

CHAPTER 1. GENERAL PROVISIONS

Sec. 1-1	<i>Code</i> Citation and Designation.
Sec. 1-2	Effective Date of <i>Code</i> ; Repeal of General Ordinances in Conflict; Savings Clause.
Sec. 1-3	Definitions.
Sec. 1-4	Rules of Construction.
Sec. 1-5	<i>Code</i> Application.
Sec. 1-6	Interpretation of Section Numbers.
Sec. 1-7	Repeal Shall Not Revive Ordinances.
Sec. 1-8	Effective Date of Ordinance.
Sec. 1-9	Severability of <i>Code</i> .
Sec. 1-10	Conflicting Provisions.
Sec. 1-11	General Penalties.
Sec. 1-12	City Seal.
Sec. 1-13	City Flag.
Sec. 1-14	Official Song for the City.
Sec. 1-15	Sister City Relationship with Tajimi, Gifu, Japan.
Sec. 1-16	Exchange Program between City of Odessa and City of Terre Haute.
Sec. 1-17	Founders' Day - October 25th.
Sec. 1-18	Material Incorporated by Reference.
Sec. 1-19	Effect of Historical Note.
Sec. 1-20	Official Time.
Sec. 1-21	Supplementation of the <i>Code</i> .
Sec. 1-22	Errors and Omissions.
Sec. 1-23	<i>Codes</i> - Property of the City.
Sec. 1-24	Codification and Its Effect.
Sec. 1-25	Role of the City Clerk Regarding the <i>City Code</i> .

**** Page 1-2 Reserved for Future Use.****

CHAPTER 1

GENERAL PROVISIONS

Sec. 1-1 *Code Citation and Designation.*¹

The ordinances contained in the following chapters, articles, divisions, and sections shall constitute and be designated as the “*Terre Haute City Code*”, and may be cited as the “*City Code*” or, in the provisions which follow as “this *Code*”.

Sec. 1-2 *Effective Date of Code; Repeal of General Ordinances in Conflict; Savings Clause.*²

All of the provisions of this *Code* shall be in full force and effect from the date of passage and the filing of two (2) copies of this *Code* in the office of the City Clerk, and all ordinances of a general and permanent nature in force at that time are repealed from and after said date.

Such repeal shall not affect any offense or act committed or done or any penalty of forfeiture incurred or any contract or right established or occurring before said effective date; nor shall it affect any ordinance accepting gifts and dedications of real estate; nor any ordinance or resolution promising or guaranteeing the payment of money by the City or authorizing the issue of bonds of the City; or other evidence of the City’s indebtedness, or any contract or obligation assumed by the City; nor shall said repeal affect the administration’s ordinances or resolutions of this *Code*; nor any salaries, appropriations, vacations of public property; nor shall it affect transfer and appropriation ordinances; nor shall it affect any ordinance concerning annexation or dis-annexation of territories to or from the City, or any ordinances changing or concerning names of streets, or opening and closing streets, or ordinances commonly known as zoning map amendments; nor shall it affect any right, easement or franchise, conferred by any person or corporation; nor shall it affect any prosecution, suit or proceeding pending on said date, except that the proceeding thereof shall conform as far as possible to the provisions of this *Code*.

Sec. 1-3 *Definitions.*³

In the construction of this *Code* and of all ordinances, the following definitions shall be applied:

And may be read **Or**, and **Or** may be read **And**, if the sense requires it.

Another or **Person**. When used to designate the owner of property which is the subject of an offense, includes not only natural persons but also every other owner of property.

¹ Editor’s Note: During the prior recodification, § 101.01 designated the *Code* as the “Municipal Code of Terre Haute, Indiana, 1989” with it marked as being recodified as “1/94” on the same page.

² *I.C.* §§ 36-1-5-1 through 36-1-5-6, address the codification of ordinances by all units of government except Townships.

³ *I.C.* §§ 36-1-2-1 through 36-1-2-24, set forth the definitions of general applicability.

Board of Health. The Vigo County Board of Health.

Board of Public Works and Safety. The Board of Public Works and Safety of Terre Haute. (1989 *Terre Haute Municipal Code*, §101.02)

City. The City of Terre Haute, Indiana, or the area within the territorial limits of the City of Terre Haute, Indiana, and such territory outside of the City over which the City has jurisdiction or control by virtue of any constitutional or statutory provision.

