

CHAPTER 3. CITY LEGISLATIVE & JUDICIAL BRANCHES

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CHAPTER 3

CITY LEGISLATIVE & JUDICIAL BRANCHES

ARTICLE 1. THE LEGISLATIVE BRANCH.

Sec. 3-1 The Common Council.⁵⁴

a. The legislative branch of the City of Terre Haute is the Common Council. The Council shall have exclusive authority to adopt ordinances and appropriate tax monies received by the City, and to perform other necessary and desirable legislative functions.⁵⁵

b. The City Clerk shall be the Clerk of the Council and shall perform the duties prescribed by *I.C.* § 36-4-6-9, and such others as the Council may direct.

Sec. 3-2 Six (6) Districts.⁵⁶

a. The Common Council shall be composed of nine (9) members, six (6) of whom are elected from districts and three (3) of whom are elected-at-large.

The City of Terre Haute is divided into six (6) councilmanic districts bounded as follows:

FIRST DISTRICT.

The First Councilmanic District shall be as follows: Starting at the Wabash River and Hulman Street; thence east along the center line of Hulman Street to the center line of 6th Street; thence south along the center line of 6th Street to the center line of Voorhees Street; thence east along the center line of Voorhees Street to the center line of 13th Street; thence north along the center line of 13th Street to the center line of Hulman Street; thence east along the center line of Hulman Street to the center line of 19th Street; thence north along the center line of 19th Street to the center line of Crawford Street; thence east along the center line of Crawford Street to the center line of 25th Street; thence south along the center line of 25th Street to the center line of College Avenue; thence east along the center line of College Avenue to the centerline of Brown Avenue; thence south along the center line of Brown Avenue to the center line of Hulman Street; thence west along the center line of Hulman Street to the center line of 25th Street; thence south along the center line of 25th Street to the center line of Margaret Avenue; thence east along the centerline of Margaret Avenue to the eastern boundary of Precinct 9-C; thence following the meandering east and south boundary of Precinct 9-C to the southernmost corporate limits of the City of Terre Haute; thence following the meandering southern boundary of the corporate limits of the City of Terre Haute to

⁵⁴ *I.C.* § 36-4-6-2, addresses the eligibility of members of the Common Council.

⁵⁵ Editor's Note: Gen. Ord. No. 29, 2002, passed on January 9, 2003 deleted Sections 3-5 through 3-29 from the 1999 City Code. These Sections contained the Rules and Regulations for the Common Council of the City of Terre Haute.

⁵⁶ *I.C.* § 36-4-6-3, addresses the establishment of Councilmanic Districts.

the meandering southwestern boundary of the corporate limits of the City of Terre Haute; thence meandering along the western boundary of the corporate limits of the City of Terre Haute to the center of the Wabash River; thence meandering northerly along the center of the Wabash River to the point of beginning.

The First Councilmanic District contains within its boundaries the precincts which have heretofore been laid out and now known as precincts 1-B, 2-D, 3-A, 3-D, 8-B, 8-D, 8-E, Honey Creek 9-A, Honey Creek 9-B, and Riley 9-C. (Gen. Ord. No. 12, 2012; 11-8-12)

SECOND DISTRICT.

The Second Councilmanic District shall be as follows: Starting at the intersection of Brown Avenue and Wabash Avenue; thence east along the center line of Wabash Avenue to the center line of Keane Avenue; thence north along the center line of Keane Avenue to the northernmost boundary of Precinct 9-E; thence east along the northernmost boundary of Precinct 9-E and following the meandering easternmost boundary of the corporate limits of the City of Terre Haute to include those portions of Precincts 9-E and 9-D which are not contiguous to the corporate limits; following the easternmost boundary of the corporate limits of the City of Terre Haute in a southerly direction to the center line of Margaret Avenue; thence west along the center line of Margaret Avenue to the center line of 25th Street; thence north along the center line of 25th Street to the center line of Hulman Street; thence east along the center line of Hulman Street to the center line of Brown Avenue; thence north along the center line of Brown Avenue to the center line of College Avenue; thence west along the center line of College Avenue to the center line of 25th Street; thence north along the center line of 25th Street to the center line of Poplar Street; thence east along the center line of Poplar Street to the center line of Brown Avenue; thence north along the center line of Brown Avenue to the point of beginning.

