

## **ORDINANCE NO. 05-07-2025-02**

### **AN ORDINANCE ESTABLISHING CHAPTER 104 OF TITLE IX OF THE TOWN OF CICERO'S MUNICIPAL CODE**

**WHEREAS**, the Town of Cicero ("Town") is a municipality organized and operated under the laws of the State of Indiana; and

**WHEREAS**, the Town owns docks that are open to the general public for brief, occasional usage; and

**WHEREAS**, the purpose of these docks is to permit parking so watercraft owners can patronize local restaurants, shops, parks, and other amenities; and

**WHEREAS**, these docks are not intended to provide overnight parking; and

**WHEREAS**, the Town Council has determined that parking at these docks should be limited to no more than 4 hours in a 24-hour period; and

**NOW THEREFORE**, be it ordained by the Town Council of the Town of Cicero, Hamilton County, Indiana, that new Chapter 104 of Title IX of the Town's Municipal Code shall be added as follows:

1. **Chapter 104. Watercraft Parking at Public Docks.** Section 104 shall be added to read as follows:

#### Section 104 Watercraft Parking at Public Docks

- A. The docks owned by the Town of Cicero located at 425 West Jackson Street in Cicero, Indiana shall be available for public parking of watercrafts.
- B. Watercraft may dock for a maximum of 4 hours in any 24-hour period, unless otherwise authorized in writing by the Town of Cicero. Any watercraft parked for more than 4 hours in a 24-hour period may be removed and towed at the owner's expense.
- C. All visitors to the Public Docks and adjoining area visit at their own risk and liability. In granting permission to enter and use the area and facilities, the Town of Cicero is not responsible for injury, theft, loss or damage, and by use of the facilities, all visitors agree to hold the Town, the Cicero Parks and Recreation Board and all Town staff, agents and assigns harmless from any claim, demand or liability.
- D. Parking is permitted in designated areas only. All watercraft not parked in designated parking areas may be removed and towed away at the owner's expense
- E. Children are permitted so long as they are under the supervision and responsibility of an adult. All parties using the public docks must have a responsible adult (18 or older) in attendance.
- F. Pets must be kept on a leash at all times and may not be left unattended. Vicious or unusually noisy dogs creating nuisance are subject to being picked up by Animal Control.
- G. No swimming, diving, or jumping into the lake is permitted around the public dock areas.

- H. All visitors must dispose of all trash, garbage and the like in the containers provided. Disposal of sewage and drain waste is prohibited and littering is an offense under town and state law.
  - I. Behavior offensive to the public including, but not limited to drunkenness, use of narcotics, indulging in boisterous, loud, abusive, threatening or indecent conduct or speech is prohibited. Consumption of any alcoholic beverage by persons under 21 years of age is illegal and constitutes grounds for eviction and/or arrest.
  - J. Radios and other sound-producing equipment may be operated from 8 a.m. to 8 p.m. providing the volume does not exceed 50 decibels measured from 10 feet away so as not to be heard in nearby homes.
  - K. Open flames, including fires in grills, are prohibited on the public docks or in boats within 150 feet of the public docks.
  - L. No commercial use of the public docks is permitted.
  - M. Penalties: whoever violates any provision of this chapter shall be fined \$100.00 for the first violation and \$500.00 for all subsequent violations. A separate offense shall be deemed committed on each day that a violation occurs or continues.
- 2. Except as amended in this Ordinance, all of the terms, conditions, and provisions set forth in Chapter 104 of the Town of Cicero's Municipal Code shall remain in full force and effect.
  - 3. If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.
  - 4. This ordinance shall take effect upon passage and publication according to law.

ALL OF WHICH IS ORDAINED by the Town Council of Cicero, Hamilton County, Indiana, this 7<sup>th</sup> day of May, 2025.

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Joseph R Cox, President

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Dennis D Johnson

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Eric C Hayden

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Emily K Pearson

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Christopher J Lutz

Attested by:

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Rhonda Gary, Clerk-Treasurer