City Clerk. The Clerk of the City of Terre Haute, a second-class city.⁴

Code. The *Terre Haute City Code*.

Common Council. The City Legislative Body made up of nine (9) elected council members.

Computation of Time. The time within which an act is required to be done and is to be computed by excluding the first day and including the last day, unless the last day is a Saturday, Sunday or a holiday, in which case it shall also be excluded.

Council. The Common Council of the City of Terre Haute. (1989 *Terre Haute Municipal Code*, § 101.02)

County. The County of Vigo, Indiana. (1989 *Terre Haute Municipal Code*, §101.02)

Et Seq. The Latin phrase meaning “and the following”.

Gender. The words used in the masculine gender shall include feminine and neuter.

I.C. shall refer to state law found in the *Indiana Code*.

Keeper or Proprietor. Includes all persons, whether acting by themselves or as a servant, agent or employee. (1989 *Terre Haute Municipal Code*, §101.02)

Land or Real Estate. Includes rights and easements of incorporeal nature. (1989 *Terre Haute Municipal Code*, § 101.02)

May is permissive.

Mayor. The Mayor of the City of Terre Haute.

Month. A calendar month.

Must and **Shall** are each mandatory.

⁴ *I.C.* § 36-4-1-1, addresses the classification of cities and notes in a footnote reference that as of the last federal census that Terre Haute is a second-class city.

Oath. Includes an affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words “swear” and “sworn” shall be equivalent to the words “affirm” and “affirmed”.

Ordinances. The ordinances of the City of Terre Haute and all amendments thereto.

Owner. Applied to a building or land, includes any part owner, joint owner, tenant in common, joint tenant, tenant by the entirety, of the whole or a part of such building or land.

Person. Any natural individual, firm, trust, association, or corporation. Whenever the word “person” is used in any section of this *Code* prescribing a penalty or fine as applied to partnerships or associations, the word includes the partners, or members thereof, and as applied to corporations includes officers, agents or employees thereof who are responsible for any violations of this section. The singular includes the plural, and the masculine gender includes the feminine and neuter genders, unless a more limited meaning is disclosed by the context.

Personal Property. Includes every kind of property except real property.

Preceding and **Following** mean next before and next after, respectively.

Premises. As applied to property, includes land and buildings. (*1989 Terre Haute Municipal Code*, § 101.02)

Property. Includes real and personal property.

Public Authority. Includes Boards of Education, the Municipal, County, State or Federal government, its officers or any agency thereof, or any duly authorized public official. (*1989 Terre Haute Municipal Code*, § 101.02)

Public Place. Includes any street, sidewalk, park, cemetery, school yard, body of water or watercourse, public conveyance, or any other place for the sale of merchandise, public accommodation or amusement. (*1989 Terre Haute Municipal Code*, § 101.02)

Real Property. Includes lands, tenements and hereditaments.

Registered Mail includes **Certified Mail**. (*1989 Terre Haute Municipal Code*, § 101.02)

Sidewalk. That portion of a street between the curblineline and the adjacent property line intended for the use of pedestrians.

State. The State of Indiana. (*1989 Terre Haute Municipal Code*, § 101.02)

Street. Includes all streets, highways, avenues, lanes, alleys, courts, squares, or other public ways in the city which have been or may hereafter be dedicated and open to public use.

Tenant and Occupant. Applied to a building or land, include any person who occupies the whole or a part of such building or land, whether alone or with others.

Written. Includes printed, typewritten, or otherwise reproduced in permanent visible form.

Year. A calendar year.

Sec. 1-4 Rules of Construction.

a. **General Rule.** All words and phrases shall be construed and understood according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

b. **Tense; Gender; Plural.** As used in the *Terre Haute City Code*, unless the context otherwise requires:

(1) Words in the present tense include the future tense.

(2) Words in the masculine gender include the feminine and neuter genders.

(3) Words in the plural number include the singular number, and words in the singular number include the plural number.

c. **Calendar - Computation of Time.** The terms “month” and “year” mean the calendar month or year. The time within which an act is required by law to be done shall be computed by excluding the first and including the last day, except the last day shall be excluded if it falls on Sunday. When such time is expressed in hours the whole of Sunday shall be excluded.

When a law is to take effect or become operative from and after a day named, no part of that day shall be included.

In all cases where the law shall require any act to be done in a reasonable time or reasonable notice to be given, such reasonable time or notice shall mean such time only as may be necessary for the prompt performance of such duty, or compliance with such notice.

d. **Authority.** When the law requires an act to be done which may by law as well be done by an agent as by the principal, such requirement shall be construed to include all such acts when done by an authorized agent.

e. **Joint Authority.** All words purporting to give joint authority to three (3) or more municipal officers or other persons shall be construed as giving such authority to a majority of such officers or other persons, unless it shall be otherwise expressly declared in giving the authority or inconsistent with State Statute provisions.

f. **Exceptions.** The rules of construction shall not apply to any law which shall contain any express provision excluding such construction, or when the subject matter or text of such law may be repugnant thereto. (*1989 Terre Haute Municipal Code*, § 101.03)

Sec. 1-5 Code Application.

Unless otherwise provided in this *Code*, this *Code* shall apply to all acts performed within the corporate limits of the City of Terre Haute. Provisions of this *Code* shall also apply to acts performed outside the corporate limits and up to the limits provided by law, where the law confers power on the City to regulate such particular acts outside the corporate limits.

Sec. 1-6 Interpretation of Section Numbers.

a. Each section of this *Code* shall be numbered consecutively by chapter. The number shall consist of two (2) component parts separated by a dash, the figure before the dash referring to chapter number and the figure after the dash referring to the position of the section within the chapter.

b. The decimal system shall be used for all additions or amendments to this *Code*. When a chapter or section is to be added, the new chapter or section shall be given a decimal character.

Sec. 1-7 Repeal Shall Not Revive Ordinances.

a. When a law which repealed a former law is repealed, the former law is not thereby-revived.

b. When a provision of the *Terre Haute City Code* is repealed or amended, such repeal or amendment does not affect pending actions, prosecutions or proceedings, civil or criminal. When the repeal or amendment relates to the remedy, it does not affect pending actions, prosecutions or proceedings, unless so expressed nor does any repeal or amendment affect cases of such action, prosecution or proceedings at the time of such amendment or repeal, unless otherwise expressly provided in the amending or repealing law.

c. When a provision of the *Terre Haute City Code* is repealed, such repeal does not:

(1) Affect any rights or liabilities which exist, have accrued or have been incurred by virtue of such repealed provisions;

(2) Affect an action or proceeding for the enforcement of any rights or liabilities existing or arising thereunder;

(3) Relieve any person from penalties for an infraction committed in violation of such repealed provision;

(4) Affect an indictment or prosecution for a violation of such repealed provision.

For the purposes of this Section, such repealed provision shall continue in full force and effect notwithstanding such repeal, provided this does not affect the limitation of actions, prosecutions or proceedings imposed by any State Statute. (Spec. Ord. No. 10, 1978; *Terre Haute Municipal Code*, § 101.04)

Sec. 1-8 Effective Date of Ordinance.

Unless otherwise expressly provided, an ordinance shall take effect when passed according to *I.C.* § 36-4-6-14.

Sec. 1-9 Severability of Code.

a. If a court of competent jurisdiction should hold one (1) or more ordinance sections or a part of an ordinance section of this *Terre Haute City Code* or of an ordinance passed hereafter invalid, such holding shall not affect the remainder of the *Terre Haute City Code* or ordinance nor the context in which such section, sections, or part of a section so held invalid may appear, except to the extent that an entire section or part of a section may be inseparably connected in meaning and effect with the section, sections or part of a section so held invalid.

b. Each section of the *Terre Haute City Code* and every part of each section is an independent section and part of a section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause does not affect the validity or constitutionality of any other section or part thereof. (*1989 Terre Haute Municipal Code*, §101.07)

Sec. 1-10 Conflicting Provisions.

If the provisions of different codes or chapters of the *Terre Haute City Code* conflict with or contravene each other, the provisions of each code or chapter shall prevail as to all matters and questions growing out of the subject matter of such code or chapter.

