

**ORDINANCE 2020-12**  
**OF THE TOWN OF ZIONSVILLE**

**AN ORDINANCE REESTABLISHING THE SAFETY BOARD FOR  
FIRE DEPARTMENT MATTERS**

**WHEREAS**, Ind. Code § 36-8-3 *et seq.* confers upon the Town Council of the Town of Zionsville, Indiana (the “Town Council”) the authority to establish a Safety Board (“Board”); and

**WHEREAS**, for many years the Town Council has appointed three (3) members of the Town Council to serve as the Safety Board for the Town for Fire Department matters; and

**WHEREAS**, in 2014, the Town Council adopted Resolution 2014-11, commonly referred to as Reorganization 2.0, to further reorganize the Town of Zionsville (“Town”); and

**WHEREAS**, the Town Council desires to reestablish the Board as part of an on-going process to update the Code of Ordinances and ensure compliance with Resolution 2014-11 and state law; and

**WHEREAS**, pursuant to Ind. Code 36-8-3 *et seq.* the Board will be considered the Safety Board of the Town for fire department purposes; ~~and.~~

~~**WHEREAS**, the current appointed members of the Board shall continue to serve their current terms unless otherwise removed pursuant to this Ordinance.~~

**NOW, THEREFORE, BE IT ORDAINED BY**, by the Town Council of the Town of Zionsville, Boone County, that:

1. Establishment of Safety Board. The Council hereby establishes the Board, pursuant to Ind. Code § 36-8-3 *et seq.*, with the powers and duties provided under state law.

- a. Number of Members. The Board shall consist of ~~five (5)~~ three (3) members.
- b. Term. The term of each Board member shall be one (1) year, expiring on December 31<sup>st</sup> of the member’s appointment.
- c. Appointment to the Board. The Town Council shall appoint three members to the Board, and the Mayor shall appoint two members to the Board, ~~the members of the Board.~~
- d. Composition of Board. The Board shall be comprised of citizen members who are residents of the Town, not more than three (3) members of the Town Council. ~~Any Town Council member that serves on the Board shall vacate the member’s~~

~~position on the Board when the member is no longer a member of the Town Council.~~

2. Powers and Duties of Board.

- a. Pursuant to Reorganization 2014-11, ZR2A22, the Mayor shall appoint the Chief of the Fire Department. Further, as provided in Reorganization ~~2014-11~~ 2014-22, ZR2A23, the Chief of the Fire Department and the employees of the Zionsville Fire Department are under the jurisdiction of the Mayor. Notwithstanding, per Reorganization 2014-11, ZR2A24, the Mayor must have the approval of a majority of the Town Council before the Mayor may discharge the Chief of the Fire Department. However, the Mayor has the authority to remove the Chief of the Fire Department from the position of Chief and demote him or her to the position he or she occupied in the department prior to his or her appointment as Chief, without requiring the approval of the majority of the Town Council or the approval of the Safety Board.
  - b. The Board shall constitute the Safety Board of the Town for purposes of the suspension, demotion, or dismissal of any member of the Fire Department, subject to the Mayor's authority to remove the Chief of the Fire Department from the position of Chief and demote him or her to the position he or she occupied in the department prior to his or her appointment as Chief, as noted in Section 2(a). Proceedings for the suspension, demotion, or dismissal of any member of the Fire Department as provided for herein shall be conducted in the manner prescribed by Ind. Code § 36-8-3-4. The disciplinary provisions of Ind. Code § 36-8-3-4.1 shall apply to the Safety Board and the Chief of the Fire Department.
  - c. The Board may make general and special rules for the governing and discipline of the Zionsville Fire Department ~~employees, and may make special and general orders to the Zionsville Fire Department through the Chief of the Fire Department, who shall be executive head of the Zionsville Fire Department.~~
3. Construction of Clause Headings. The clause headings appearing herein have been provided for convenience and reference and do not purport and shall not be deemed to define, limit or extend the scope or intent of the clause to which they appertain.
  4. Repeal of Conflicting Ordinances. The provisions of all other Town ordinances in conflict with the provisions hereof, if any, are of no further force or effect and are hereby repealed.
  5. Severability. 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.
  6. Duration and Effective Date. The provisions of this Ordinance shall become effective immediately and remain in full force and effect until repeal by ordinance.

**Commented [H1]:** There is no Reorganization 2014-22. Is this supposed to be Reorganization Resolution 2014-11?

Introduced and filed on the \_\_\_\_ day of September, 2020. A motion to consider on First Reading was sustained by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed, pursuant to Ind. Code § 36-5-2-9.8.

**REMAINDER OF PAGE INTENTIONALLY LEFT BLANK**

**DULY PASSED AND ADOPTED** this \_\_\_\_ day of September, 2020, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

**TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,  
BOONE COUNTY, INDIANA**

	<b>YEA</b> Signature	<b>NAY</b> Signature
Josh Garrett, President		
Bryan Traylor, Vice President		
Brad Burk, Member		
Alex Choi, Member		
Joe Culp, Member		
Craig Melton, Member		
Jason Plunkett, Member		

I hereby certify that the foregoing Resolution was delivered to Town of Zionsville Mayor Emily Styron on the \_\_\_\_\_ day of \_\_\_\_\_, 2020, at \_\_\_\_\_ . m.

ATTEST: \_\_\_\_\_  
Amelia Anne Lacy,  
Municipal Relations Coordinator

**MAYOR'S APPROVAL**

Emily Styron, Mayor \_\_\_\_\_

Date

**MAYOR'S VETO**

Emily Styron, Mayor

Date:

