

WELLS COUNTY ORDINANCE NO. 2020- 11

*An Ordinance Prohibiting Placing Injurious  
Material Upon Highway; Removal Of Such Substances*

**WHEREAS,** Grass clippings and plant debris in the road are a hazard to motorcyclists, and tacks, bottles, wire, glass, nails, grass clippings or other yard waste and vegetation, snow, or any other articles or destructive or injurious material may damage or injure persons, vehicles, or animals traveling along or upon such highway; and

**WHEREAS,** Counties are granted the power under Indiana Code §36-1-3-6(b)(1) Authority to Adopt Ordinances;

**IT IS THEREBY ORDAINED** by the Board of Commissioners of Wells County, Indiana, as follows:

**SECTION 1.** No person shall place or knowingly drop or throw upon any part of a highway, lane, road, street, or alley any tacks, bottles, wire, glass, nails, grass clippings or other yard waste and vegetation, snow, or any other articles or destructive or injurious material which may damage or injure any person, vehicle, or animal traveling along or upon such highway, except such substances that may be placed upon the roadway by proper authority for the repair or construction thereof.

**SECTION 2.** Any person who places or knowingly drops or throws or permits to be dropped or thrown upon any part of a highway, lane, road, street, or alley, any tacks, bottles, wire, glass, nails, grass clippings or other yard waste and vegetation, snow, or any other articles or destructive or injurious material which may damage or injure any person, vehicle, or animal traveling along or upon such highway, shall immediately remove the same.

**SECTION 3.** Any person authorized to remove a wrecked or damaged vehicle from a highway, lane, road, street, or alley shall remove any glass or other injurious substance dropped upon the highway, lane, road, street, or alley from such vehicle.

**SECTION 4.** No person shall place any obstruction in or upon a highway, lane, road, street, or alley without proper authority.

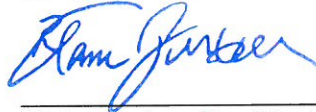
**SECTION 5.** Except as otherwise provided, any person violating a provision of this chapter shall be deemed guilty of an offense and fined not less than Fifty Dollars (\$50.00) for a first offense, not less than One Hundred Dollars (\$100.00) for a second offense and not less than Two Hundred Dollars (\$200.00) for all subsequent offenses, with the fine to go into the County's General Fund, but no fine for any individual offense shall exceed Two Thousand Five Hundred Dollars (\$2,500.00), plus costs and attorney's fees where a judgment has been entered.

**SECTION 6.** An action under this Ordinance may be brought by the Wells County Attorney or the Wells County Prosecuting Attorney.

**SECTION 7.** This Ordinance shall be in full force and effect upon passage, and publication.

**THIS ORDINANCE IS ORDAINED, APPROVED, ENACTED, and SIGNED,** by the Board of Commissioners of Wells County this 6 day of July, 2020.

THE BOARD OF COMMISSIONERS  
OF THE COUNTY OF WELLS:



Blake Gerber, President



Kevin S. Woodward, Vice-President



Tamara L. Robbins, Member

ATTEST:



Lisa McCormick, Auditor

This instrument was prepared by the Wells County Attorney, Roy R. Johnson, Attorney No. 4937-90, 116 South Main St., Bluffton, IN 46714. *I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.* Lisa McCormick