If conflicting provisions are found in different sections of the same chapter, the provisions of the section bearing the latest passage date shall prevail. If the conflicting provisions bear the same passage date, the conflict shall be construed so as to be consistent with the meaning or legal effect of such chapter taken as a whole. (*1989 Terre Haute Municipal Code*, § 101.06)

Sec. 1-11 General Penalties.

a. Any person violating any of the provisions of this *Terre Haute City Code* shall be guilty of an ordinance violation.⁵

b. Each day a violation of this *Code* is committed or permitted to continue shall constitute a separate offense.⁶

⁵ *I.C.* §§ 34-4-32-1 through 34-4-32-5, address infraction and ordinance violation enforcement proceedings.

c. Except in cases where a different punishment is prescribed by a specific section of this *Code*, any person convicted of an ordinance violation shall be punished by a fine of not less than Twenty-five Dollars (\$25.00) or more than Two Thousand Five Hundred Dollars (\$2,500.00).⁷

d. The City may bring a civil action to enjoin any person from:

or⁸ (1) Violating any ordinance regulating or prohibiting a condition or use of property;

(2) Engaging in conduct without license if an ordinance requires a license to engage in the conduct.⁹

e. The court may suspend all or any part of a penalty imposed for an ordinance violation and may require as a condition of such suspension that the defendant shall perform uncompensated work that benefits the community. (Gen. Ord. No. 10, 12-9-99)

Sec. 1-12 City Seal.

a. Under the provisions of General Ordinance No. 1, 1899 the Terre Haute Common Council adopted a design for a City Seal, which provided for a City Seal, two inches in diameter, carrying within the circle of the Seal a cut or representation of Fort Harrison, underneath it the inscription, "Fort Harrison, 1812", which for some unexplained reason never was prepared or actually used, and which, because of its historical significance, should be adopted as a design for a City Seal for the City of Terre Haute.

b. The provisions of General Ordinance No. 1, 1899, adopted July 3, 1899, which defined and adopted a Seal for the City of Terre Haute, consisting of a circle two (2) inches in diameter, in which is represented Fort Harrison, with the inscription, "Fort Harrison, 1812", is re-adopted as the design for a City Seal for the City of Terre Haute, and that the City Clerk who is directed to procure such a design for a City Seal, and that the expense for such Seal be paid out of the appropriation for 1937, "General Supplies" for the City Clerk's Office. (Res. No. 5, 1937, 3-5-37)

c. The City Clerk shall be the custodian of the City's Seal and affix it to such documents and instruments as required.

d. The official seal of the City of Terre Haute is depicted as follows:

⁶ *I.C.* § 9-4-1-217.1, addresses Class C infractions.

⁷ *I.C.* § 36-1-3-8, authorizes a maximum fine of two thousand five hundred dollars (\$2,500.00) for an ordinance violation.

⁸ *I.C.* § 36-1-6-2, addresses ordinance violations affecting real property and the City taking expenses of compliance as a lien against the property. This also addresses the abatement of public nuisances.

⁹ *I.C.* § 36-1-6-4, addresses injunctions.



Sec. 1-13 City Flag.

a. The City of Terre Haute desires to adopt a flag in honor of the National Bicentennial celebration and to be displayed at the Banks of the Wabash Festival.

b. A flag contest was held immediately prior to the opening of the first Banks of the Wabash Festival in which entries were submitted and judged and the winner of said contest was Ronald Goetz of Terre Haute.

c. The City of Terre Haute desires to adopt the flag submitted by Ronald Goetz as the official flag of the City of Terre Haute a copy of which is marked "Exhibit A" and is on file in the office of the City Clerk and available for public inspection during regular business hours.

d. The official flag is illustrated by a blue stripe in the middle representing the Wabash River and a sycamore leaf, orange and yellow in color, representing the sycamore trees located along the Wabash and also contains the symbol of a torch surrounded by stars as depicted in the official flag of the State of Indiana said flag having a white background.

e. The City of Terre Haute, wishes to commend and express its gratitude to Ronald Goetz for the design of said flag.

f. The Common Council of the City of Terre Haute, Indiana adopts the above described flag as the official flag for the City of Terre Haute. (Res. No. 22, 1976, 5-13-76)

Sec. 1-14 Official Song for the City.

a. The song "On the Banks of the Wabash, Far Away" is adopted and established as the official song of the City of Terre Haute, Indiana.

b. The form in which this song shall be sung as the official song of the City of Terre Haute shall be as follows:

i) On the Banks of the Wabash, Far Away

Round my Indiana homestead wave the cornfields
In the distance looms the woodlands clear and cool,
Often times my thoughts revert to scenes of childhood,
Where I first received my lessons – nature's school.
But one thing there is missing in the picture,
Without her face it seems so incomplete,
I long to see my mother in the door-way,

As she stood there years ago, her boy to greet.

