



Agenda for the Goshen Common Council

6:00 p.m., MARCH 23, 2026 Regular Meeting

Council Chamber, Police & Court Building, 111 East Jefferson Street, Goshen, IN

For a live stream of the meeting, go to: <https://us02web.zoom.us/j/81652777559>

Call to Order by Mayor Gina Leichty

Pledge of Allegiance: Led by Katie Reiff, a student at Model Elementary School

Roll Call:

Linda Gerber (At-Large) **Phil Lederach** (District 5) **Doug Nisley** (District 2)
Megan Peel (District 4) **Donald Riegsecker** (District 1) **Matt Schrock** (District 3)
Council President Brett Weddell (At-Large) **Youth Adviser Abril Reyes** (Non-voting)

Approval of Minutes: *To be provided before the meeting*

Approval of Meeting Agenda

1) Public Hearing: Community Development Block Grant (CDBG) Program Year 2026 Annual Action Plan and review of Program Year 2025

2) Ordinance 5253, Amend Title 4, Article 4, Parking, Chapter 1 & 2 of the Goshen City Code *(to update certain sections of the City's parking regulations to include prohibiting parking in a fire lane and revising the procedures for issuing citations)*

3) Ordinance 5254, Amending Ordinance Violations Bureau *(to update certain sections of the City's Ordinance Violations Bureau Ordinance and increase fines)*

4) Ordinance 5255, Establishing a Designated Outdoor Refreshment Area *(in the City of Goshen's downtown, Thursdays, Fridays and Saturdays, afternoons and evenings)*

Privilege of the Floor

Elected Official Reports

Adjournment



**COMMUNITY DEVELOPMENT BLOCK GRANT
CITY OF GOSHEN**

204 East Jefferson Street, Suite 4 • Goshen, IN 46528-3405

Phone (574) 533-9370 • Fax (574) 533-8626 • TDD (574) 534-3185
theresacummings@goshencity.com • www.goshen.in.gov

MEMORANDUM

TO: Mayor, Goshen Common Council Members & Goshen City Department Heads

FROM: Theresa Cummings, Community Development Specialist

DATE: March 23, 2026

RE: Public Hearing & Notice of Availability of Draft Community Development Block Grant (CDBG) Program Year 2026 Annual Action Plan

The City of Goshen's CDBG Annual Action Plan for Program Year 2026 has been prepared and became available for public review and comment beginning March 16, 2026. A hard copy is available for review upon request at the Planning Office located at the City Annex Building, 204 E. Jefferson Street. The Plan is also available on the City website at <http://www.goshen.in.gov/cdbg>.

The City will hold a **public hearing on the proposed 2026 Annual Action Plan on Monday, March 23, 2026, at 6pm** during the City Council meeting in the City Council Chambers, at the Goshen Police and Courts Building, 111 E. Jefferson Street, Goshen. The Goshen Police and Courts Building is handicapped accessible. Non-English-speaking persons and others needing special assistance to participate in the hearing process should contact the City as soon as possible. A link to access this meeting will be posted on the City's website. The public hearing will include a review of the proposed 2026 Annual Action Plan, a review of the current 2025 program year and opportunity for citizen comment.

The following priorities were among those identified for community and neighborhood development in the City of Goshen in the 2025-2029 Consolidated Plan:

1) Housing Opportunities

- Improve owner-occupied housing through rehab
- Increase quality of rental housing
- Increase transitional housing options
- Reduce housing cost burden through higher wage job opportunities and job training
- Provide permanent supportive housing for chronically homeless
- Support affordable housing creation and preservation
- Provide emergency shelter for homeless individuals and families
- Expand housing options and assistance
- Maintain and facilitate use of Housing Choice voucher program

2) Access to Services

- Increase access to affordable healthcare
- Increase services for mentally ill
- Support programs for youth
- Increase access to affordable childcare and early childhood education
- Support services for elderly and the disabled
- Support public transportation
- Provide emergency shelter for homeless individuals and families
- Provide permanent supportive housing for chronically homeless
- Support counseling/advocacy for underserved populations

- Increase access to substance abuse prevention and treatment
- Support life skill development
- Support nutrition programs and food assistance

3) Neighborhood Revitalization

- Improve owner-occupied housing through rehab
- Remove blighted residential properties
- Address issue of vacant/foreclosed houses
- Increase quality of rental housing
- Support public infrastructure projects
- Repair/replace existing sidewalks
- Support neighborhood parks

Proposed 2026 Annual Action Plan

For program year 2026, the City of Goshen expects to receive an **estimated** allocation of \$272,525 in CDBG funds. This allocation will be combined with **estimated** miscellaneous income of \$2,725, **estimated** program income of \$65,165, and **estimated** prior year resources of \$21,475 for an **estimated** total budget of \$361,890.

Since the Federal appropriation was not enacted at the time the 2026 draft annual plan was developed, the budget is estimated and will be finalized following the receipt of the actual formula allocation. The final amount of Program Income will be based on the total calculated at the time the plan is submitted to HUD, and the final Program Income total as proposed will be incorporated into the budget without further public notice. The final 2026 budgets of all proposed activities, if necessary, will be proportionally increased or decreased from the estimated funding levels to match actual allocation amounts, subject to the required caps and maximum funding requests, with no public hearing or further public notice as was specified in the draft plan.

The proposed use of **estimated** CDBG funds for program year 2026 is as follows:

- | | |
|---|--------------------|
| 1. Public Service Grants - provision of services to low- and moderate-income households and persons
City-wide | est. \$49,225 |
| 2. Owner-occupied Rehabilitation of homes occupied by low- and moderate-income households through
loans, grants and deferred payment loans City-wide | est. \$47,909 |
| 3. Homeownership Assistance & Housing Counseling – down payment assistance along with housing
counseling to low- and moderate-income single family homebuyers | est. \$51,750 |
| 4. Energy Conservation Multi-Unit Housing Rehabilitation – a multi-unit project to create and preserve
affordable housing | est. \$148,006 |
| 5. Planning, general administration, environmental reviews, and audit | est. \$65,000 |
| Estimated Total | = \$361,890 |

Comments may be submitted to Theresa Cummings, Goshen City Planning, 204 E. Jefferson Street, Suite 4, Goshen, IN, 46528; (574) 533-9370, theresacummings@goshencity.com on or before 30 days after March 16, 2026, and no later than April 14, 2026. A summary of comments and responses will be submitted to HUD.

**Community Development Block Grant (CDBG) – City of Goshen
Summary of Program Year 2025**

PY 2025 Budget- Traditional

CDBG Funds	\$274,722
Program Income	\$38,625
Prior Year Resources	\$29,750
Total	\$343,147

PY 2025 Activities & Expenditures as of 3/10/2026

Activity Category	Amount Allocated	Expended To-Date	Percentage
Administration & Planning	\$62,000	\$48,450.37	78%
Public Services	\$49,225	\$47,810.75	97.1%
**Single-Unit Housing Rehab	\$68,000	\$0	0%
**Energy Conservation Multi-Unit Housing	\$112,172	\$0	0%
Homeownership Asst. with Housing Counseling	\$51,750	\$0	0%
2025 Totals	\$343,147	\$96,261.12	28%

***Single-Unit Housing Rehab and Multi-Unit Housing Rehab projects are underway.*



CITY OF GOSHEN LEGAL DEPARTMENT

City Annex
204 East Jefferson Street, Suite 2
Goshen, Indiana 46528-3405

Phone (574) 537-3820 • Fax (574) 533-8626 • TDD (574) 534-3185
www.goshenindiana.org

March 23, 2026

To: Goshen Common Council
From: Don Shuler, Assistant City Attorney
Subject: Ordinance 5253

Ordinance 5253 is to update certain sections of the City's parking regulations contained in Title 4, Article 4, Chapters 1 and 2 of the Goshen City Code. The proposed ordinance includes the following changes:

1. Prohibit parking in a fire lane
2. Revising the procedures for issuing citations to reflect the current practice of using the Ordinance Violations Bureau
3. Moving several violations currently contained in the City's Zoning Ordinance concerning the parking of unlicensed vehicles and certain types of vehicles to the parking code

A copy of the proposed Ordinance with track changes, as well as a clean copy, are provided for review and consideration.

ORDINANCE ~~5253~~

**Amend Title 4, Article 4, Parking, Chapter 1 and 2
Of the Goshen City Code**

WHEREAS, the Common Council of the City of Goshen has the authority to establish regulations to promote and protect the public health, safety, and welfare, and this ordinance is declare to be an exercise of the city's police powers;

WHEREAS, the City of Goshen currently regulates parking within the corporate limits through provisions contained in Goshen City Code;

WHEREAS, Ordinance Nos. 1607, 3900, and 4174 regulate parking and are codified in Goshen City Code Title 4, Article 4, Chapters 1 and 2;

NOW, THEREFORE, BE IT ORDAINED by the Goshen Common Council that Goshen City Code Title 4, Article 4, Chapters 1 and 2 shall be amended to be read as follows:

Article 4. Parking

Chapter 1. Generally

4.4.1.1 Parking prohibitions generally.

Sec. 1 No vehicle shall be parked:

- (1) Across the main line or marking of a parking space or in a position that the vehicle shall not be entirely within the area designated by the lines or markings.
- (2) In a road right-of-way in the opposite direction of oncoming traffic.
- (3) In any area where parking is prohibited.
- (4) In any City-owned parking lot in violation of the regulations posted for the lot.
- (5) For a period of time in excess of the posted time limitation.
- ~~(6)~~ (6) In a parking space reserved in accordance with Indiana Code § 5-16-9-2 for a vehicle of a person with a physical disability without displaying a placard issued under Indiana Code § 9-14-5 or under the laws of another state, a registration plate of a person with a physical disability, or a registration plate of a disabled veteran.

~~(6)(7)~~ In a fire lane, in violation of Indiana Code § 9-21-16-5.5, which applies to fire lanes on both publicly and privately owned property.

4.4.1.2 City-owned or operated parking lots.

Sec. 2 All rules and regulations regarding parking, standing, or moving vehicles embodied in this Code chapter, shall apply on all City-owned and operated parking lots.

4.4.1.3 Violation.

Sec. 3 (a) Upon discovery of any violation, a notice shall be attached to the vehicle that is parked in violation of this Code chapter.

(b) For the purpose of this Code chapter, the owner or person in whose name the vehicle is registered shall be liable for the violation.

4.4.1.4 Enforcement; citation, penaltyPenalties.

Sec. 4 (a) The City of Goshen Ordinance Administrator, a representative of the Planning and Zoning Department, a representative of the Building Department, a representative of the Fire Department, or any officer of the Police Department may enforce the provisions of this Code chapter. The preceding authorized persons shall be known as "officer" for the purpose of this Code chapter.

(b) An officer may issue a citation for a violation of this Code chapter, subjecting the violator for a fine up to Five Hundred Dollars (\$500.00). The citation shall be placed in a prominent place upon the vehicle.

(c) The citation shall be field with the City of Goshen Ordinance Violations Bureau or with any court of competent jurisdiction in Elkhart County, Indiana.

(d) For the purposes of this Code chapter, the violation shall be the person to whom the unlawfully parked vehicle is registered.

