

SHORT TITLE: AN ORDINANCE OF THE BOARD OF COMMISSIONERS, COUNTY OF ADAMS, STATE OF INDIANA, WHICH PROVIDES FOR THE CONTINUED LICENSING OF HORSE-DRAWN VEHICLES AND THE COLLECTION OF LICENSE FEES

WHEREAS, the Board of Commissioners, County of Adams, State of Indiana, has adopted Ordinance 2009-1, which imposes a license fee on horse-drawn vehicles that use the roads in Adams County;

WHEREAS, the Board of Commissioners, County of Adams, State of Indiana, desires to repeal Ordinance 2009-1 and enact this Ordinance to govern the licensing and registration of horse-drawn vehicles in Adams County, Indiana beginning in 2017.

WHEREAS, the Board of Commissioners, County of Adams, State of Indiana, seeks to regulate horse-drawn vehicles on the roadways of Adams County, State of Indiana;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF ADAMS, STATE OF INDIANA AS FOLLOWS:

Section 1. Definitions. The terms and definitions referenced in this ordinance are specific to this ordinance. The terms and definitions shall not have universal meaning in any other ordinance unless specific reference has been made to this ordinance and the term to be incorporated into another ordinance.

A. *"Adams County Highway Department"*. The Adams County Highway Department shall mean the local administrative agency where each Owner must Register each of their Horse-drawn Vehicles. Further, the Adams County Highway Department shall be the local administrative agency responsible for issuing Registration Plates and Registration Stickers and for collecting Annual License Fee.

B. *"Annual License Fee"*. The Annual License Fee shall mean the One Hundred Twenty and 00/100 Dollars (\$120.00) fee each Owner of a Horse-drawn Vehicle shall pay to the Adams County Highway Department per Horse-drawn Vehicle the Owner has.

C. *"Horse-drawn Vehicle"*. Horse-drawn Vehicle shall mean any and all buggies, carriages, drays, wagons, covered or open in which a horse is designed and intended to provide the means of locomotion.

D. *"Identification Sticker"*. Identification Sticker (ID Sticker) shall mean the adhesive display that is required to be placed on the Horse-drawn Vehicle that matches the numbered metallic plate for each Registered Horse-drawn Vehicle.

E. *"Owner"*. Owner shall mean individuals, corporations, limited liability companies, partnerships, or other associations, that exert exclusive control over the Horse-drawn Vehicle for at least thirty (30) days.

F. *"Register"*. Register shall mean the process and act of Owner of each Horse-drawn Vehicle completing forms with the Adams County Highway Department for each Horse-drawn Vehicle the Owners own.

G. *"Registration Plate"*. Registration Plate shall mean the metallic plate that is provided to the Owner of the Horse-drawn Vehicle.

Section 2. Annual Registration Fee and Issuance of Registration Plate and Registration Sticker.

A. *Annual Registration*. All owners of horse-drawn vehicles shall register each and every horse-drawn vehicle that operates on the roadways within Adams County, State of Indiana, between March 1 and May 15 each year with the Adams County Highway Department. Prior year registrations expire on May 15th of each year.

B. *Collection of Annual Fee*. For each Horse-drawn Vehicle Registered with the Adams County Highway Department, the Adams County Highway Department shall collect an Annual Fee for each Horse-drawn Vehicle Registered.

C. *Forms*. The Adams County Highway Department shall provide forms for the Owner of each Horse-drawn Vehicle to complete in order to record information about each Horse-drawn Vehicle.

D. *Issuance of Registration Plate and ID Sticker*. The Adams County Highway Department shall issue (i) a Registration Plate and (ii) an ID Sticker for each Horse-drawn Vehicle that is registered. Each Registration Plate shall correspond to the number on the ID Sticker. The Registration Plate and the corresponding ID Sticker shall be separately affixed to the back of the Horse-drawn Vehicle in conspicuous locations that are easily observable upon a reasonable visual inspection.

E. *Late Fee*. In the event an owner of a horse-drawn vehicle fails to register a horse-drawn vehicle between March 1 and May 15 of a year, they shall pay a late fee of \$25.00 in addition to the regular registration fee.

F. *Maintenance of Records*. The Adams County Highway Department shall maintain records of each Registration Plate and ID Sticker it issues to Owners of Horse-drawn Vehicles.

Section 3. Enforcement and Exemptions.

A. *Compliance and Enforcement*. The Sheriff of Adams County and deputies of the Adams County Sheriff shall enforce this ordinance by inspecting Registration Plates and ID Stickers during any stop of a Horse-drawn Vehicle on the federal highways, State highways or other public roadways located within the County of Adams, State of Indiana.

B. *Exemptions*. Implements and equipment that are used exclusively for agricultural purposes and that are drawn by horses are exempt from this ordinance.

Section 4. Violations and Fines.

A. No Owner of a Horse-drawn Vehicle shall use or permit a Horse-drawn Vehicle to be used upon a highway in Adams County, Indiana, unless the Horse-drawn Vehicle has the current Registration Plate and current ID Sticker, both properly affixed to the Horse-drawn Vehicle required by this Ordinance. An Owner of a Horse-drawn Vehicle who violates or permits another to violate this ordinance with their Horse-drawn Vehicle shall be subject to a fine of up to Two Hundred and 00/100 Dollars (\$200.00) per occurrence.

B. No person shall operate a Horse-drawn Vehicle upon a public roadway located in the County of Adams, State of Indiana with a Registration Plate or ID Sticker that has been reported as lost or destroyed. A person operating a Horse-drawn Vehicle on the public roadways located with the County of Adams, State of Indiana with a lost or destroyed Registration Plate or ID Sticker shall be subject to a fine of up to Two Hundred Fifty and 00/100 Dollars (\$250.00) per occurrence.

C. Any Owner who shall intentionally or recklessly violate this ordinance shall be subject to a fine of up to Five Hundred and 00/100 Dollars (\$500.00) per occurrence.

Section 5. Replacement Plates and/or Registration Stickers

A. In the event that a previously issued Registration Plate or ID Sticker is lost or destroyed, an Owner can obtain a replacement by filing an affidavit with the Adams County Highway Department and paying a replacement fee of \$25.00.

B. The Affidavit will substantially state that the owner of the Registered Plate and/or ID Sticker has lost either the Plate and/or Sticker or that either were destroyed. The Owner of the Registered Plate and/or ID Sticker seeking a replacement must sign the Affidavit under the penalties of perjury.

Section 6. New Horse-drawn Vehicles.

The owner of a horse-drawn vehicle who purchases a horse-drawn vehicle after May 15th and can provide a bill of sale or receipt verifying the date of purchase, shall have 30 days after the date of purchase in order to obtain a Registration Plate and ID Sticker, without incurring a late Registration fee.

Section 7. Effective Date.

This Ordinance shall be effective upon adoption and publication for 2017 registrations.

ADOPTED, by the Board of Commissioners, County of Adams, State of Indiana, this ____ day of _____, 2017 AM, by a vote of ____ ayes and ____ nays.

BOARD OF COMMISSIONERS
COUNTY OF ADAMS

Kim Fruechte, Commissioner, District #1
Rex Moore, Commissioner, District #2
Doug Bauman, Commissioner, District #3

Attested by:

Mary Beery, Auditor of the
County of Adams, State of Indiana