CHORUS:

Oh the moonlight's fair tonight along the Wabash,
From the fields there comes the breath of new mown hay,
Through the sycamores the candle lights are gleaming,
On the Banks of the Wabash, far away.

Many years have passed since I strolled by the river,
Arm in arm, with sweetheart Mary by my side,
It was there, I tried to tell her that I loved her,
It was there I begged of her to be my bride,
Long years have passed since I strolled thro' the church-yard,
She's sleeping there, my angel, Mary dear,
I loved her, but she thought I didn't mean it,
Still I'd give my future were she only here.

(Res. No. 11B, 1922, *Journal of Common Council*, 11-2-22, pp. 234-236)

Sec. 1-15 Sister City Relationship with Tajimi, Gifu, Japan.

a. The International Cooperation Administration of the United States Department of State has urged the cities of the United States to explore and to develop a sister city program with cities that are similar, not only in size, but in industry, business and cultural life.

b. Mayor Tucker of Terre Haute, Indiana, and Mayor Aoki, of Tajimi, Japan have jointly inaugurated such a program.

c. The Common Council is desirous of furthering a people to people relationship between communities of foreign countries, thus promoting better world understanding through their common interests.

d. It is a positive expression of a peoples' friendly spirit which can be of great service to the individual citizen in his struggle to spread truth, develop mutual understanding, good will and lasting peace.

e. The Common Council of the City of Terre Haute approves officially a sister city status between the City of Terre Haute, Indiana, and the City of Tajimi, Gifu, Japan. (Res. No. 7, 1962, *Journal of Common Council*, 3-20-62, p. 63)

Sec. 1-16 Exchange Program between City of Odessa and City of Terre Haute.

a. The City of Odessa, USSR is a leading industrial and cultural port city located on the Black Sea.

b. The City of Terre Haute, Indiana, USA is the cultural, educational, industrial, and commercial center of the Wabash Valley located in west central Indiana and east central Illinois.

c. It is the mutual desire of both the City of Odessa and the City of Terre Haute to develop a better understanding and a lasting friendship between the cities.

d. The establishment of an exchange program by each city would encourage mutual understanding and goodwill between the City of Odessa and the City of Terre Haute.

e. The exchange program should include educational exchanges, cultural exchanges, industrial exchanges, and economic exchanges.

f. Mayor Chalos and the Common Council of the City of Terre Haute desire to establish an exchange program for the purpose of promoting better understanding and lasting friendship between the City of Odessa and the City of Terre Haute.

g. The Common Council of the City of Terre Haute does hereby encourage and officially approve an exchange program for the mutual and beneficial educational, cultural, industrial, and economic exchange between the City of Odessa and the City of Terre Haute. The Common Council does further request the Mayor, through the various departments of the City, to develop specific guidelines for the exchange program. (Res. No. 22A, 1991, 4-11-91)

Sec. 1-17 Founders' Day - October 25th.

a. The twenty-fifth day of October is declared to be a holiday in the City of Terre Haute, Indiana, to be known as "Founder's Day." (Gen. Ord. No. 31, 1923, § 1, *Journal of Common Council*, 2-7-24, pp. 26-27)

b. The Mayor is directed to annually issue a proclamation calling upon all citizens of Terre Haute to properly observe said day as a holiday, and shall at least sixty (60) days prior to that date, designate a committee of five (5) citizens to serve as a committee in charge of a public celebration of the day; the said committee to include representatives or organizations of union labor, fraternal, patriotic, civic and religious societies. (Gen. Ord. No. 31, 1923, § 2, *Journal of Common Council*, 2-7-24, pp. 26-27)

Sec. 1-18 Material Incorporated by Reference.¹⁰

Two (2) copies of all material incorporated by reference into this *Code* are on file and shall be kept on file for public inspection in the Office of the City Clerk.