~~————(a) Upon receiving notice of a violation of this Code chapter other than 4.4.1.1(6) of this Code, the owner or operator may, within twenty four (24) hours of the time when the notice is attached to the vehicle, pay at the Goshen Police Department the sum of Ten Dollars (\$10.00) in full satisfaction of the violation. The overtime parking fee shall be increased to Twenty Dollars (\$20.00) if the violation exceeds the legally posted limit by more than two (2) hours but less than four (4) hours, and an additional fee of Ten Dollars (\$10.00) shall be paid for each additional two (2) hours of violation or fraction thereof, beyond four (4) hours.~~

~~(b) Upon receiving a notice of a violation of 4.4.1.1(6) of this Code, the owner of operator may, within twenty four (24) hours of the time when the notice is attached to the vehicle, pay at the Goshen Police Department the sum of Forty Dollars (\$40.00) in full satisfaction of the violation.~~

~~(c) An administrative charge of Ten Dollars (\$10.00) shall be added to any violation which is not paid within twenty-four (24) hours but is paid within thirty (30) days of the notice of the violation.~~

~~(d) If the violation has not been paid within thirty (30) days, the parking violation shall be referred to the City Attorney to file an ordinance violation with the court. Upon such referral, the owner of the vehicle shall be liable for a fine not to exceed Five Hundred Dollars (\$500.00) and court costs.~~

4.4.1.5 Alleys.

Sec. 5 (a) No person shall park any vehicle within an alley, except while in the process of loading or unloading merchandise, in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for the free movement of vehicle traffic.

(b) No person shall stop, stand, or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

4.4.1.6 Repair or storage.

Sec. 6 No person shall park a vehicle upon any roadway or public parking lot for the ~~principal~~principle purpose of repairing or storing such vehicle.

4.4.1.7 Display for sale.

Sec. 7 No person shall park a vehicle upon any roadway or public parking lot for the principal purpose of displaying it for sale.

4.4.1.8 Unloading permit.

Sec. 8 (a) The Board of Public Works and Safety is authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials, subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privileges as therein stated and authorized herein.

(b) It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

4.4.1.9 Curb loading zones.

Sec. 9 (a) The Board of Public Works and Safety shall designated loading zones upon application for a permit for such zone requiring two (2) signs to indicate the ends of each zone. The Board upon granting the permit and issuing the signs shall collect from the

applicant, and deposit in the City treasury, a fee per year or fraction thereof as set forth in the ordinance and may by general regulations, impose conditions under the use of such signs and for reimbursement of the City for the value thereof in the event of their loss or damage, and their return in the event of misuse or upon expiration of permit. Every such permit shall expire at the end of one year.

(b) No person shall stop, stand, or park a vehicle for any purpose or period of time other than for expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when regulations applicable to such curb loading zones are effective, and then only for a period not to exceed three (3) minutes.

(c) No person shall stop, stand, or park a vehicle for any purpose or period of time other than for the expeditious unloading and delivery or pick-up and loading of materials in any place marked as freight curb loading zone during hours when the provisions applicable to such zones are in effect, except for the unloading or loading of passengers, with a three (3) minute time limit. In no case shall the stop for loading and unloading of materials exceed thirty (30) minutes.

4.4.1.10 Taxi and bus stands.

Sec. 10 (a) The operator of a bus shall not stand or park such vehicle upon any street at any place other than a bus stand so designated as provided herein.

(b) The operator of a bus shall not stop such vehicle upon any place for the purpose of loading or unloading passengers or their baggage, other than at a bus stop, bus stand, or passenger loading zone so designated as provided herein, except in case of emergency.

(c) The operator of a bus shall enter a bus stop, bus stand, or passenger loading zone on a public street in such a manner that the bus, when stopped to load or unload passengers or baggage, shall be in a position with the right front wheel of such vehicle not further than eighteen (18) inches from the curb, and the bus approximately parallel to the curb so as not to unduly impede the movement of other vehicular traffic.

~~(d) The operator of a taxicab shall not stand or park such vehicle upon any street at any place other than in a taxicab stand so designated, as provided herein. This provision shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in expeditious loading or unloading of passengers.~~

~~(de) No person shall stop, stand or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand, when any such stop or stand has been officially designated and appropriately signed, except that the driver of the passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading of passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone.~~

4.4.1.11 Maximum parking.

Sec. 11 No person shall park a vehicle or trailer upon any roadway or any street for a period of time longer than seventy-two (72) hours.

Chapter 2. Controlled Parking ~~in Yards~~; Sidewalks

4.4.2.1 ~~Prohibited Parked~~ parking area.

Sec. 1 (a) It shall be unlawful to park a vehicle in a front yard, in a side yard on the street side of a corner lot, or in a rear yard ~~that abuts a street~~.

(b) It shall be unlawful to park a vehicle over any part of the sidewalk or curb that is parallel to the public way, including the part of the sidewalk that is part of a driveway.

(c) It shall be unlawful to park any vehicle on any lot within the city that does not display current and valid license plates as required by Indiana law, unless the vehicle is parked within a completely enclosed building.

(d) It shall be unlawful to park any recreational vehicle, camper, trailer, boat, or boat trailer on any lot within the city except behind the front building line of the principal structure on the lot on an improved surface, and except where any applicable zoning ordinance expressly permits or authorizes the outdoor parking or storage of such vehicles.

4.4.2.2 Exceptions.

Sec. 2 For purpose of this Code chapter, parking is permitted in the following areas:

- (1) An improved surface in the prohibited parking area used as a parking space before this Code chapter is adopted, provided that the entrance to the improved area is via a driveway or curb cut, except where adjacent to a paved street where there is no curb.
- (2) Parking in any portion of the driveway that may be located in the front yard, rear yard, or side yard, except that portion that is part of the sidewalk, and except for vehicles enumerated in Section 4.4.2.1(d).
- (3) Parking within ten feet (10') of the edge of the street where no curb is present, within the existing right-of-way, and in an improved area, except for vehicles enumerated in Section 4.4.2.1(d).

- (4) Any improved area meeting set back requirements and other applicable zoning provisions, except for vehicles enumerated in Section 4.4.2.1(d). The Planning and Zoning department must determine compliance with all such improved areas.
- (5) Parking in a front yard, side yard, or rear yard for the purpose of unloading a vehicle, washing a vehicle or some other similar purpose. The vehicle, however, must be removed from the front yard, side yard, or rear yard once the task is completed.

4.4.2.3 Enforcement; citation; penalty.

Sec. 3 (a) The City of Goshen Ordinance Administrator, a representative of the Planning and Zoning Department, and representative of the Building Department, or any officer of the Police Department may enforce the provisions of this Code chapter. The preceding authorized persons shall be known as “officer” for the purpose of this Code chapter.

(b) An officer may issue a citation for a violation of this Code chapter, subjecting the violator for a fine up to Five Hundred Dollars (\$500.00). The citation shall be placed in a prominent place upon the vehicle.

(c) The citation shall be filed with the City of Goshen Violations Bureau or with any court of competent jurisdiction in Elkhart County, Indiana.

(d) For the purposes of this Code chapter, the violator shall be the person to whom the unlawfully parked vehicle is registered.

4.4.2.4 Definitions.

Sec. 4 For the purpose of this Code chapter, the following terms, phrase and words shall have the following meanings:

- (1) FRONT YARD. The term “front yard” refers to a yard extending across the full width of the lot, lying between the front property line or the right-of-way, and the furthestmost projection of the principal building or group of buildings.
- (2) SIDE YARD. The term “side yard” refers to a yard lying between the furthestmost projection of a building and a side lot and extending from the required front yard to the required rear yard.
- (3) REAR YARD. The term “rear yard” refers to a yard extending across the full width of a lot and lying between the rear lot line and the furthestmost projection of a building.

(4) DRIVEWAY. The term “driveway” refers to a passage way for vehicles composed of concrete, asphalt, or gravel that serves to connect a public street or alley to a garage or legal parking space.

(5) IMPROVED AREA. The term “improved area” refers to a section of the lot that has been altered and defined by concrete, asphalt, or gravel, with a positive boundary, for the means of providing a parking space for a vehicle. The improved area must be entered via a driveway or curb cut, except where adjacent to a paved street where there is no curb.

~~(5)~~(6) COMPLETELY ENCLOSED BUILDING. The term “completely enclosed building” refers to a permanent structure with a solid roof and fully enclosed walls on all sides, including a closeable door or gate providing access, that prevents the vehicle from being visible from the exterior of the structure.

PASSED by the Goshen Common Council on _____, 2026.

Presiding Officer

ATTEST:

Richard R. Aguirre, Clerk-Treasurer

PRESENTED to the Mayor of the City of Goshen on _____,
2026, at the hour of _____.

Richard R. Aguirre, Clerk-Treasurer

APPROVED and ADOPTED on _____, 2026.

Gina M. Leichty, Mayor

ORDINANCE 5253

**Amend Title 4, Article 4, Parking, Chapter 1 and 2
Of the Goshen City Code**

WHEREAS, the Common Council of the City of Goshen has the authority to establish regulations to promote and protect the public health, safety, and welfare, and this ordinance is declare to be an exercise of the city's police powers;

WHEREAS, the City of Goshen currently regulates parking within the corporate limits through provisions contained in Goshen City Code;

WHEREAS, Ordinance Nos. 1607, 3900, and 4174 regulate parking and are codified in Goshen City Code Title 4, Article 4, Chapters 1 and 2;

NOW, THEREFORE, BE IT ORDAINED by the Goshen Common Council that Goshen City Code Title 4, Article 4, Chapters 1 and 2 shall be amended to be read as follows:

Article 4. Parking

Chapter 1. Generally

4.4.1.1 Parking prohibitions generally.

Sec. 1 No vehicle shall be parked:

- (1) Across the main line or marking of a parking space or in a position that the vehicle shall not be entirely within the area designated by the lines or markings.
- (2) In a road right-of-way in the opposite direction of oncoming traffic.
- (3) In any area where parking is prohibited.
- (4) In any City-owned parking lot in violation of the regulations posted for the lot.
- (5) For a period of time in excess of the posted time limitation.
- (6) In a parking space reserved in accordance with Indiana Code § 5-16-9-2 for a vehicle of a person with a physical disability without displaying a placard issued under Indiana Code § 9-14-5 or under the laws of another state, a registration plate of a person with a physical disability, or a registration plate of a disabled veteran.
- (7) In a fire lane, in violation of Indiana Code § 9-21-16-5.5, which applies to fire lanes on both publicly and privately owned property.

4.4.1.2 City-owned or operated parking lots.

Sec. 2 All rules and regulations regarding parking, standing, or moving vehicles embodied in this Code chapter, shall apply on all City-owned and operated parking lots.

4.4.1.3 Violation.

Sec. 3 (a) Upon discovery of any violation, a notice shall be attached to the vehicle that is parked in violation of this Code chapter.

(b) For the purpose of this Code chapter, the owner or person in whose name the vehicle is registered shall be liable for the violation.

4.4.1.4 Enforcement; citation, penalty.

Sec. 4 (a) The City of Goshen Ordinance Administrator, a representative of the Planning and Zoning Department, a representative of the Building Department, a representative of the Fire Department, or any officer of the Police Department may enforce the provisions of this Code chapter. The preceding authorized persons shall be known as “officer” for the purpose of this Code chapter.

(b) An officer may issue a citation for a violation of this Code chapter, subjecting the violator for a fine up to Five Hundred Dollars (\$500.00). The citation shall be placed in a prominent place upon the vehicle.