The Second Councilmanic District contains within its boundaries the precincts which have heretofore been laid out and now known as precincts 8-A, 8-C, 8-F, 8-G, Lost Creek 9-D, Lost Creek 9-E, Lost Creek 9-F, and Lost Creek 9-G. (Gen. Ord. No. 12, 2012; 11-8-12)

THIRD DISTRICT.

The Third Councilmanic District shall be as follows: Starting at Haythorne Avenue and 13th Street; east along the center line of Haythorne Avenue to the center line of Alexander; thence south along the center line of Alexander to the center line of Wabash Avenue; thence westerly along the center line of Wabash Avenue to the center line of 25th Street; thence north along the center line of 25th Street to the center line of 3rd Avenue; thence west along the center line of 3rd Avenue to the center line of 19th Street; thence north along the center line of 19th Street to the center line of Maple Avenue; thence west along the center line of Maple Avenue following the northern boundary of Precinct 7-C to the center line of 16th Street; thence north along the center line of 16th Street to the center line of Woodley; thence west along the center line of Woodley to the center line of Lafayette Avenue; thence northeasterly along the center line of Lafayette Avenue to the center line of 13 ½ Street; thence north along the center line of 13 ½ Street to the center line of Delaware; thence west along the center line of Delaware to the center line of 13th Street; thence north along the center line of 13th Street to the point of beginning.

The Third Councilmanic District contains within its boundaries the precincts which have heretofore been laid out and known as 4-C, 6-B, 6-C, 7-E, 7-F, 7-G, and Lost Creek 9-H. (Gen. Ord. No. 12, 2012; 11-8-12)

FOURTH DISTRICT.

The Fourth Councilmanic District shall be as follows: Starting at the Wabash River and 8th Avenue; thence east along the center line of 8th Avenue to the center line of 6th Street; thence south along the center line of 6th Street to the center line of 6th Avenue; thence east along the center line of 6th Avenue to the center line of 7th Street; thence north along the center line of 7th Street to the center line of 6th Avenue; thence east along the center line of 6th Avenue to the center line of 8th Street; thence south along the center line of 8th Street to the center line of Locust Street; thence east along the center line of Locust Street to the center line of 13th Street; thence south along the center line of 13th Street to the center line of Wabash Avenue; thence west along the center line of Wabash Avenue to the center line of 10th Street; thence north along the railroad tracks to the southern boundary of Precinct 4-A; thence west along the southern boundary of Precinct 4-A to the center line of 9th Street; thence north along the center line of 9th Street to the center line of Eagle Street; thence west along the center line of Eagle Street to the center line of 8th Street; thence south along the centerline of 8th Street to the center line of Swan Street; thence east along the center line of Swan Street to the center line of 9th Street; thence south along the center line of 9th Street to the center line of Hulman Street; thence west along the center line of Hulman Street to the center of the Wabash River; thence meandering northerly along the center of the Wabash River to the place of beginning.

The Fourth Councilmanic District contains within its boundaries the precincts which have heretofore been laid out and known as precincts 1-A, 1-C, 1-D, 2-C, 2-E, 4-A, 5-B, and 5-C. (Gen. Ord. No. 12, 2012; 11-8-12)

FIFTH DISTRICT.

The Fifth Councilmanic District shall be as follows: Starting at the Wabash River and Haythorne Avenue; thence east along the center line of Haythorne Avenue to the center line of 13th Street; thence south along the center line of 13th Street to the center line of Delaware Street; thence east along the center line of Delaware Street to the center line of 13 ½ Street; then south along the centerline of 13 ½ Street to the center line of Lafayette Avenue; thence southwesterly along the centerline of Lafayette Avenue to the to the center line of Woodley Avenue; thence east along the center line of Woodley Avenue to the centerline of 16th Street; thence east following the northern boundary of Precinct 7-C to the center line of the center line of Maple Avenue; thence east along the center line of Maple Avenue to the center line of 19th Street; thence south along the center line of 19th Street to the center line of 3rd Avenue; thence east along the center line of 3rd Avenue to the center line of 25th Street; thence south along the center line of 25th Street to the center line of Sycamore Street; thence west along the center line of Sycamore Street to the center line of 24th Street; thence south along the center line of 24th Street to the center line of Sycamore Street; thence west along the center line of Sycamore Street to the center line of 22nd Street; thence South along the center line of 22nd Street to the center line of Chestnut Street; thence west along the centerline of Chestnut Street to the center line of 21st Street; thence north along the center line of 21st Street to the

