

2022 DEC 15 A 8:43

ORDINANCE NO. 2022-15

**AN ORDINANCE ELECTING THE PROVISIONS OF I. C. 36-4-6-5, I.C. 36-4-6-5(m)
AND DIVIDING THE TOWN OF GENEVA, INDIANA INTO COUNCIL ELECTION
DISTRICTS FOR PURPOSES OF ELECTION TO AND MEMBERSHIP IN THE
COMMON COUNCIL OF THE TOWN OF GENEVA, INDIANA**

WHEREAS, the legislative body of the Town of Geneva, Indiana heretofore divided the Town of Geneva into council election districts, and is required to again redistrict in 2022; and

WHEREAS, the Town of Geneva, by ordinance adopted after June 30, 2022 and during a year in which an election of the legislative body will not occur, may decide to be governed by I.C. 36-4-6-5 which ordinance adopted shall apply to the first election of the legislative body of the Town of Geneva after the ordinance is adopted; and

WHEREAS, the Town of Geneva Common Council determines that the exceptions as set out in I.C. 36-4-6-5(c) and I.C. 36-4-6-5(d) both apply which permit the town legislative districts as hereafter described may cross precinct boundary lines; and

WHEREAS, the clerk of the Town of Geneva has mailed a written notice to the circuit court clerk stating the legislative body is considering the adoption of an ordinance described by I.C. 36-4-6-5(c) and I.C. 36-4-6-5(d) which was mailed not later than ten (10) days before the legislative body adopts the ordinance; and

WHEREAS, the population of the Town of Geneva being less than seven thousand (7,000) and the Town of Geneva having adopted a resolution before May 7, 1991, the Common Council of the Town of Geneva now desires to continue an election process that permits each voter of the Town to vote for two (2) candidates-at-large and one (1) candidate from each of its three Council Districts pursuant to I.C. 36-4-6-5(m) and to be bound by I.C. 36-4-6-5 instead of I.C. 36-4-6-4; and