Sec. 1-19 Effect of Historical Note.¹¹

The presence of historical note, such as (*1989 Terre Haute Municipal Code*) or (Ord. No. 81-38, § 9, 12-22-81), at the end of any section of this *Code* shall denote the derivation of the

¹⁰ *I.C.* § 36-1-5-4, requires two (2) copies to be on file for public inspection.

¹¹ *I.C.* § 36-1-5-6, addresses restate or reenacted provisions of original ordinances.

Code Section; in addition, the presence of such a historical note, or of one similar to it, shall be a declaration and determination by the Common Council that said section is a restatement or reenactment of a previously enacted ordinance, and that each such section shall be deemed reordained by the passage of this *Code*.

Sec. 1-20 Official Time.

The official time for all municipal governmental agencies in the City and for the City generally is declared to be Eastern Standard Time. (Gen. Ord. No. 6, 1970, 1989 *Terre Haute Municipal Code*, § 103.02)

Sec. 1-21 Supplementation of the Code.

a. By contract or by City personnel, supplements to this *Code* shall be prepared and printed whenever authorized or directed by the Common Council. A supplement to the *Code* shall include all substantive permanent and general parts of ordinances adopted during the period covered by the supplement and all changes made thereby in the *Code*. The pages of a supplement shall be so numbered that they will fit properly into the *Code* and will, where necessary, replace pages which have become obsolete or partially obsolete, and the new pages shall be so prepared that, when they have been inserted, the *Code* will be current through the date of the adoption of the latest ordinance included in the supplement.

b. In preparing a supplement to this *Code*, all portions of the *Code* which have been repealed shall be excluded from the *Code* by the omission thereof from reprinted pages.

c. When preparing a supplement of this *Code*, the codifier (meaning the person, agency or organization authorized to prepare the supplement) may make formal, nonsubstantive changes in ordinances and parts of ordinances included in the supplement, insofar as it is necessary to do so to embody them into a unified code. For example, the codifier may:

(1) Organize the ordinance material into appropriate subdivisions;

(2) Provide appropriate catchlines, headings and titles for sections and other subdivisions of the *Code* printed in the supplement, and make changes in such catchlines, headings and titles;

(3) Assign appropriate numbers to sections and other subdivisions to be inserted in the *Code* and, where necessary to accommodate new material, change existing section or other subdivision numbers;

(4) Change the words “this Ordinance” or words of the same meaning to “this Chapter,” “this Article,” “this Division,” “this Title”, etc., as the case may be, or to “Sections ____ to ____” (inserting section numbers to indicate the sections of this *Code* which embody the substantive sections of the ordinance incorporated into the *Code*); and

(5) Make other nonsubstantive changes necessary to preserve the original meaning of ordinance sections inserted into the *Code*; but in no case shall the codifier make any change in the meaning or effect of ordinance material included in the supplement or already embodied in the *Code*. (Gen. Ord. No. 10, 12-9-99)

Sec. 1-22 Errors and Omissions.

If a manifest error be discovered consisting of the misspelling of any word or words, the omission of any word or words necessary to express the intention of the provisions affected, or the use of a word or words to which no meaning can be attached, or the use of a word or words when another word or words was clearly intended to express such intent, such spelling shall be corrected and such word or words supplied, omitted or substituted as will conform with the manifest intention, and the provisions shall have the same affect as though the correct words were contained in the text as originally published. No alteration shall be made or permitted if any question exists regarding the nature or extent of the error.

Sec. 1-23 Codes - Property of the City.

All copies of the *Terre Haute City Code* except those sold by the City to private individuals or given or sold to the public library shall be the property of the City of Terre Haute. Any *Terre Haute City Codes* delivered to elected or appointed officials shall not be retained by said individuals after the expiration of their term(s) of office or appointment.