centerline of Locust Street; thence west along the center line of Locust Street to the center line of 8th Street; thence north along the center line of 8th Street to the center line of 6th Avenue; thence west along the center line of 6th Avenue to the center line of 7th Street; thence south along the center line of 7th Street to the center line of 6th Avenue; thence west along the center line of 6th Avenue to the centerline of 6th Street; thence north along the center line of 6th Street to the center line of 8th Avenue; thence west along the center line of 8th Avenue to the center line of the Wabash River; thence meandering northerly along the center of the Wabash River to the point of beginning.

The Fifth Councilmanic District contains within its boundaries the precincts which have heretofore been laid out and known as precincts 4-D, 5-A, 5-D, 5-E, 6-A, 7-A, 7-B, 7-C, and 7-D. (Gen. Ord. No. 12, 2012; 11-8-12)

SIXTH DISTRICT.

The Sixth Councilmanic District shall be as follows: Starting at Locust Street and 13th Street; east along the center line of Locust Street to the center line of 21st Street; thence south along the center line of 21st Street to the center line of Chestnut Street; thence east along the center line of Chestnut Street to the center line of 22nd Street; thence north along the center line of 22nd Street to the center line of Sycamore Street; thence east along the center line of Sycamore Street to the center line of 24th Street; thence north along the center line of 24th Street to the center line of Sycamore Street; thence east along the center line of Sycamore Street to the center line of 25th Street; thence south along the center line of 25th Street to the center line of Wabash Avenue; thence northeast along the center line of Wabash Avenue to the center line of Brown Avenue; thence south along the center line of Brown Avenue to the center line of Poplar Street; thence west along the center line of Poplar Street to the center line of 25th Street; thence south along the center line of 25th Street to the center line of Crawford Street; thence west along the center line of Crawford Street to the center line of 19th Street; thence south along the center line of 19th Street to the center line of Hulman Street; thence west along the center line of Hulman Street to the center line of 13th Street; thence south along the center line of 13th Street to the center line of Voorhees Street; thence west along the center line of Voorhees Street to the center line of 6th Street; thence north along the center line of 6th Street to the center line of Hulman Street; thence east along the center line of Hulman Street to the center line of 9th Street; thence north along the center line of 9th Street to the center line of Swan Street; thence west along the center line of Swan Street to the center line of 8th Street; thence north along the center line of 8th Street to the center line of Eagle Street; thence east along the center line of Eagle Street to the center line of 9th Street; thence south along the center line of 9th Street to the southern border of Precinct 4-A; thence east along the southern border of Precinct 4-A to the railroad tracks, thence south along the railroad tracks to center line of Wabash Avenue; thence east along the center line of Wabash Avenue to the center line of 13th Street; thence north along the center line of 13th Street to the point of beginning.

The Sixth Councilmanic District contains within its boundaries the precincts which have heretofore been laid out and known as precincts 2-A, 2-B, 2-F, 3-B, 3-C, 3-E, 3-F, 3-G, 3-H, and 4-B. (Gen. Ord. No. 12, 2012; 11-8-12)

b. A map depicting the six (6) Councilmanic districts is on file in the Office of the City Clerk.

c. Redistricting of Councilmanic districts shall be done at least every ten (10) years hereafter in accordance with *I.C.* § 36-4-6-4 and 5.

d. Any territory annexed into the City of Terre Haute shall be assigned to the appropriate Councilmanic District as a part of the Annexation Ordinance.

Sec. 3-3 Council Meetings.⁵⁷

The members elect of the Common Council shall hold their first regular meeting on the first Monday in January, at 7:30 p.m. At this meeting the members of the Council shall elect, by a majority of the Council, from its members a President and a Vice-president to serve for one (1) year. At this meeting the Council shall set the date and time of its regular meetings and its non-voting public hearings (also known as the “Sunshine Session”). (Res. No. 16, 1992, § IA, 5-14-92)

Sec. 3-4 Quorum.⁵⁸

A quorum shall consist of the majority of all members elected to the Common Council. (Res. No. 16, 1992, § IB, 5-14-92)

Sec. 3-5 Form of Ordinances and Amending the *City Code*.