(c) The citation shall be field with the City of Goshen Ordinance Violations Bureau or with any court of competent jurisdiction in Elkhart County, Indiana.

(d) For the purposes of this Code chapter, the violation shall be the person to whom the unlawfully parked vehicle is registered.

4.4.1.5 Alleys.

Sec. 5 (a) No person shall park any vehicle within an alley, except while in the process of loading or unloading merchandise, in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for the free movement of vehicle traffic.

(b) No person shall stop, stand, or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

4.4.1.6 Repair or storage.

Sec. 6 No person shall park a vehicle upon any roadway or public parking lot for the principal purpose of repairing or storing such vehicle.

4.4.1.7 Display for sale.

Sec. 7 No person shall park a vehicle upon any roadway or public parking lot for the principal purpose of displaying it for sale.

4.4.1.8 Unloading permit.

Sec. 8 (a) The Board of Public Works and Safety is authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials, subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privileges as therein stated and authorized herein.

(b) It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

4.4.1.9 Curb loading zones.

Sec. 9 (a) The Board of Public Works and Safety shall designated loading zones upon application for a permit for such zone requiring two (2) signs to indicate the ends of each zone. The Board upon granting the permit and issuing the signs shall collect from the applicant, and deposit in the City treasury, a fee per year or fraction thereof as set forth in the ordinance and may by general regulations, impose conditions under the use of such signs and for reimbursement of the City for the value thereof in the event of their loss or damage, and their return in the event of misuse or upon expiration of permit. Every such permit shall expire at the end of one year.

(b) No person shall stop, stand, or park a vehicle for any purpose or period of time other than for expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when regulations applicable to such curb loading zones are effective, and then only for a period not to exceed three (3) minutes.

(c) No person shall stop, stand, or park a vehicle for any purpose or period of time other than for the expeditious unloading and delivery or pick-up and loading of materials in any place marked as freight curb loading zone during hours when the provisions applicable to such zones are in effect, except for the unloading or loading of passengers, with a three (3) minute time limit. In no case shall the stop for loading and unloading of materials exceed thirty (30) minutes.

4.4.1.10 Taxi and bus stands.

Sec. 10 (a) The operator of a bus shall not stand or park such vehicle upon any street at any place other than a bus stand so designated as provided herein.

(b) The operator of a bus shall not stop such vehicle upon any place for the purpose of loading or unloading passengers or their baggage, other than at a bus stop, bus stand, or passenger loading zone so designated as provided herein, except in case of emergency.

(c) The operator of a bus shall enter a bus stop, bus stand, or passenger loading zone on a public street in such a manner that the bus, when stopped to load or unload passengers or baggage, shall be in a position with the right front wheel of such vehicle not further than eighteen (18) inches from the curb, and the bus approximately parallel to the curb so as not to unduly impede the movement of other vehicular traffic.

(d) No person shall stop, stand or park a vehicle other than a bus in a bus stop when any such stop or stand has been officially designated and appropriately signed, except that the driver of the passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading of passengers when such stopping does not interfere with any bus waiting to enter or about to enter such zone.

4.4.1.11 Maximum parking.

Sec. 11 No person shall park a vehicle or trailer upon any roadway or any street for a period of time longer than seventy-two (72) hours.

Chapter 2. Controlled Parking; Sidewalks

4.4.2.1 Prohibited Parking.

Sec. 1 (a) It shall be unlawful to park a vehicle in a front yard, in a side yard on the street side of a corner lot, or in a rear yard.

(b) It shall be unlawful to park a vehicle over any part of the sidewalk or curb that is parallel to the public way, including the part of the sidewalk that is part of a driveway.

(c) It shall be unlawful to park any vehicle on any lot within the city that does not display current and valid license plates as required by Indiana law, unless the vehicle is parked within a completely enclosed building.

(d) It shall be unlawful to park any recreational vehicle, camper, trailer, boat, or boat trailer on any lot within the city except behind the front building line of the principal structure on the lot on an improved surface, and except where any applicable zoning ordinance expressly permits or authorizes the outdoor parking or storage of such vehicles.

4.4.2.2 Exceptions.

Sec. 2 For purpose of this Code chapter, parking is permitted in the following areas:

- (1) An improved surface in the prohibited parking area used as a parking space before this Code chapter is adopted, provided that the entrance to the improved area is via a driveway or curb cut, except where adjacent to a paved street where there is no curb.
- (2) Parking in any portion of the driveway that may be located in the front yard, rear yard, or side yard, except that portion that is part of the sidewalk, and except for vehicles enumerated in Section 4.4.2.1(d).
- (3) Parking within ten feet (10') of the edge of the street where no curb is present, within the existing right-of-way, and in an improved area, except for vehicles enumerated in Section 4.4.2.1(d).
- (4) Any improved area meeting set back requirements and other applicable zoning provisions, except for vehicles enumerated in Section 4.4.2.1(d). The Planning and Zoning department must determine compliance with all such improved areas.
- (5) Parking in a front yard, side yard, or rear yard for the purpose of unloading a vehicle, washing a vehicle or some other similar purpose. The vehicle, however, must be removed from the front yard, side yard, or rear yard once the task is completed.

4.4.2.3 Enforcement; citation; penalty.

Sec. 3 (a) The City of Goshen Ordinance Administrator, a representative of the Planning and Zoning Department, and representative of the Building Department, or any officer of the Police Department may enforce the provisions of this Code chapter. The preceding authorized persons shall be known as "officer" for the purpose of this Code chapter.

(b) An officer may issue a citation for a violation of this Code chapter, subjecting the violator for a fine up to Five Hundred Dollars (\$500.00). The citation shall be placed in a prominent place upon the vehicle.

(c) The citation shall be filed with the City of Goshen Violations Bureau or with any court of competent jurisdiction in Elkhart County, Indiana.

(d) For the purposes of this Code chapter, the violator shall be the person to whom the unlawfully parked vehicle is registered.

4.4.2.4 Definitions.

Sec. 4 For the purpose of this Code chapter, the following terms, phrase and words shall have the following meanings:

- (1) FRONT YARD. The term “front yard” refers to a yard extending across the full width of the lot, lying between the front property line or the right-of-way, and the furthestmost projection of the principal building or group of buildings.
- (2) SIDE YARD. The term “side yard” refers to a yard lying between the furthestmost projection of a building and a side lot and extending from the required front yard to the required rear yard.
- (3) REAR YARD. The term “rear yard” refers to a yard extending across the full width of a lot and lying between the rear lot line and the furthestmost projection of a building.
- (4) DRIVEWAY. The term “driveway” refers to a passage way for vehicles composed of concrete, asphalt, or gravel that serves to connect a public street or alley to a garage or legal parking space.
- (5) IMPROVED AREA. The term “improved area” refers to a section of the lot that has been altered and defined by concrete, asphalt, or gravel, with a positive boundary, for the means of providing a parking space for a vehicle. The improved area must be entered via a driveway or curb cut, except where adjacent to a paved street where there is no curb.
- (6) COMPLETELY ENCLOSED BUILDING. The term “completely enclosed building” refers to a permanent structure with a solid roof and fully enclosed walls on all sides, including a closeable door or gate providing access, that prevents the vehicle from being visible from the exterior of the structure.

PASSED by the Goshen Common Council on _____, 2026.

Presiding Officer

ATTEST:

Richard R. Aguirre, Clerk-Treasurer

PRESENTED to the Mayor of the City of Goshen on _____,
2026, at the hour of _____.

Richard R. Aguirre, Clerk-Treasurer

APPROVED and ADOPTED on _____, 2026.

Gina M. Leichty, Mayor



CITY OF GOSHEN LEGAL DEPARTMENT

City Annex
204 East Jefferson Street, Suite 2
Goshen, Indiana 46528-3405

Phone (574) 537-3820 • Fax (574) 533-8626 • TDD (574) 534-3185
www.goshenindiana.org

March 23, 2026

To: Goshen Common Council
From: Don Shuler, Assistant City Attorney
Subject: Ordinance 524

Ordinance 5254 would update certain sections of the City's Ordinance Violations Bureau Ordinance and increase fines. The proposed ordinance includes the following changes:

1. Adds parking in a fire lane and public nuisance to the list of ordinance violations to be enforced
2. Moves the parking of unlicensed vehicles and parking RV, Camper, and Boats from the zoning ordinance lists to the parking code lists
3. Increases fines for Tiers 2, 3, and 4 by \$25 across the board; Tier 1 fines remain the same

A copy of the proposed Ordinance with track changes, as well as a clean copy, are provided for review and consideration.

ORDINANCE 52545212

Amending Ordinance Violations Bureau

WHEREAS, Indiana Code § 33-36-2-1 allows a municipal corporation to establish an ordinance violations bureau;

WHEREAS, Indiana Code § 36-1-6-3 allows municipal corporations to enforce ordinances through admission of violation before an ordinance violations bureau and allows that bureau to turn over to the municipal corporation all sums collected as civil penalties for ordinance violations; and

WHEREAS, the Common Council of the City of Goshen, Indiana established an ordinance violations bureau which is codified in the Goshen City Code at §1.2.1.1;

WHEREAS, the Common Council of the City of Goshen, Indiana has revised the ordinance violations bureau from time to time, most recently in Ordinance 52125171, on or about January 27, 2025 ~~November 13, 2023~~, and

WHEREAS, the Common Council of the City of Goshen, Indiana wishes to further revise the provisions of the ordinance violations bureau by adding Goshen City Code violations that are subject to admission before the violations clerk, and define appropriate levels and amounts of civil penalties to be imposed for such violations.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of Goshen, that:

Section 1. **Creation.**

An Ordinance Violations Bureau (“Bureau”) was created and shall continue to operate under the authority of I.C. § 33-36-2-1, as amended, and under the terms of this Ordinance.

Section 2. **Violations Clerk; Duties.**

- 2.1. The Clerk of the City Court shall serve as the Violations Clerk, who shall administer the Bureau.
- 2.2. The Violations Clerk shall accept written appearances, waivers of trial, admissions of violations, and payment of civil penalties as set forth in Section 3 of this Ordinance, but not more than Two Hundred Fifty Dollars (\$250).
- 2.3. The Violations Clerk shall account for all payments received and deliver such penalty payments to the City of Goshen Clerk-Treasurer for all violations of the Goshen City Code, at such intervals as the City of Goshen Clerk-Treasurer determines, to be deposited in the general fund of the City of Goshen.
- 2.4. The Violations Clerk shall account for all payments received on behalf of every municipal corporation for whom the Violations Clerk has accepted payment of civil penalties pursuant to an interlocal agreement described in I.C. 33-36-2-4, deliver such penalty payments to the appropriate municipal corporation as provided in the interlocal agreement, and deliver records related to such payments to the Clerk-Treasurer’s office for civil penalties attributable to the City of Goshen.

Section 3. **Schedule of Civil Penalties.**

3.1. Pursuant to I.C. § 33-36-3-1, provisions of the Goshen City Code subject to admission of violation before the Violations Clerk (each such Code provision shall be hereinafter referred to individually as a “Bureau Ordinance”) are designated in the Bureau Ordinances Schedule found in this Code Section. Notwithstanding any other enforcement procedures provided by applicable statute, rule, or ordinance, each Bureau Ordinance may be enforced through an admission of violation before the Violations Clerk to the full extent allowed under I.C. § 36-1-6-3(a)(1), as amended, and under the authority of I.C. § 33-36-2-1, as amended. The Bureau Ordinances Schedule below assigns an appropriate Civil Penalty Tier to violations of each City of Goshen Bureau Ordinance.

