

Ordinance 11-2005

AN ORDINANCE ESTABLISHING A SAFETY CONTROL ZONE FOR THE CIVIL TOWN OF MOORESVILLE

WHEREAS, the Town of Mooresville is responsible for public safety through its Police Officers and Fire Fighters, along with assistance to the County Prosecuting Attorney's Office and working with the Morgan County Sheriff's Department;

WHEREAS, it becomes necessary for public safety to designate certain areas controlled zones and have the same marked in accordance with this Ordinance for purposes of public safety, investigation, preserving evidence and protecting its citizens;

NOW, THEREFORE, BE IT HEREBY ORDAINED that the Town of Mooresville enacts the following:

Section I. – Definitions

1. "Public Safety Controlled Zone" means an area designated and marked whenever an emergency situation or crowd of persons poses a hazard to persons or property or both, or the investigation of a crime or other circumstances require the preservation or collection of evidence. For such purposes, the public safety controlled zone shall be defined by lines or boundaries marked by personnel, vehicles, tape, rope or some combination of these or other suitable materials.

2. "Public Safety Officer" means:
 - a. A Mooresville Police Officer, Mooresville Fire Fighter, a Morgan County Sheriff, the Morgan County Prosecuting Attorney or one of his deputies or investigation personnel, the Morgan County Coroner, the Indiana State Police while assisting the Town of Mooresville or any other designated employee of the Town of Mooresville Police Department or Fire Department;
 - b. A Deputy of any of the above entities listed in Paragraph a;
 - c. A technical employee of the forensic services laboratory of any of the above designed agencies in Paragraph a; and,
 - d. An investigator for the Prosecuting Attorney or any one of the units designated in Paragraph a.

Section II – Designation of Public Safety Controlled Zones

A Public Safety Controlled Zone may be established whenever an emergency situation or crowd of persons pose a hazard to persons or property or both, or the

investigation of a crime or other circumstances require the preservation or collection of evidence. For such purposes, the ranking Public Safety Officer on the scene may designate an area as a Public Safety Controlled Zone. Such zone shall be defined by lines or boundaries marked by personnel, vehicles, tape, rope or some combinations of these or other suitable materials. Such designation shall continue until such ranking Officer determines that the hazard no longer exists or the collection of evidence is completed. The ranking officer would be the highest-ranking officer of the entity establishing the Public Safety Controlled Zone and a member of one of the departments listed under Paragraph 2 of the Definitions Section of Section I of this Ordinance.

Section III. Enforcement of Public Safety Controlled Zones

Any Public Safety Officer or any other person directed by any such Officer is authorized to deny access by unauthorized persons to a public safety controlled zone and to remove unauthorized persons from such zone.

Section IV. Unlawful to Enter Public Safety Controlled Zone

It is unlawful for any person to enter a Public Safety Controlled Zone without permission of the ranking Public Safety Officer on the scene or to cause any vehicle to enter such Zone without such permission or to fail to obey the lawful orders of an authorized person in control of the Public Safety Controlled Zone.

Section V. Penalties

The civil penalty for a violation of this Ordinance shall be a fine of not less than Fifty Dollars (\$50.00) nor greater than Five Hundred Dollars (\$500.00). All violations of this Ordinance shall be cited to the Mooresville Town Court. One citation written on the forms of a Uniform Traffic Citation with this Ordinance cited as the violation.

This Ordinance shall be in effect immediately upon passage and publication.

Dated this 7th day of June 2005.

Mooresville Town Council

Troy Bryant
John L. Clark
Toby Dolen
Eric Shields
Tom Warthen

(Original signatures on file with Town Hall)

Attest:
Debra Monts, Deputy Clerk-Treasurer

