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4 **AN ORDINANCE TO AMEND CHAPTER 103 IN THE FORT WAYNE CODE OF**  
5 **ORDINANCES**

6  
7 **WHEREAS**, on October 10, 2017 the Fort Wayne Common Council passed G-17-09-  
8 19 adding Chapter 103 to Fort Wayne Code of Ordinances; and

9  
10 **WHEREAS**, the purpose of Chapter 103 is to allow a process by which to identify  
11 Commercial Chronic Problem Properties, where illegal activity occurs on a regular basis and  
12 adversely impacts the health, safety, welfare, and quality of life for residents of Fort Wayne;  
13 and

14  
15 **WHEREAS**, in the passing of Chapter 103 by Common Council, it was determined  
16 that part of the process to identify and abate these commercial entities that have repeated  
17 criminal activity occurring on their property should be an analysis of the effectiveness of the  
18 ordinance after a determined length of time; and

19  
20 **WHEREAS**, G-17-09-19 therefore has a sunset provision 3 years from the date of  
21 passage included within the ordinance to allow a point for the effectiveness of the ordinance to  
22 be assessed; and

23  
24 **WHEREAS**, the data gathering by the FWPD and other impacted departments for an  
25 assessment of effectiveness is still in process; and,

26  
27 **WHEREAS**, recommendations and/or modifications will be coming to Council as  
28 soon as the full scope of data may be collected and assessed, therefore allowing the sunset to  
29 remove the bill would nullify any data collected to date; and

30  
31 **WHEREAS**, it is the duty of Common Council to provide tools like the authority  
32 granted under this chapter to public safety agencies to ensure the continued safety of our  
33 neighborhoods.

34  
35 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF**  
36 **THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:**

37  
38 **SECTION 1.** Section §103.09: Sunset Provision from the Fort Wayne Code of  
39 Ordinances shall be amended to read, "The provisions of Chapter 103 will sunset on October 10,  
40 2023 following adoption of this chapter unless ratified by the Common Council" in the Fort  
41 Wayne Code of Ordinances.

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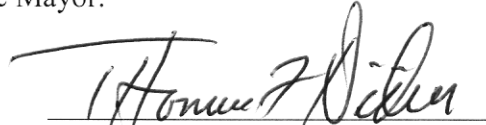
35  
36 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF**  
37 **THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:**

38  
39 **SECTION 1.** Section §103.09: Sunset Provision from the Fort Wayne Code of  
40 Ordinances which reads, “The provisions of Chapter 103 will sunset three years following  
41 adoption of this chapter unless ratified by the Common Council” shall be eliminated from the  
42 Fort Wayne Code of Ordinances.

43  
44 **SECTION 2.** Upon the removal of §103.09 from the Fort Wayne Code of Ordinances,  
45 the rest of Chapter 103: Commercial Chronic Problem Property Regulations shall remain with  
46 permanent effect. Chapter 103: Commercial Chronic Problem Property Regulations may only be

1 eliminated, amended, removed, or otherwise rescinded in the future by proper legislative  
2 operation or order of law.

3  
4 **SECTION 3.** This Ordinance shall be in full force and effect from and after its passage  
5 and any and all necessary approval by the Mayor.

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8  
9 Thomas F. Didier, Council Member

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11  
12  
13 APPROVED AS TO FORM AND LEGALITY

14  
15 \_\_\_\_\_  
16 Joseph G. Bonahoom, City Council Attorney  
17  
18

**BILL NO. G-20-09-21** *As Amended*

**REPORT OF COMMITTEE ON REGULATIONS**  
**September 15, 2020**


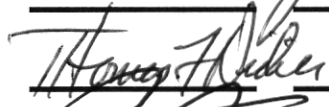



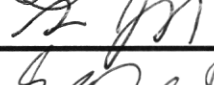


***Glynn Hines Chair***

***Tom Freistroffer Co-Chair***

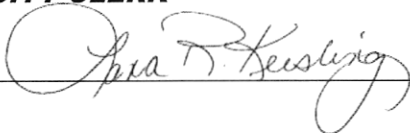
***All Council Members***

An Ordinance to amend Chapter 103 in the Fort Wayne Code of Ordinances

COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
ARP			
CHAMBERS			
DIDIER			
ENSLEY			
FREISTROFFER			
HINES			
JEHL			
PADDOCK			
TUCKER			

**LANA R. KEESLING**  
**CITY CLERK**



Public Hearing Date:


Read the first time in full and on motion by Councilperson Hines.

Read the second time by title and referred to the Regulations Committee.

Read the third time in full and on motion by Councilperson Hines, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHAMBERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TUCKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: September 22, 2020

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

General Ordinance No. G-20-09-21<sup>AA</sup> on the 22nd day of September, 2020

ATTEST:

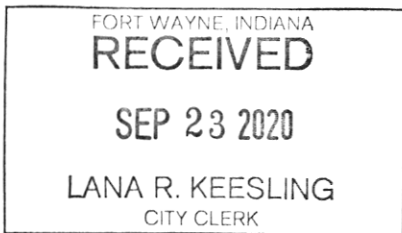
  
 \_\_\_\_\_  
 LANA R. KEESLING  
 CITY CLERK

  
 \_\_\_\_\_  
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd of September 2020, at the hour of 10:40 o'clock A.M. E.S.T.

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 23<sup>RD</sup> day of September 2020, at the hour of 11:30 o'clock AM E.S.T.



  
 \_\_\_\_\_  
 THOMAS C. HENRY, MAYOR