**City of Goshen
Bureau Ordinances Schedule**

Goshen Code Section	Type of Violation	Penalty Tier
Animal Control		
3.1.1.1	Animals running at large	3
3.1.1.3	Keeping livestock, fowl or wild animals	3
3.1.1.4	Harboring vicious animal	2
3.1.1.5	Animals disturbing the peace	3
3.1.4.2	Keeping chickens	3
Fire Prevention and Protection		
Ord. 5170	Open burning	3
Ord. 5188	Fire Prevention Ordinance	1
Noise Control		
3.3.1.1	Excessive noise and sound	2
3.3.1.2	Noise level standards for motor vehicles and sound amplification on public property	2
Firearms Within City Limits		
3.5.1.1	Discharge of Firearms and Detonation of Explosives Prohibited	1
Fireworks		
3.6.1.1	Use, Discharge, or Ignition of Consumer Fireworks	2
Controlled Parking in Yards; SidewalksParking		
4.4.1.1	General parking violations (except parking in designated handicapped space or parking in a fire lane)	4
4.4.1.1	General parking violations- parking in handicapped space	3
<u>4.4.1.1</u>	<u>General Parking violations- parking in a fire lane</u>	<u>3</u>
4.4.2.1a	Parking in prohibited parking areas (in yards)	4
4.4.2.1b	Parking in prohibited parking areas (over sidewalks or curbs)	3

4.4.2.1c	Parking vehicle without current/valid license plate	3
4.4.2.1d	Parking RV/Camper/Trailer/Boat in front yard	3
Abandoned Vehicles		
4.6.1.1	Removal and disposal of Abandoned Vehicles	2
Off-Road Vehicles		
Ord. 5184	Operation, equipment, operator, financial responsibility violations	1
Golf Carts		
Ord. 5192	Operation, equipment, operator, financial responsibility violations	1
Public Works and Utilities		
5.1.2.1	Constructing sidewalks and driveways without permit	2
5.2.1.6	Connecting to the city water system without approval	2
Visual Obstructions		
5.1.3.1	Creating or allowing visual obstruction at intersection	2
Buildings and Building Regulations		
6.1.1.7	Building permit required	1
6.1.1.15	Stop work order	1
6.1.1.16	Certificate of occupancy	2
6.1.1.12	Inspection required	3
6.2.1.1	Mechanical and electrical licensing required	1
Neighborhood Preservation		
6.3.1.1	Minimum standards for all structures, except as the ordinance applies to buildings deemed unsafe	2
6.3.1.2	Minimum standards for basic equipment and facilities, except as the ordinance applies to buildings deemed unsafe	2
6.3.1.3	Minimum standards for light, ventilation, egress and heating, except as the ordinance applies to buildings deemed unsafe	2
6.3.1.4	Safe and sanitary maintenance, except as the ordinance applies to buildings deemed unsafe	2
6.3.1.5	Minimum space, use and location requirements, except as the ordinance applies to buildings deemed unsafe	1
6.3.1.6	Responsibility of owners and occupants, except as the ordinance applies to buildings deemed unsafe	2
6.3.1.7	Hotels and rooming houses, except as the ordinance applies to buildings deemed unsafe	3
6.3.1.8	Smoke detectors, except as the ordinance applies to unsafe buildings	2
6.3.1.9	Minimum standards for commercial and industrial properties, except as the ordinance applies to buildings deemed unsafe	1
6.3.1.10	Application for registration receipt, except as the ordinance applies to buildings deemed unsafe	2

6.3.1.11	Inspection, except as the ordinance applies to buildings deemed unsafe	2
Disorderly Properties		
Ord. 5185	Maintaining a disorderly property.	1
Requirements for Stormwater Management Associated with Illicit Discharges		
6.6.1.2	Discharge of any non-stormwater related materials or substances to stormwater drainage systems or any water course that violates applicable water quality standards	1
6.6.1.2	Any illicit connections to the stormwater drainage system or any water course that allows non-stormwater discharges to occur	1
6.6.1.2	Discharge of yard waste (e.g., grass clippings, leaves, etc.) to a stormwater drainage system or any water course	3
6.6.1.2	Failure to take all reasonable steps to ensure the discovery, containment, cleanup, and documentation of any improper or unpermitted release or discharge.	1
Construction Site Stormwater Run-off Control		
6.6.2.1	Working without an approved Stormwater Pollution Prevention Plan or an expired stormwater clearance	1
6.6.2.1	Self-inspection report not performed, or the inspection forms are not provided when requested.	2
6.6.2.4	Concrete/mortar washout	2
6.6.2.4	Perimeter protection	2
6.6.2.4	Construction entrance/exit	2
6.6.2.4	Site stabilization	2
6.6.2.4	Inlet protection	2
6.6.2.4	Dewatering	2
6.6.2.4	Runoff control	2
6.6.2.4	Trash/litter	2
6.6.2.4	Spill control/containment issues	2
6.6.2.4	Direct discharge of pollutants to surface water	1
Uniform Requirements for Post Construction Stormwater Management		
6.6.3.2	Discharge of stormwater directly into a wetland or local waterway without adequate treatment or in violation of applicable state or federal laws	1
6.6.3.3	Failure to comply with Post-Construction Stormwater Management Plan inspection and maintenance of stormwater post-construction measures requirements.	2
6.6.3.3	Failure to maintain natural and constructed drainage systems.	2
Trees – Planting, Maintenance, and Removal		
6.8.1	Planting, Maintenance, and Removal	3

Rank Vegetation and Noxious Weeds		
6.9.1.1	Rank Vegetation and Noxious Weeds	3
Accumulation of Materials		
Ord. 5156 5240	Chapter 1 - Solid waste violations at public recycling drop-off site designated and operated by the City	1
Ord. 5240 5156	Chapter 1 - Other solid waste violations without opportunity to correct violations	3
Ord. 5240 5156	Chapter 1 - Solid waste violations requiring prior notice of violation	3
Ord. 5240	Chapter 2 – Public Nuisance	<u>2</u>
Graffiti		
6.11.1.2	Failure to remove graffiti	3
Garage Sales		
6.12.1.1	Garage Sales – Duration and Frequency	3
Signs in Right of Way		
6.12.3.1	Placing signs in Right of Way	2
Parks		
7.1.1.2	Park Hours - Curfew	4
7.1.1.10	Possession, Consumption, and Sale of Alcoholic Beverages	2
Brush		
Ord. 5054	Improper Placement of Brush	3
Ord. 5054	Improper Placement of Leaves	3
Ord. 5054	Large Quantities of Brush, Commercial Services, or Non-Residential	1
Cemeteries		
Ord. 5114 §2	Cemetery Hours - Curfew	4
Ord. 5114 §3	Possession or Consumption of Alcoholic Beverages	2
Camping		
Ord. 5158	Camping and Storage of Camp Facilities and Camp Equipment	2
Zoning Ordinance 3011		
	Expired plates/unlicensed vehicles in residential district	<u>2</u>
	Trailer/RV/boat in front yard	<u>2</u>
	Vehicles in excess of 1 ton capacity parked in residential area	2
	Parking on unimproved surface/grass	<u>2</u>
	Three or more inoperable vehicles, or parts thereof	2
	Auto repair/body work/paint shop in residential area	2

	RV used as residence	2
	Structure/fence/sign/driveway expansion without permit	2
	Development in regulatory floodplain without permit	2
	Temporary/mobile signs without permits	2
	Operating without a Conditional Use Permit	2
	Storage of salvage materials on residential property	2

3.2. Pursuant to I.C. § 33-36-3-1, provisions of the Elkhart County Code subject to admission of violation before the Violations Clerk (each such Code provision shall be hereinafter referred to individually as a “Bureau Ordinance”) are designated in the Bureau Ordinances Schedule found in this Code Section. Notwithstanding any other enforcement procedures provided by applicable statute, rule, or ordinance, each Bureau Ordinance may be enforced through an admission of violation before the Violations Clerk to the full extent allowed under I.C. § 36-1-6-3(a)(1), as amended, and under the authority of I.C. § 33-36-2-1, as amended. The Bureau Ordinances Schedule below assigns an appropriate Civil Penalty Tier to violations of each Elkhart County Bureau Ordinance.

**Elkhart County
Bureau Ordinances Schedule**

Elkhart County Code	Type of Violation	Penalty Tier
Zoning		
Chapter 158, Title XV	Land Usage	1
Nuisance		
Chapter 92, Title IX	General Regulations	1

3.3. An admission of violation to a Bureau Ordinance shall cause to be imposed a civil penalty in the amount designated in the Civil Penalty Tiers schedule below that corresponds to the Tier level assigned to each Bureau Ordinance by the Bureau Ordinance Schedule. Second and subsequent admissions of violation of Bureau Ordinances occurring within a Twelve (12) month period will be subject to a greater civil penalty, as designated in the Civil Penalty Tiers schedule found in this Code Section.

Civil Penalty Tiers

	First Offence	Second Offence	Third Offence
Tier 4	\$5025	\$7550	\$10075
Tier 3	\$7550	\$10075	\$12500
Tier 2	\$10075	\$15025	\$22500
Tier 1	\$175	\$225	\$250

Section 4. Issuance of Citations.

- 4.1. Any City of Goshen official, employee, or agent authorized by the Goshen City Code or state law to enforce the provisions of the Goshen City Code may issue citations for the violation of Bureau Ordinances. More specifically, the following table identifies who may issue citations for violations of Bureau Ordinances:

Goshen Code Section	Type of Violation	Enforcement Authority
Animal Control		
3.1.1.1	Animals running at large	Ordinance Compliance Officers, Police Officers
3.1.1.3	Keeping livestock, fowl or wild animals	
3.1.1.4	Harboring vicious animal	
3.1.1.5	Animals disturbing the peace	
3.1.4.2	Keeping chickens	
Fire Prevention and Protection		
Ord. 5170	Open burning	Ordinance Compliance Officers, Police Officers, and Members of the Fire Department
Ord. 5188	Fire Prevention Ordinance	Members of the Fire Department
Noise Control		
3.3.1.1	Excessive noise and sound	Ordinance Compliance Officers, Police Officers
3.3.1.2	Noise level standards for motor vehicles and sound amplification on public property	
Firearms Within City Limits		
3.5.1.1	Discharge of Firearms and Detonation of Explosives Prohibited	Ordinance Compliance Officers, Police Officers
Fireworks		
3.6.1.1	Use, Discharge, or Ignition of Consumer Fireworks	Ordinance Compliance Officers, Police Officers
Controlled Parking in Yards; Sidewalks Parking		
4.4.1.1	General parking violations (except parking in designated handicapped space <u>or in fire lane</u>)	Ordinance Compliance Officers, Police Officers, <u>Members of the Fire Department</u>
4.4.1.1	General parking violations- parking in handicapped space	
<u>4.4.1.1</u>	<u>General parking violations- parking in fire lane</u>	
4.4.2.1	Parking in prohibited parking areas	
Abandoned Vehicles		
4.6.1.1	Removal; and disposal of Abandoned Vehicles	Ordinance Compliance Officers, Police Officers
Off-Road Vehicles		