Sec. 1-24 Codification and Its Effect.¹²

a. The following codification and revision of ordinances consisting of Chapter 1 through 11, inclusive, entitled "*Terre Haute City Code*," two (2) copies of which shall be kept on file in the Office of the City Clerk, is adopted and enacted as the *Terre Haute City Code*.

b. The format of the *Terre Haute City Code* is as follows:

	Title Page
	Preface Page
	Table of Contents Page
	Certification Page
	History of Terre Haute Pages
Chapter 1 - General Provisions	Chapter 7 - Building & Construction Regulations
Chapter 2 - City Administration	Chapter 8 - Traffic & Parking Regulations
Chapter 3 - City Legislative & Judicial Branches	Chapter 9 – Utilities
Chapter 4 - Fees, Licenses, Permits, & Franchises	Chapter 10 - Zoning & Subdivisions
Chapter 5 - Parks & Recreation & Cemeteries	Chapter 11 – General Index
Chapter 6 - Public Health & Safety	

¹² I.C. § 36-1-5-1, *et seq.*, address the codification of ordinances.

c. It shall be treated and considered as a new and original codification and revision of ordinances of the City of Terre Haute which shall supersede all other general and permanent ordinances passed and adopted by the Common Council before February 11, 1999, the date when General Ordinance No. 1, 1999 was passed, the last ordinance included therein, except those exceptionally saved from repeal or continued as restatements or re-enactments or original ordinances and amendments thereto which are in force and effect for any purpose.

d. All provisions of the *Terre Haute City Code* shall be in full force and effect following publication of this ordinance, and all ordinances of a general and permanent nature of the City of Terre Haute, Indiana enacted on final passage on or before February 1, 1999 are not incorporated in this *Code* or recognized and continued in force by reference therein are repealed from and after the effective date of this ordinance, except as herein provided.

e. The repeal provided for in paragraph d. shall not affect any offense or act committed or done or any penalty or forfeiture incurred or imposed before the effective date of this ordinance; nor shall such repeal affect any ordinance or resolution promising or guaranteeing the payment of money for the City, or authorizing the issuance of any bonds of the City or any evidence of the City's indebtedness, or any contract or obligation assumed by the City; nor shall such repeal affect the administrative ordinances or resolutions of the Council, not in conflict or inconsistent with the provisions of such *Code*; nor shall such repeal affect any right of franchise granted by any ordinance or resolution of the Council of any person, firm or corporation; nor shall such repeal affect any ordinance dedicating, naming, establishing, locating, relocating, opening, closing, paving, widening or establishing grades of any street or public way in the City; nor shall such repeal affect any ordinance levying or imposing taxes not included herein; nor shall such repeal affect any ordinance or resolution relating to salaries of City employees; nor shall such repeal affect any ordinance providing for local improvements and levying special assessments therefor; nor shall such repeal affect any ordinance dedicating or accepting any plat or ordinance extending the boundaries of the City; nor shall such repeal affect any ordinance or resolution establishing, or modifying the boundaries or zoning districts, or changing the zoning classification of any lot or parcel of land. Each of the above-mentioned ordinances shall in no way be repealed by this ordinance except as the same may be in conflict with the provisions of such *Code*.

f. Any and all additions or amendments to such *Code*, when passed in such form as to indicate the intention of the Council to make the same a part thereof, shall be deemed to be incorporated in such *Code*, so that reference to the *Terre Haute City Code* shall be understood and intended to include such additions and amendments. (Gen. Ord. No. 10, 12-9-99)

Sec. 1-25 Role of the City Clerk Regarding the *City Code*.

a. Two (2) copies of the *Terre Haute City Code* shall be kept on file in the Office of the City Clerk, or someone authorized by the City Clerk, to insert in their designated places all amendments or ordinances which indicate the intention of the Council to make the same a part of such *Code* when the same shall have been printed or reprinted in page form, and to extract from such *Code* all provisions which may be from time to time repealed by the Council. These copies

of such *Code* shall be available to all persons desiring to examine the same and shall be considered the official *Code* of the City of Terre Haute, Indiana.

b. It shall be unlawful for any persons, firm or corporation to change by additions or deletions, any part or portion of such *Code*, or to insert or delete pages or portions thereof, or to alter or tamper with such *Code*, or to insert or delete pages or portions thereof, or to alter or tamper with such *Code* in any manner whatsoever which will cause the *Code*, any ordinance, or the law of the City of Terre Haute, Indiana, to be misrepresented thereby. Any person, firm or corporation violating this Section shall be punished as provided in Sec. 1-11 of such *Code*.