All ordinances which are of a general and permanent nature, and which would amend the *Terre Haute City Code* shall be in the following form set forth on the next page.

⁵⁷ *I.C.* § 5-14-1.5-1, *et seq.*, is the Indiana Open Door Law commonly known as the “Sunshine Law”; *I.C.* § 36-4-6-7, addresses regular and special meetings of the Common Council.

⁵⁸ *I.C.* § 36-4-6-10, addresses quorum requirements.

Sec. (1-1) GENERAL ORDINANCE NO. __, 20 __

(Include the chronological number of the ordinance followed by the calendar year:
Example: GENERAL ORDINANCE NO. 1, 2003

(Short Title)

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF TERRE HAUTE,
INDIANA, AMENDING CHAPTER __, ARTICLE ____, SECTION(S) ____, OF THE
TERRE HAUTE CITY CODE BY THE INCLUSION/DELETION OF SECTION(S) ENTITLED

_____.

WHEREAS, (background statement setting forth the purpose or background of the
Ordinance where appropriate.)

WHEREAS,

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Terre
Haute, Indiana, as follows:

Section I. Chapter __, Article ____, Section(s) ____ of the *Terre Haute City Code*, is/are
hereby amended to read as follows: (set forth specific amendatory language)

Section II. All prior Ordinances or parts thereof inconsistent with any provisions of this
Ordinance are hereby repealed.

Presented by: _____, Council Member

Passed in open Council this _____ day of _____, 20__.

PRESIDENT, _____

ATTEST: _____, City Clerk,

Presented by me to the Mayor this _____ day of _____, 20__.

CITY CLERK, _____

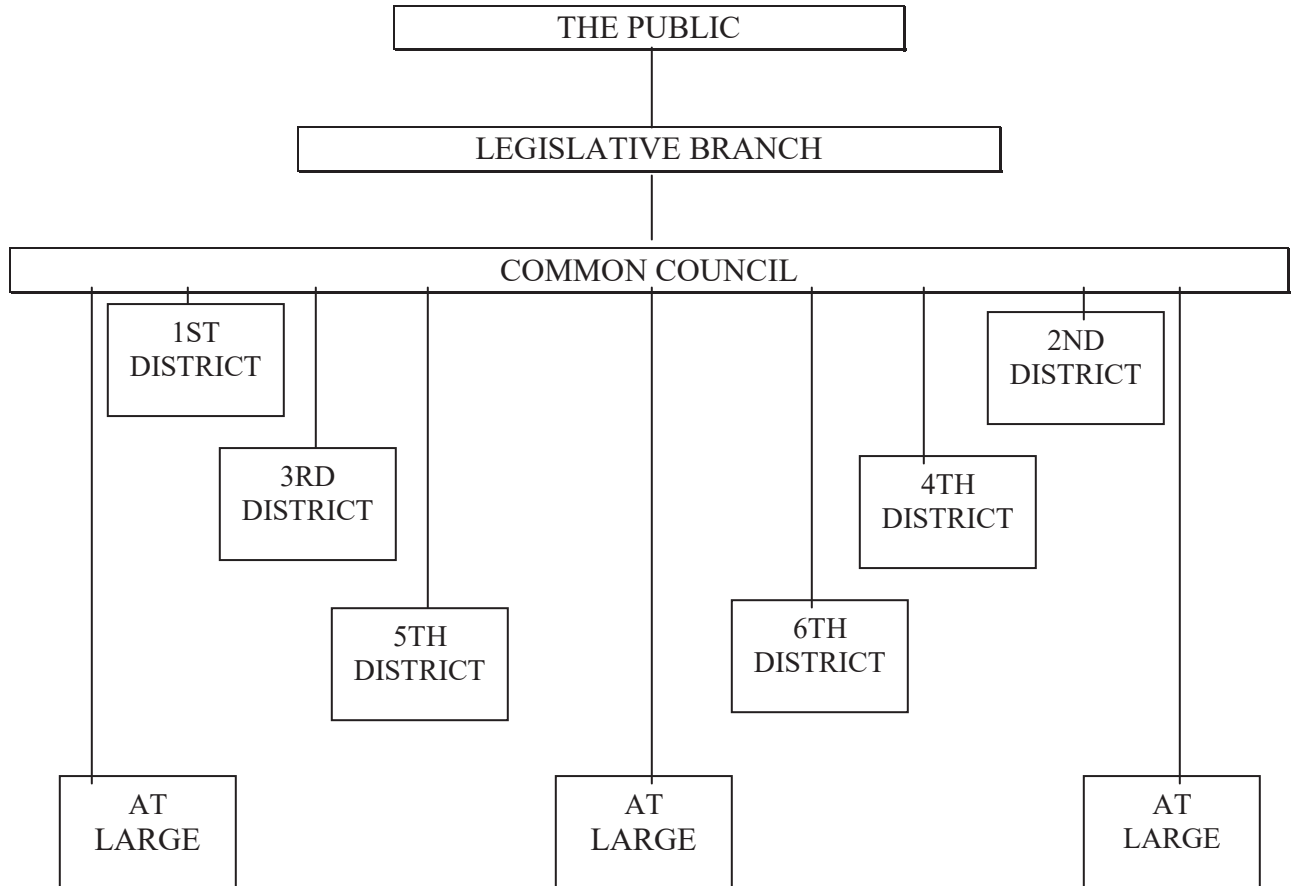
Approved by me, the Mayor, this _____ day of _____, 20__.