Ord. 5184	Operation, equipment, operator, financial responsibility violations	Ordinance Compliance Officers, Police Officers
Golf Carts		
Ord. 5192	Operation, equipment, operator, financial responsibility violations	Ordinance Compliance Officers, Police Officers
Public Works and Utilities		
5.1.2.1	Constructing sidewalks and driveways without permit	Members of Legal Department, Building Department, Police Department, or Ordinance Compliance Officer.
5.2.1.6	Connecting to the city water system without approval	
Visual Obstructions		
5.1.3.1	Creating or allowing visual obstruction at intersection	Ordinance Compliance Officers, Police Officers
Buildings and Building Regulations		
6.1.1.7	Building permit required	The Building Commissioner
6.1.1.15	Stop work order	
6.1.1.16	Certificate of occupancy	
6.1.1.12	Inspection required	
6.2.1.1	Mechanical and electrical licensing required	
Neighborhood Preservation		
6.3.1.1	Minimum standards for all structures, except as the ordinance applies to buildings deemed unsafe	Members of the Building Department
6.3.1.2	Minimum standards for basic equipment and facilities, except as the ordinance applies to buildings deemed unsafe	
6.3.1.3	Minimum standards for light, ventilation, egress and heating, except as the ordinance applies to buildings deemed unsafe	
6.3.1.4	Safe and sanitary maintenance, except as the ordinance applies to buildings deemed unsafe	
6.3.1.5	Minimum space, use and location requirements, except as the ordinance applies to buildings deemed unsafe	
6.3.1.6	Responsibility of owners and occupants, except as the ordinance applies to buildings deemed unsafe	
6.3.1.7	Hotels and rooming houses, except as the ordinance applies to buildings deemed unsafe	
6.3.1.8	Smoke detectors, except as the ordinance applies to buildings deemed unsafe	

6.3.1.9	Minimum standards for commercial and industrial properties, except as the ordinance applies to buildings deemed unsafe	
6.3.1.10	Application for registration receipt, except as the ordinance applies to buildings deemed unsafe	
6.3.1.11	Inspection, except as the ordinance applies to buildings deemed unsafe	
Disorderly Properties		
Ord. 5185	Maintaining a disorderly property	Members of Legal Department, Building Department, Police Department, or Ordinance Compliance Officer.
Requirements for Stormwater Management Associated with Illicit Discharges		
6.6.1.2	Discharge of any non-stormwater related materials or substances to stormwater drainage systems or any water course that violates applicable water quality standards	Superintendent of the Department of Stormwater Management
6.6.1.2	Any illicit connections to the stormwater drainage system or any water course that allows non-stormwater discharges to occur	
6.6.1.2	Repeat violations of the discharge of yard waste (e.g., grass clippings, leaves, etc.) to a stormwater drainage system or any water course	
6.6.1.2	Failure to take all reasonable steps to ensure the discovery, containment, cleanup, and documentation of any improper or unpermitted release or discharge.	
Construction Site Stormwater Run-off Control		
6.6.2.1	Working without an approved Stormwater Pollution Prevention Plan or an expired stormwater clearance	Superintendent of the Department of Stormwater Management
6.6.2.1	Self-inspection report not performed, or the inspection forms are not provided when requested.	
6.6.2.4	Concrete/mortar washout	
6.6.2.4	Perimeter protection	
6.6.2.4	Construction entrance/exit	
6.6.2.4	Site stabilization	
6.6.2.4	Inlet protection	
6.6.2.4	Dewatering	
6.6.2.4	Runoff control	

6.6.2.4	Trash/litter	
6.6.2.4	Spill control/containment issues	
6.6.2.4	Direct discharge of pollutants to surface water	
Uniform Requirements for Post Construction Stormwater Management		
6.6.3.2	Discharge of stormwater directly into a wetland or local waterway without adequate treatment or in violation of applicable state or federal laws	Superintendent of the Department of Stormwater Management
6.6.3.3	Failure to comply with Post-Construction Stormwater Management Plan inspection and maintenance of stormwater post-construction measures requirements.	
6.6.3.3	Failure to maintain natural and constructed drainage systems.	
Trees – Planting, Maintenance, and Removal		
6.8.1	Planting, Maintenance, and Removal	Ordinance compliance officer or Members of Environmental Resilience Department
Rank vegetation and Noxious Weeds		
6.9.1.1	Rank Vegetation and Noxious Weeds	Ordinance compliance officer, police officer, or member of Legal Department.
Accumulation of Materials		
Ord. 52405156	Chapter 1 - Solid waste violations at public recycling drop-off site designated and operated by the City	Members of Legal Department, Building Department, Police Department, or Ordinance Compliance Officer.
Ord. 52405156	Chapter 1 - Other Solid waste violations without opportunity to correct violations	
Ord. 52405156	Chapter 1 - Solid waste violations requiring prior notice of violation	
Ord. 5240	Chapter 2 – Public Nuisance	
Graffiti		
6.11.1.2	Failure to remove graffiti	Ordinance Compliance Officers, Police Officers
Garage Sales		
6.12.1.1	Garage Sales – Duration and Frequency	Members of Legal Department, Building Department, Police Department, or Ordinance Compliance Officer
Signs in Right of Way		
6.12.3.1	Placing signs in Right of Way	Ordinance compliance officer, police officer, or member of Legal Department.
Parks		

7.1.1.2	Park Hours - Curfew	Police Officers
7.1.1.10	Possession, Consumption, and Sale of Alcoholic Beverages	
Brush		
Ord. 5054	Improper Placement of Brush	Members of Legal Department, Building Department, Police Department, or Ordinance Compliance Officer.
Ord. 5054	Improper Placement of Leaves	
Ord. 5054	Large Quantities of Brush, Commercial Services, or Non-Residential	
Cemeteries		
Ord. 5114 §2	Cemetery Hours – Curfew	Police Officers
Ord. 5114 §3	Possession or Consumption of Alcoholic Beverages	
Camping		
Ord. 5158	Camping and Storage of Camp Facilities and Camp Equipment	Members of Legal Department, Building Department, Police Department, or Ordinance Compliance Officer.
Zoning Ordinance 3011		
	Expired plates/unlicensed vehicles in residential district	Planning and Zoning Administrator, Assistant Planning and Zoning Administrator, Building Commissioner, Ordinance compliance officer, Police department
	Trailer/RV/boat in front yard	
	Vehicles in excess of 1 ton capacity parked in residential area	
	Parking on unimproved surface/grass	
	Three or more inoperable vehicles, or parts thereof	
	Auto repair/body work/paint shop in residential area	
	RV used as residence	
	Structure/fence/sign/driveway expansion without permit	
	Development in regulatory floodplain without permit	
	Temporary/mobile signs without permits	
	Operating without a Conditional Use permit	
	Storage of salvage materials on residential property	

4.2. Any official, employee, or agent from Elkhart County government authorized by Elkhart County ordinances or by state law to enforce Elkhart County’s code may issue citations for the violation of Elkhart County Bureau Ordinances.

- 4.3. Citations issued under this ordinance shall include the following information:
- (a) The name of the responsible person;
 - (b) A description of the alleged violation, including the date thereof, and the code section;
 - (c) The time within which the person must contact the Bureau for purposes of admitting or denying responsibility for the violation;
 - (d) The amount of the schedule civil penalty for the violation;
 - (e) The methods by which the alleged violation may be admitted or denied;
 - (f) The consequences of failing to pay the required fines/costs or contact the Bureau within the required time;
 - (g) The address of the Violations Clerk; and
 - (h) The days and hours that the Ordinance Violations Bureau is open.
- 4.4. A copy of the citation shall be served by personally delivering the citation to the person alleged to have violated Bureau Ordinances, unless the alleged violation relates to the use or occupancy of land, a building, or other structure, in which case the citation may be posted on the property and a copy mailed by first class mail to the owner of such land, building, or other structure at the last known address of the alleged violator.

Section 5. Duty to Appear.

Any person upon whom a citation is issued pursuant to this Ordinance shall, within ten (10) days of the issuance of the citation, appear at the Violations Clerk’s office to either admit or deny the violation, enter a written denial, or deliver an admission with the corresponding penalty payment.

Section 6. Payment.

Upon admission of a Bureau Ordinance before the Violations Clerk, the Violations Clerk shall assess civil penalties and accept payment from the violator in the amounts designated in the Bureau Ordinances Schedule and Civil Penalties Tiers.

Section 7. Right to Trial; Denial of Violation, Failure to Satisfy Civil Penalty Assessed.

- 7.1. Nothing in this Ordinance shall be construed to limit a person charged with an ordinance violation to that person’s right to a trial on the allegations found in a citation, nor shall it be construed to limit any right the person might have to appeal, whether such appeal would be to the Goshen Board of Public Works and Safety or other authority. If a person charged with an ordinance violation wants to exercise the right to trial, the person shall appear before the Violations Clerk and deny the violation, or enter a written denial with the Violations Clerk.
- 7.2. If a person denies the allegations found in a citation, fails to satisfy a civil penalty assessed after having entered an admission of violation, or fails to deny or admit the violation, the Violations Clerk shall report this fact to the City of Goshen Legal Department or to legal counsel of a unit utilizing the Bureau under an interlocal agreement, who may then initiate proceedings in court against the person for the alleged ordinance violation.

Section 8. Other Legal Action.

- 8.1. Nothing in this ordinance shall be deemed to require initiation of ordinance enforcement activity by issuing an ordinance violation citation subject to admission of violation in the Ordinance Violations Bureau. The procedure made available by I.C § 36-1-6-3 and this Ordinance may be bypassed, and enforcement may be initiated by filing a Complaint in an appropriate court to enforce Bureau Ordinances or seek enforcement through the Board of Works.
- 8.2. The filing of citations in the Ordinance Violations Bureau shall not preclude the filing of a Complaint in an appropriate court to enforce Bureau Ordinances if a person served with a citation denies the violation alleged in the citation, requests a trial on the allegations contained in the citation, or fails to respond to the citation filed in the Ordinance Violations Bureau.

Section 9. Other Ordinances.

All Ordinances, or parts thereof, inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency. All Ordinances, or parts thereof, not inconsistent with this Ordinance shall remain in full force and effect.

Section 10. Severability.

The provisions of this ordinance are severable, and the invalidly of any phrase, clause or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

Section 11. Effective Date.

This ordinance shall be in full force and effect from and after its passage, approval and publication according to the laws of the State of Indiana.

PASSED by the City of Goshen Common Council on _____ day of _____, 20265.

Presiding Officer

ATTEST

Richard Aguirre, Clerk-Treasurer

PRESENTED to the Mayor of the City of Goshen on the ____ day of _____, 20265, at _____ a.m./p.m.

Richard Aguirre, Clerk-Treasurer

APPROVED and ADOPTED on the _____ day of _____,
202~~6~~5, at _____ a.m./p.m.

