member's term expiring each year on a rotating basis. In the event that a vacancy shall occur during the term of any member, his successor shall be appointed for the unexpired portion of the term by the Mayor.

### 34.82 COMPENSATION OF COMMISSION

Members of the Commission shall serve without compensation.

### 34.83 DUTIES AND RESPONSIBILITIES

It shall be the responsibility of the Commission to study, investigate, counsel and develop and update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas. This plan will be presented annually to the Board of Public Works and Safety and upon their acceptance and approval shall constitute



the official comprehensive city tree plan for the city. The Commission, when requested by the Board of Public Works and Safety, shall consider, investigate, make findings, report and recommend upon any special matter of question coming within the scope of its work.

#### **34.84 OPERATION**

The Commission shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business.

#### **34.85 REVIEW BY BOARD OF PUBLIC WORKS AND SAFETY**

The Board of Public Works and Safety shall have the right to review the conduct, acts and decisions of the City Tree Commission. Any person may appeal any ruling or order of the City Tree Commission to the Board of Public Works and Safety who may hear the matter and make the final decision.

Ordinance 2020-01 passed 02.18.2020

### **INFORMATION TECHNOLOGY TECHNICAL COMMITTEE**

#### **34.95 INFORMATION TECHNOLOGY TECHNICAL COMMITTEE ESTABLISHED; MEMBERSHIP; POWERS**

A. An Information Technology Technical Committee of the city is established.

B. The members of the committee are the following listed positions or their designee:

1. Street Department Superintendent;
2. City Engineer;
3. Chief of Police;
4. Fire Chief;
5. Electric Utility Superintendent;
6. Water Utility Superintendent;
7. Water Pollution Control Utility Superintendent;
8. Park Department Superintendent;
9. Building, Planning and Development Administrator;
10. Mayor;
11. Clerk-Treasurer;
12. A citizen member, appointed by the Mayor;
13. A member of the City Council, appointed by the Mayor; and
14. The city Purchasing Agent.

C. The committee will have the power to review and approve all purchases of computer equipment, including but not in limitation of hardware, software, training and miscellaneous equipment.

D. All other computer committees of the city heretofore established are hereby replaced and have no further duties or standing.

### **MAYOR'S YOUTH ADVISORY COUNCIL**

#### **34.100 MEMBERS**

A. There is hereby created a Mayor's Youth Advisory Council ("MYAC").

B. The members of the Mayor's Youth Advisory Council shall be high school students and college students through the end of the college sophomore year.



- C. After applications are submitted to the Mayor's Office and interviews are conducted, the Mayor, or the Mayor's designee, shall appoint MYAC members for a term of one (1) year. All MYAC members will serve at the pleasure of the Mayor and will be eligible for reappointment.
- D. Junior high students in 8<sup>th</sup> grade may attend meetings and observe the MYAC program before making applications for their freshman year in high school.

#### **34.101 MISSION**

It shall be the mission of the Mayor's Youth Advisory Council to serve the community, make recommendations to the Mayor, from time to time, and discuss with the Mayor important issues affecting youth in the city.

#### **34.102 MEETINGS**

The Mayor's Youth Advisory Council shall establish a meeting schedule.

#### **34.103 RESOURCES**

As reasonably determined by the Mayor, the Mayor's office shall provide advisory staff, staff functions, supplies, and meeting places for the Mayor's Youth Advisory Council.

This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and upon legal publication as may be required by law.