MAYOR, _____

ATTEST: _____, City Clerk, _____

Sec. 3-6 Legislative Organization Chart.

CITY OF TERRE HAUTE



Sec. 3-7 through Sec. 3-39 Reserved for Future Use.

ARTICLE 2. THE JUDICIAL BRANCH.⁵⁹

Sec. 3-40 City Court Continued.⁶⁰

City Court of the City of Terre Haute is continued. The City Court shall be known as the Terre Haute City Court. (1989 *Terre Haute Municipal Code*, § 151.01)

Sec. 3-41 City Court Sessions.

City Court convenes at 8:30 a.m., Monday through Friday.

Sec. 3-42 Judge's Compensation.⁶¹

The City Court Judge shall receive compensation as may be prescribed from time to time by the Common Council.

Sec. 3-43 Jurisdiction and Powers of the City Court.⁶²

The Terre Haute City Court shall have all powers provided by applicable state law.

Sec. 3-44 Clerk of Court.

- a. Pursuant to *I.C.* § 33-10.1-6-2, the City Clerk is the Clerk of the City Court.
- b. The Clerk of Court shall have all powers set forth by applicable state law.

⁵⁹ *I.C.* § 33-10.1-1-3, addresses City Courts.

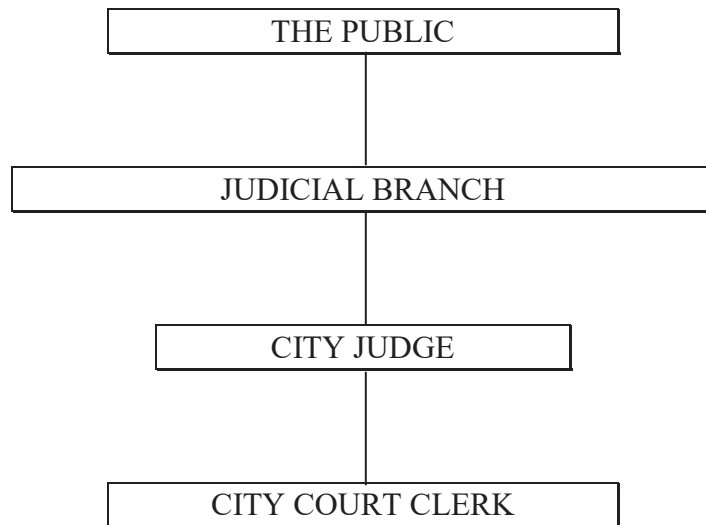
⁶⁰ *I.C.* § 33-10.1-1-3, authorizes the establishment of a City Court during 1986 and every fourth year thereafter.

⁶¹ *I.C.* § 33-10.1-4-2, addresses the compensation of judges.

⁶² *I.C.* § 33-10.2-2-2, addresses jurisdiction over crimes, infractions and ordinance violations.

Sec. 3-45 Judicial Organization Chart.

CITY OF TERRE HAUTE



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