Gina M. Leichty, Mayor

ORDINANCE 5254

Amending Ordinance Violations Bureau

WHEREAS, Indiana Code § 33-36-2-1 allows a municipal corporation to establish an ordinance violations bureau;

WHEREAS, Indiana Code § 36-1-6-3 allows municipal corporations to enforce ordinances through admission of violation before an ordinance violations bureau and allows that bureau to turn over to the municipal corporation all sums collected as civil penalties for ordinance violations; and

WHEREAS, the Common Council of the City of Goshen, Indiana established an ordinance violations bureau which is codified in the Goshen City Code at §1.2.1.1;

WHEREAS, the Common Council of the City of Goshen, Indiana has revised the ordinance violations bureau from time to time, most recently in Ordinance 5212, on or about January 27, 2025, and

WHEREAS, the Common Council of the City of Goshen, Indiana wishes to further revise the provisions of the ordinance violations bureau by adding Goshen City Code violations that are subject to admission before the violations clerk, and define appropriate levels and amounts of civil penalties to be imposed for such violations.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of Goshen, that:

Section 1. **Creation.**

An Ordinance Violations Bureau (“Bureau”) was created and shall continue to operate under the authority of I.C. § 33-36-2-1, as amended, and under the terms of this Ordinance.

Section 2. **Violations Clerk; Duties.**

- 2.1. The Clerk of the City Court shall serve as the Violations Clerk, who shall administer the Bureau.
- 2.2. The Violations Clerk shall accept written appearances, waivers of trial, admissions of violations, and payment of civil penalties as set forth in Section 3 of this Ordinance, but not more than Two Hundred Fifty Dollars (\$250).
- 2.3. The Violations Clerk shall account for all payments received and deliver such penalty payments to the City of Goshen Clerk-Treasurer for all violations of the Goshen City Code, at such intervals as the City of Goshen Clerk-Treasurer determines, to be deposited in the general fund of the City of Goshen.
- 2.4. The Violations Clerk shall account for all payments received on behalf of every municipal corporation for whom the Violations Clerk has accepted payment of civil penalties pursuant to an interlocal agreement described in I.C. 33-36-2-4, deliver such penalty payments to the appropriate municipal corporation as provided in the interlocal agreement, and deliver records related to such payments to the Clerk-Treasurer’s office for civil penalties attributable to the City of Goshen.

Section 3. **Schedule of Civil Penalties.**

- 3.1. Pursuant to I.C. § 33-36-3-1, provisions of the Goshen City Code subject to admission of violation before the Violations Clerk (each such Code provision shall be hereinafter referred to individually as a “Bureau Ordinance”) are designated in the Bureau Ordinances Schedule found in this Code Section. Notwithstanding any other enforcement procedures provided by applicable statute, rule, or ordinance, each Bureau Ordinance may be enforced through an admission of violation before the Violations Clerk to the full extent allowed under I.C. § 36-1-6-3(a)(1), as amended, and under the authority of I.C. § 33-36-2-1, as amended. The Bureau Ordinances Schedule below assigns an appropriate Civil Penalty Tier to violations of each City of Goshen Bureau Ordinance.

**City of Goshen
Bureau Ordinances Schedule**

Goshen Code Section	Type of Violation	Penalty Tier
Animal Control		
3.1.1.1	Animals running at large	3
3.1.1.3	Keeping livestock, fowl or wild animals	3
3.1.1.4	Harboring vicious animal	2
3.1.1.5	Animals disturbing the peace	3
3.1.4.2	Keeping chickens	3
Fire Prevention and Protection		
Ord. 5170	Open burning	3
Ord. 5188	Fire Prevention Ordinance	1
Noise Control		
3.3.1.1	Excessive noise and sound	2
3.3.1.2	Noise level standards for motor vehicles and sound amplification on public property	2
Firearms Within City Limits		
3.5.1.1	Discharge of Firearms and Detonation of Explosives Prohibited	1
Fireworks		
3.6.1.1	Use, Discharge, or Ignition of Consumer Fireworks	2
Parking		
4.4.1.1	General parking violations (except parking in designated handicapped space or parking in a fire lane)	4
4.4.1.1	General parking violations- parking in handicapped space	3
4.4.1.1	General Parking violations- parking in a fire lane	3
4.4.2.1a	Parking in prohibited parking areas (in yards)	4

4.4.2.1b	Parking in prohibited parking areas (over sidewalks or curbs)	3
4.4.2.1c	Parking vehicle without current/valid license plate	3
4.4.2.1d	Parking RV/Camper/Trailer/Boat in front yard	3
Abandoned Vehicles		
4.6.1.1	Removal and disposal of Abandoned Vehicles	2
Off-Road Vehicles		
Ord. 5184	Operation, equipment, operator, financial responsibility violations	1
Golf Carts		
Ord. 5192	Operation, equipment, operator, financial responsibility violations	1
Public Works and Utilities		
5.1.2.1	Constructing sidewalks and driveways without permit	2
5.2.1.6	Connecting to the city water system without approval	2
Visual Obstructions		
5.1.3.1	Creating or allowing visual obstruction at intersection	2
Buildings and Building Regulations		
6.1.1.7	Building permit required	1
6.1.1.15	Stop work order	1
6.1.1.16	Certificate of occupancy	2
6.1.1.12	Inspection required	3
6.2.1.1	Mechanical and electrical licensing required	1
Neighborhood Preservation		
6.3.1.1	Minimum standards for all structures, except as the ordinance applies to buildings deemed unsafe	2
6.3.1.2	Minimum standards for basic equipment and facilities, except as the ordinance applies to buildings deemed unsafe	2
6.3.1.3	Minimum standards for light, ventilation, egress and heating, except as the ordinance applies to buildings deemed unsafe	2
6.3.1.4	Safe and sanitary maintenance, except as the ordinance applies to buildings deemed unsafe	2
6.3.1.5	Minimum space, use and location requirements, except as the ordinance applies to buildings deemed unsafe	1
6.3.1.6	Responsibility of owners and occupants, except as the ordinance applies to buildings deemed unsafe	2
6.3.1.7	Hotels and rooming houses, except as the ordinance applies to buildings deemed unsafe	3
6.3.1.8	Smoke detectors, except as the ordinance applies to unsafe buildings	2
6.3.1.9	Minimum standards for commercial and industrial properties, except as the ordinance applies to buildings deemed unsafe	1

6.3.1.10	Application for registration receipt, except as the ordinance applies to buildings deemed unsafe	2
6.3.1.11	Inspection, except as the ordinance applies to buildings deemed unsafe	2
Disorderly Properties		
Ord. 5185	Maintaining a disorderly property.	1
Requirements for Stormwater Management Associated with Illicit Discharges		
6.6.1.2	Discharge of any non-stormwater related materials or substances to stormwater drainage systems or any water course that violates applicable water quality standards	1
6.6.1.2	Any illicit connections to the stormwater drainage system or any water course that allows non-stormwater discharges to occur	1
6.6.1.2	Discharge of yard waste (e.g., grass clippings, leaves, etc.) to a stormwater drainage system or any water course	3
6.6.1.2	Failure to take all reasonable steps to ensure the discovery, containment, cleanup, and documentation of any improper or unpermitted release or discharge.	1
Construction Site Stormwater Run-off Control		
6.6.2.1	Working without an approved Stormwater Pollution Prevention Plan or an expired stormwater clearance	1
6.6.2.1	Self-inspection report not performed, or the inspection forms are not provided when requested.	2
6.6.2.4	Concrete/mortar washout	2
6.6.2.4	Perimeter protection	2
6.6.2.4	Construction entrance/exit	2
6.6.2.4	Site stabilization	2
6.6.2.4	Inlet protection	2
6.6.2.4	Dewatering	2
6.6.2.4	Runoff control	2
6.6.2.4	Trash/litter	2
6.6.2.4	Spill control/containment issues	2
6.6.2.4	Direct discharge of pollutants to surface water	1
Uniform Requirements for Post Construction Stormwater Management		
6.6.3.2	Discharge of stormwater directly into a wetland or local waterway without adequate treatment or in violation of applicable state or federal laws	1
6.6.3.3	Failure to comply with Post-Construction Stormwater Management Plan inspection and maintenance of stormwater post-construction measures requirements.	2
6.6.3.3	Failure to maintain natural and constructed drainage systems.	2
Trees – Planting, Maintenance, and Removal		

6.8.1	Planting, Maintenance, and Removal	3
Rank Vegetation and Noxious Weeds		
6.9.1.1	Rank Vegetation and Noxious Weeds	3
Accumulation of Materials		
Ord. 5240	Chapter 1 - Solid waste violations at public recycling drop-off site designated and operated by the City	1
Ord. 5240	Chapter 1 - Other solid waste violations without opportunity to correct violations	3
Ord. 5240	Chapter 1 - Solid waste violations requiring prior notice of violation	3
Ord. 5240	Chapter 2 – Public Nuisance	2
Graffiti		
6.11.1.2	Failure to remove graffiti	3
Garage Sales		
6.12.1.1	Garage Sales – Duration and Frequency	3
Signs in Right of Way		
6.12.3.1	Placing signs in Right of Way	2
Parks		
7.1.1.2	Park Hours - Curfew	4
7.1.1.10	Possession, Consumption, and Sale of Alcoholic Beverages	2
Brush		
Ord. 5054	Improper Placement of Brush	3
Ord. 5054	Improper Placement of Leaves	3
Ord. 5054	Large Quantities of Brush, Commercial Services, or Non-Residential	1
Cemeteries		
Ord. 5114 §2	Cemetery Hours - Curfew	4
Ord. 5114 §3	Possession or Consumption of Alcoholic Beverages	2
Camping		
Ord. 5158	Camping and Storage of Camp Facilities and Camp Equipment	2
Zoning Ordinance 3011		
	Vehicles in excess of 1 ton capacity parked in residential area	2

	Three or more inoperable vehicles, or parts thereof	2
	Auto repair/body work/paint shop in residential area	2
	RV used as residence	2
	Structure/fence/sign/driveway expansion without permit	2
	Development in regulatory floodplain without permit	2
	Temporary/mobile signs without permits	2
	Operating without a Conditional Use Permit	2
	Storage of salvage materials on residential property	2

3.2. Pursuant to I.C. § 33-36-3-1, provisions of the Elkhart County Code subject to admission of violation before the Violations Clerk (each such Code provision shall be hereinafter referred to individually as a “Bureau Ordinance”) are designated in the Bureau Ordinances Schedule found in this Code Section. Notwithstanding any other enforcement procedures provided by applicable statute, rule, or ordinance, each Bureau Ordinance may be enforced through an admission of violation before the Violations Clerk to the full extent allowed under I.C. § 36-1-6-3(a)(1), as amended, and under the authority of I.C. § 33-36-2-1, as amended. The Bureau Ordinances Schedule below assigns an appropriate Civil Penalty Tier to violations of each Elkhart County Bureau Ordinance.

**Elkhart County
Bureau Ordinances Schedule**

Elkhart County Code	Type of Violation	Penalty Tier
Zoning		
Chapter 158, Title XV	Land Usage	1
Nuisance		
Chapter 92, Title IX	General Regulations	1

3.3. An admission of violation to a Bureau Ordinance shall cause to be imposed a civil penalty in the amount designated in the Civil Penalty Tiers schedule below that corresponds to the Tier level assigned to each Bureau Ordinance by the Bureau Ordinance Schedule. Second and subsequent admissions of violation of Bureau Ordinances occurring within a Twelve (12) month period will be subject to a greater civil penalty, as designated in the Civil Penalty Tiers schedule found in this Code Section.

Civil Penalty Tiers

	First Offence	Second Offence	Third Offence
Tier 4	\$50	\$75	\$100
Tier 3	\$75	\$100	\$125

Tier 2	\$100	\$150	\$225
Tier 1	\$175	\$225	\$250

Section 4. Issuance of Citations.

4.1. Any City of Goshen official, employee, or agent authorized by the Goshen City Code or state law to enforce the provisions of the Goshen City Code may issue citations for the violation of Bureau Ordinances. More specifically, the following table identifies who may issue citations for violations of Bureau Ordinances:

Goshen Code Section	Type of Violation	Enforcement Authority
Animal Control		
3.1.1.1	Animals running at large	Ordinance Compliance Officers, Police Officers
3.1.1.3	Keeping livestock, fowl or wild animals	
3.1.1.4	Harboring vicious animal	
3.1.1.5	Animals disturbing the peace	
3.1.4.2	Keeping chickens	
Fire Prevention and Protection		
Ord. 5170	Open burning	Ordinance Compliance Officers, Police Officers, and Members of the Fire Department
Ord. 5188	Fire Prevention Ordinance	Members of the Fire Department
Noise Control		
3.3.1.1	Excessive noise and sound	Ordinance Compliance Officers, Police Officers
3.3.1.2	Noise level standards for motor vehicles and sound amplification on public property	
Firearms Within City Limits		
3.5.1.1	Discharge of Firearms and Detonation of Explosives Prohibited	Ordinance Compliance Officers, Police Officers
Fireworks		
3.6.1.1	Use, Discharge, or Ignition of Consumer Fireworks	Ordinance Compliance Officers, Police Officers
Parking		
4.4.1.1	General parking violations (except parking in designated handicapped space or in fire lane)	Ordinance Compliance Officers, Police Officers, Members of the Fire Department
4.4.1.1	General parking violations- parking in handicapped space	
4.4.1.1	General parking violations- parking in fire lane	
4.4.2.1	Parking in prohibited parking areas	

Abandoned Vehicles		
4.6.1.1	Removal; and disposal of Abandoned Vehicles	Ordinance Compliance Officers, Police Officers
Off-Road Vehicles		
Ord. 5184	Operation, equipment, operator, financial responsibility violations	Ordinance Compliance Officers, Police Officers
Golf Carts		
Ord. 5192	Operation, equipment, operator, financial responsibility violations	Ordinance Compliance Officers, Police Officers
Public Works and Utilities		
5.1.2.1	Constructing sidewalks and driveways without permit	Members of Legal Department, Building Department, Police Department, or Ordinance Compliance Officer.
5.2.1.6	Connecting to the city water system without approval	
Visual Obstructions		
5.1.3.1	Creating or allowing visual obstruction at intersection	Ordinance Compliance Officers, Police Officers
Buildings and Building Regulations		
6.1.1.7	Building permit required	The Building Commissioner
6.1.1.15	Stop work order	
6.1.1.16	Certificate of occupancy	
6.1.1.12	Inspection required	
6.2.1.1	Mechanical and electrical licensing required	
Neighborhood Preservation		
6.3.1.1	Minimum standards for all structures, except as the ordinance applies to buildings deemed unsafe	Members of the Building Department
6.3.1.2	Minimum standards for basic equipment and facilities, except as the ordinance applies to buildings deemed unsafe	
6.3.1.3	Minimum standards for light, ventilation, egress and heating, except as the ordinance applies to buildings deemed unsafe	
6.3.1.4	Safe and sanitary maintenance, except as the ordinance applies to buildings deemed unsafe	
6.3.1.5	Minimum space, use and location requirements, except as the ordinance applies to buildings deemed unsafe	
6.3.1.6	Responsibility of owners and occupants, except as the ordinance applies to buildings deemed unsafe	

6.3.1.7	Hotels and rooming houses, except as the ordinance applies to buildings deemed unsafe	
6.3.1.8	Smoke detectors, except as the ordinance applies to buildings deemed unsafe	
6.3.1.9	Minimum standards for commercial and industrial properties, except as the ordinance applies to buildings deemed unsafe	
6.3.1.10	Application for registration receipt, except as the ordinance applies to buildings deemed unsafe	
6.3.1.11	Inspection, except as the ordinance applies to buildings deemed unsafe	
Disorderly Properties		
Ord. 5185	Maintaining a disorderly property	Members of Legal Department, Building Department, Police Department, or Ordinance Compliance Officer.
Requirements for Stormwater Management Associated with Illicit Discharges		
6.6.1.2	Discharge of any non-stormwater related materials or substances to stormwater drainage systems or any water course that violates applicable water quality standards	Superintendent of the Department of Stormwater Management
6.6.1.2	Any illicit connections to the stormwater drainage system or any water course that allows non-stormwater discharges to occur	
6.6.1.2	Repeat violations of the discharge of yard waste (e.g., grass clippings, leaves, etc.) to a stormwater drainage system or any water course	
6.6.1.2	Failure to take all reasonable steps to ensure the discovery, containment, cleanup, and documentation of any improper or unpermitted release or discharge.	
Construction Site Stormwater Run-off Control		
6.6.2.1	Working without an approved Stormwater Pollution Prevention Plan or an expired stormwater clearance	Superintendent of the Department of Stormwater Management
6.6.2.1	Self-inspection report not performed, or the inspection forms are not provided when requested.	
6.6.2.4	Concrete/mortar washout	
6.6.2.4	Perimeter protection	
6.6.2.4	Construction entrance/exit	
6.6.2.4	Site stabilization	
6.6.2.4	Inlet protection	
6.6.2.4	Dewatering	

6.6.2.4	Runoff control	
6.6.2.4	Trash/litter	
6.6.2.4	Spill control/containment issues	
6.6.2.4	Direct discharge of pollutants to surface water	
Uniform Requirements for Post Construction Stormwater Management		
6.6.3.2	Discharge of stormwater directly into a wetland or local waterway without adequate treatment or in violation of applicable state or federal laws	Superintendent of the Department of Stormwater Management
6.6.3.3	Failure to comply with Post-Construction Stormwater Management Plan inspection and maintenance of stormwater post-construction measures requirements.	
6.6.3.3	Failure to maintain natural and constructed drainage systems.	
Trees – Planting, Maintenance, and Removal		
6.8.1	Planting, Maintenance, and Removal	Ordinance compliance officer or Members of Environmental Resilience Department
Rank vegetation and Noxious Weeds		
6.9.1.1	Rank Vegetation and Noxious Weeds	Ordinance compliance officer, police officer, or member of Legal Department.
Accumulation of Materials		
Ord. 5240	Chapter 1 - Solid waste violations at public recycling drop-off site designated and operated by the City	Members of Legal Department, Building Department, Police Department, or Ordinance Compliance Officer.
Ord. 5240	Chapter 1 - Other Solid waste violations without opportunity to correct violations	
Ord. 5240	Chapter 1 - Solid waste violations requiring prior notice of violation	
Ord. 5240	Chapter 2 – Public Nuisance	
Graffiti		
6.11.1.2	Failure to remove graffiti	Ordinance Compliance Officers, Police Officers
Garage Sales		
6.12.1.1	Garage Sales – Duration and Frequency	Members of Legal Department, Building Department, Police Department, or Ordinance Compliance Officer
Signs in Right of Way		
6.12.3.1	Placing signs in Right of Way	Ordinance compliance officer, police officer, or member of Legal Department.

Parks		
7.1.1.2	Park Hours - Curfew	Police Officers
7.1.1.10	Possession, Consumption, and Sale of Alcoholic Beverages	
Brush		
Ord. 5054	Improper Placement of Brush	Members of Legal Department, Building Department, Police Department, or Ordinance Compliance Officer.
Ord. 5054	Improper Placement of Leaves	
Ord. 5054	Large Quantities of Brush, Commercial Services, or Non-Residential	
Cemeteries		
Ord. 5114 §2	Cemetery Hours – Curfew	Police Officers
Ord. 5114 §3	Possession or Consumption of Alcoholic Beverages	
Camping		
Ord. 5158	Camping and Storage of Camp Facilities and Camp Equipment	Members of Legal Department, Building Department, Police Department, or Ordinance Compliance Officer.
Zoning Ordinance 3011		
		Planning and Zoning Administrator, Assistant Planning and Zoning Administrator, Building Commissioner, Ordinance compliance officer, Police department
	Vehicles in excess of 1 ton capacity parked in residential area	
	Three or more inoperable vehicles, or parts thereof	
	Auto repair/body work/paint shop in residential area	
	RV used as residence	
	Structure/fence/sign/driveway expansion without permit	
	Development in regulatory floodplain without permit	
	Temporary/mobile signs without permits	
	Operating without a Conditional Use permit	
	Storage of salvage materials on residential property	

4.2. Any official, employee, or agent from Elkhart County government authorized by Elkhart County ordinances or by state law to enforce Elkhart County’s code may issue citations for the violation of Elkhart County Bureau Ordinances.

- 4.3. Citations issued under this ordinance shall include the following information:
- (a) The name of the responsible person;
 - (b) A description of the alleged violation, including the date thereof, and the code section;
 - (c) The time within which the person must contact the Bureau for purposes of admitting or denying responsibility for the violation;
 - (d) The amount of the schedule civil penalty for the violation;
 - (e) The methods by which the alleged violation may be admitted or denied;
 - (f) The consequences of failing to pay the required fines/costs or contact the Bureau within the required time;
 - (g) The address of the Violations Clerk; and
 - (h) The days and hours that the Ordinance Violations Bureau is open.
- 4.4. A copy of the citation shall be served by personally delivering the citation to the person alleged to have violated Bureau Ordinances, unless the alleged violation relates to the use or occupancy of land, a building, or other structure, in which case the citation may be posted on the property and a copy mailed by first class mail to the owner of such land, building, or other structure at the last known address of the alleged violator.

Section 5. Duty to Appear.

Any person upon whom a citation is issued pursuant to this Ordinance shall, within ten (10) days of the issuance of the citation, appear at the Violations Clerk's office to either admit or deny the violation, enter a written denial, or deliver an admission with the corresponding penalty payment.

Section 6. Payment.

Upon admission of a Bureau Ordinance before the Violations Clerk, the Violations Clerk shall assess civil penalties and accept payment from the violator in the amounts designated in the Bureau Ordinances Schedule and Civil Penalties Tiers.

Section 7. Right to Trial; Denial of Violation, Failure to Satisfy Civil Penalty Assessed.

- 7.1. Nothing in this Ordinance shall be construed to limit a person charged with an ordinance violation to that person's right to a trial on the allegations found in a citation, nor shall it be construed to limit any right the person might have to appeal, whether such appeal would be to the Goshen Board of Public Works and Safety or other authority. If a person charged with an ordinance violation wants to exercise the right to trial, the person shall appear before the Violations Clerk and deny the violation, or enter a written denial with the Violations Clerk.
- 7.2. If a person denies the allegations found in a citation, fails to satisfy a civil penalty assessed after having entered an admission of violation, or fails to deny or admit the violation, the Violations Clerk shall report this fact to the City of Goshen Legal Department or to legal counsel of a unit utilizing the Bureau under an interlocal agreement, who may then initiate proceedings in court against the person for the alleged ordinance violation.

Section 8. Other Legal Action.

- 8.1. Nothing in this ordinance shall be deemed to require initiation of ordinance enforcement activity by issuing an ordinance violation citation subject to admission of violation in the Ordinance Violations Bureau. The procedure made available by I.C § 36-1-6-3 and this Ordinance may be bypassed, and enforcement may be initiated by filing a Complaint in an appropriate court to enforce Bureau Ordinances or seek enforcement through the Board of Works.
- 8.2. The filing of citations in the Ordinance Violations Bureau shall not preclude the filing of a Complaint in an appropriate court to enforce Bureau Ordinances if a person served with a citation denies the violation alleged in the citation, requests a trial on the allegations contained in the citation, or fails to respond to the citation filed in the Ordinance Violations Bureau.

Section 9. Other Ordinances.

All Ordinances, or parts thereof, inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency. All Ordinances, or parts thereof, not inconsistent with this Ordinance shall remain in full force and effect.

Section 10. Severability.

The provisions of this ordinance are severable, and the invalidly of any phrase, clause or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

Section 11. Effective Date.

This ordinance shall be in full force and effect from and after its passage, approval and publication according to the laws of the State of Indiana.

PASSED by the City of Goshen Common Council on _____ day of _____, 2026.

Presiding Officer

ATTEST

Richard Aguirre, Clerk-Treasurer

PRESENTED to the Mayor of the City of Goshen on the ____ day of _____, 2026,
at _____ a.m./p.m.

Richard Aguirre, Clerk-Treasurer

APPROVED and ADOPTED on the _____ day of _____, 2026,
at _____ a.m./p.m.

Gina M. Leichty, Mayor

ORDINANCE 5255
Establishing a Designated Outdoor Refreshment Area

WHEREAS, Indiana Code § 7.1-3-31-1 *et seq.* authorizes the establishment of a Designated Outdoor Refreshment Area;

WHEREAS, the Common Council believes it is in the best interests of the City to create a Designated Outdoor Refreshment Area in the City's downtown, as authorized by Indiana Code § 7.1-3-31-1 *et seq.*, which Area is shown on the attached Map identified as Exhibit A;

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

1. **Definitions.**

1.1. All definitions in Ind. Code § 7.1-3-31-1 *et seq.* will apply to this Ordinance.

2. **Downtown DORA.**

2.1. The Common Council hereby adopts the Map of the City of Goshen Downtown Designated Outdoor Refreshment Area attached hereto to as Exhibit A and incorporated herein by reference.

2.2. That the following area is designated as the Goshen Downtown Designated Outdoor Refreshment Area("Downtown DORA"):

Beginning at the southwest corner of North 5th Street and East Clinton Street (122 E. Clinton Street); then West along East Clinton Street to the northwest corner of North Main Street and West Clinton Street (201 N. Main Street); then South along North Main Street and South Main Street to the northwest corner of South Main Street and West Washington Street (135 S. Main Street); then West along West Washington Street to the northeast corner of West Washington Street and South 2nd Street (120 S. 2nd Street); then North along South 2nd Street to the southeast corner of South 2nd Street and West Lincoln Avenue (212 W. Lincoln Avenue); then West along West Lincoln Avenue to the pedestrian path along the east bank of the Elkhart River (west of 412 W. Lincoln Avenue, at the northern intersection of parcels 20-11-09-329-007.000-015 and 20-11-09-329-018.000-015); then South and Southeast along the

pedestrian path along the east bank of the Elkhart River to Powerhouse Park at 324 W. Washington Street; then Southerly along the western tree line of vacant park property and the western boundary of parcels 20-11-09-411-003.000-015, 20-11-09-411-001.000-015, 20-11-09-451-003.000-015, and 20-11-09-455-001.000-015 to the southwest corner of parcel 20-11-09-455-001.000-015; then East along the south line of parcel 20-11-09-455-001.000-015 to the southeast corner of said parcel and the Millrace Canal Trail; then Northerly along the Millrace Canal Trail to the southwest corner of the Bridge extending west of West Madison Street over the Elkhart River; then East across said Bridge and on West Madison Street to the southwest corner of West Madison Street and South 3rd Street (401 S. 3rd Street); then North across West Madison Street to the southwest corner of 321 S. 3rd Street; then northwesterly on South 3rd Street along the western border of 321 S. 3rd Street and parcels 20-11-09-452-016.000-015 and 20-11-09-452-015.000-015 across Madison Street to the northeast corner of parcel 20-11-09-453-008.000-015; then South and East along the north line of West Madison Street and East Madison Street to the northwest corner of the East Madison Street and South 5th Street (113 E. Madison Street); thence North along the west line of South 5th Street and North 5th Street to the southwest corner of North 5th Street and East Clinton Street (122 E. Clinton Street), to the point of beginning.

Except all residential property is excluded.

3. Designated Permittees and Temporary Vendors.

3.1. The following retailer permittees have expressed interest in participating and in submitting an application to the City to participate in the Area as a Designated Permittee, as that term is defined by I.C. § 7.1-3-31-2, and the City finds that each of them is an appropriate Designated Permittee and requests the Indiana Alcohol and Tobacco Commission (ATC) to issue a “refreshment area designation”:

- 3.1.1. The Topsy Biscuit – 103 N. 5th Street
- 3.1.2. Venturi – 123 E. Lincoln Avenue
- 3.1.3. Common Spirits – 111 E. Lincoln Avenue
- 3.1.4. Nova’s – 109 E. Lincoln Avenue
- 3.1.5. The Table at 108 – 108 N. Main Street
- 3.1.6. Cortado – 132 S. Main Street
- 3.1.7. Midnight Social – 114 W. Jefferson Street
- 3.1.8. The Fold – 219 S. Main Street

- 3.1.9. Goshen Theater – 216 S. Main Street
- 3.1.10. The Elephant Bar – 227 S. Main Street
- 3.1.11. Goshen Brewing Company – 315 W. Washington Street
- 3.1.12. Temporary Event Vendor

3.2. The Common Council hereby authorizes the Board of Public Works and Safety to administer the approval of any and all requests for designated permittee status within the Downtown DORA, subject to the requirements of Indiana law. This delegation of authority to the Board of Public Works and Safety shall include the approval of a request by a designated permittee to expand operations into an area with the Downtown DORA that is outside of a designated patio area and the approval of a request by a vendor, as that term is defined by I.C. § 7.1-3-31-5, holding a temporary vendor designation to participate in an event or festival held within the Downtown DORA. However, in no event shall the Board of Public Works and Safety approve a request by a temporary vendor to establish a permanent presence in the Downtown DORA until and unless the temporary vendor is able to meet the statutory requirements for consideration as a designated permittee.

4. **DORA Signage.**

4.1. The City shall post a minimum of one (1) sign at each public entry point to the Downtown DORA. All signs will clearly identify the boundaries of the Downtown DORA and notify the public that open containers of alcoholic beverages must remain with the Downtown DORA. The Common Council further recognizes that additional signage designating the Downtown DORA may be warranted and necessary. Therefore, the Council hereby grants the Board of Public Works and Safety full authority to increase the number, change the placement, or modify the type of signage as it deems necessary or appropriate for the proper operation of the Downtown DORA.

5. **Hours of Operation.**

5.1. The City of Goshen Downtown Designated Outdoor Refreshment Area will be in operation during the following hours:

- 5.1.1. Thursdays, between 4:00 p.m. and 10:00 p.m.
- 5.1.2. Fridays, between 4:00 p.m. and 11:00 p.m.
- 5.1.3. Saturdays, between 12:00 p.m. and 11:00 p.m.

5.1.4. Special events as approved by the City of Goshen Board of Public Works and Safety.

5.2. The Mayor of the City of Goshen, acting in conjunction with the Chief of Police, is authorized to further restrict days and hours of operation and/or to suspend the operation of the Downtown DORA on a temporary basis and as is necessary in order to preserve the public health and safety of the community, subject to the subsequent approval of the Common Council.

6. **DORA Regulations.**

6.1. Within the boundaries of the Downtown DORA established herein, a person may exit the licensed premises of a designated permittee or vendor with not more than two (2) open containers of an alcoholic beverage at a time and consume the alcoholic beverage within the Downtown DORA. The open container shall be non-breakable plastic bottles, plastic cups, or paper cups. The contents of an open container may not exceed the following:

6.1.1. Beer or flavored malt beverage of not more than sixteen (16) ounces.

6.1.2. Wine, hard cider, or hard seltzer of not more than twelve (12) ounces.

6.1.3. A mixed drink or not more than ten (10) ounces containing not more than two (2) ounces of liquor.

6.2. The container in which the alcoholic beverage is placed when exiting the premises of a designated permittee or vendor shall have affixed an official DORA logo sticker that shall be approved by the Board of Public Works and Safety. The City shall work to provide stickers to all designated permittees and vendors within the Downtown DORA and change the color of the approved sticker at appointed times each year.

6.3. A person may consume an alcoholic beverage purchased from a designated permittee or vendor anywhere within the refreshment area boundaries, subject to the right of any retailer permittee or business within the refreshment area to refuse to allow individuals to enter the licensed premises or business with an alcoholic beverage. A person may not enter any business or building with an alcoholic beverage unless the business expressly permits entry.

6.4. If a designated permittee in the Downtown DORA includes outdoor dining:

- 6.4.1. The designated permittee may serve alcoholic beverages in open containers during hours of operation and in the areas authorized by the retailer's permit.
- 6.4.2. Glass containers may be allowed in the outdoor dining areas but may not be removed from those areas in the Downtown DORA.
- 6.4.3. No fencing or other enclosure of the outdoor dining area is required.
- 6.5. The City of Goshen maintains full authority and control over the sidewalks and common areas within the Downtown DORA and no one may prohibit or limit open containers in accordance with I.C. § 7.1-3-31 within the Downtown DORA in those spaces except for the City of Goshen Police Department.
- 6.6. Nothing in this Ordinance prohibits a business, landlord, or other establishment within the Downtown DORA from prohibiting open containers of alcoholic beverages to enter their premises or from prohibiting alcoholic beverages purchased from another establishment to enter their premises.
- 6.7. A person may not consume an alcoholic beverage within a DORA that was purchased outside of the DORA.
- 6.8. Each Designated Permittee and Vendor shall post signage at each public entry and public exit to their licensed premises that informs the public of the following:
 - 6.8.1. Any open alcoholic beverage container purchased within the Downtown DORA must remain within the Downtown DORA.
 - 6.8.2. Possessing an open container of alcoholic beverages in a motor vehicle may constitute a Class C infraction under I.C. § 9-30-15.
 - 6.8.3. The hours of operation of the Downtown DORA.

7. **Miscellaneous Provisions.**

- 7.1. Consistent with the general principles of Indiana law, the Common Council retains the general authority to terminate the operation of the Downtown DORA at any time following the passage of an appropriate ordinance.
- 7.2. The Common Council finds that the Goshen Downtown Outdoor Refreshment Area is consistent with the City of Goshen's Zoning Ordinance.

This Ordinance shall be in full force and effect upon its passage, approval, and publication pursuant to Indiana law.

PASSED by the Goshen Common Council on _____, 2026.

Gina M. Leichty, Mayor
Presiding Officer

ATTEST:

Richard R. Aguirre, Clerk-Treasurer

PRESENTED to the Mayor of the City of Goshen on _____, 2026.
at the hour of ____:____ __.m.

Richard R. Aguirre, Clerk-Treasurer

APPROVED and ADOPTED on _____, 2026.

Gina M. Leichty, Mayor

Exhibit A



The City of Goshen
Downtown
Designated Outdoor
Refreshment Area
(DORA)
boundary.

 Dora Boundary

 Place of Worship

This map is provided for reference. The official boundary of the Downtown Dora is established by the description set forth in Section 2.2 of Ordinance 5255, which will control in the event of any discrepancy.

0 250 500
US Feet

Goshen DORA Boundary