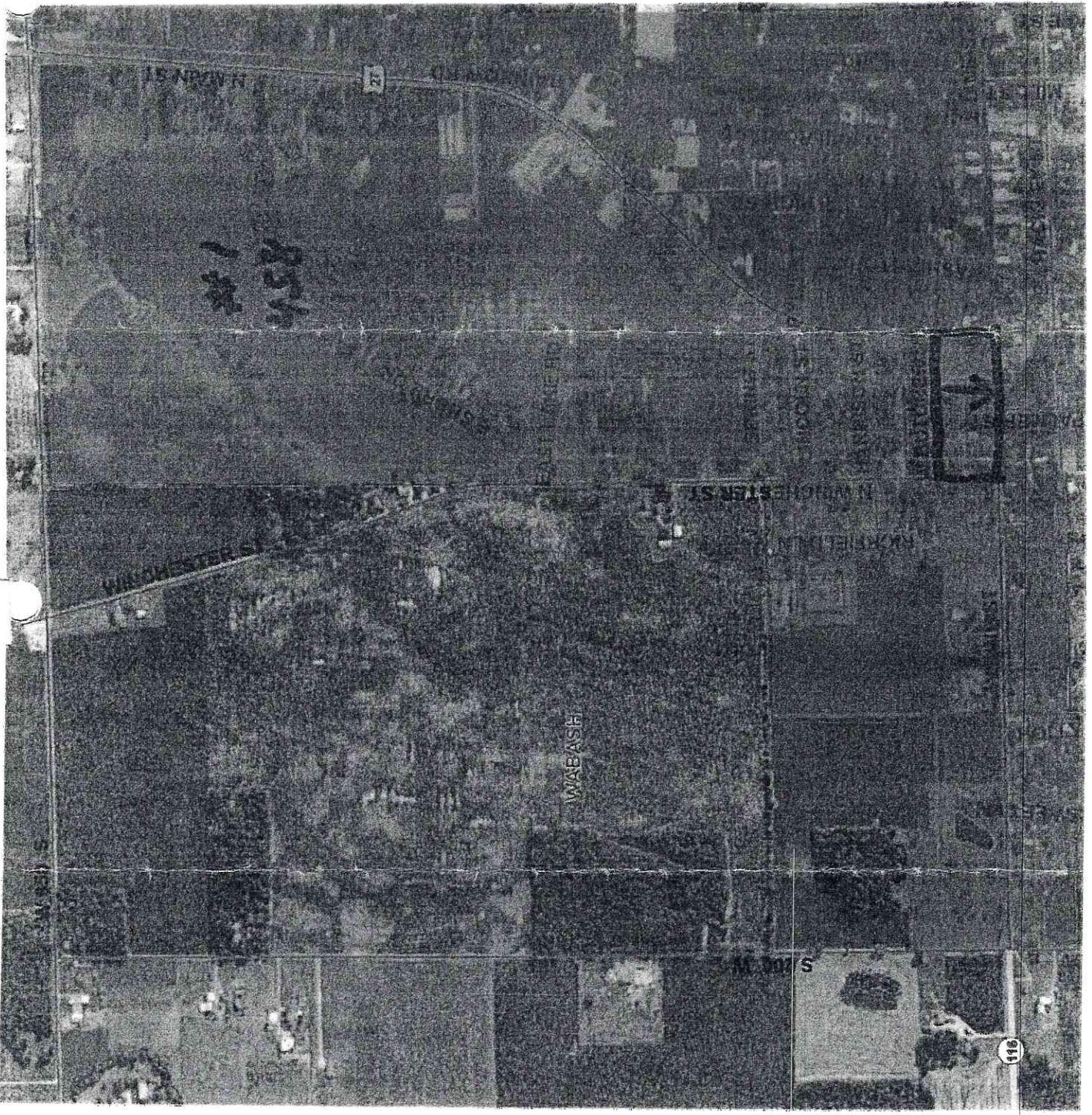
WHEREAS, pursuant to I.C. 36-4-6-5(m) also permits districts established in such towns to cross precinct boundary lines,

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the Town of Geneva, Indiana that I.C. 36-4-6-5 shall govern the legislative body elections in the Town of Geneva and the election districts shall be divided under and pursuant to I.C. 36-4-6-5(b).

BE IT FURTHER ORDAINED that, pursuant to I.C. 36-4-6-5(h), the legislative body of the Town of Geneva shall be composed of three (3) members elected from the districts established under I.C. 36-4-6-5(b) and two (2) at-large members.

BE IT FURTHER ORDAINED that the population of the town being less than seven thousand (7,000), and the Town of Geneva having adopted a resolution before May 7, 1991, the Common Council of the Town of Geneva elects the provisions of I.C. 36-4-6-5(m) and the election

458
- 29
429





375
+ 27


404

BE IT FURTHER ORDAINED that the Clerk-Treasurer of the Town of Geneva is hereby directed to send a certified copy of this Ordinance to the Secretary of the County Election Board pursuant to I.C. 36-4-6-5(a).

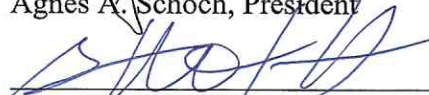
BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND ADOPTED by the **Common Council of the Town of Geneva** by all members present and voting on December 13, 2022.

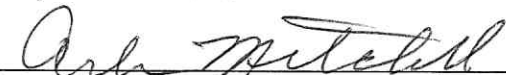
COMMON COUNCIL OF THE TOWN OF GENEVA



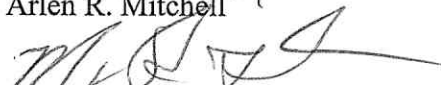
Agnes A. Schoch, President



Gary L. Hendershot




Arlen R. Mitchell



Marvin R. Schwartz

James A. Timmons

ATTEST:



Anthony J. Davidson, Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless otherwise required by law. DAVID N. BAUMGARTNER

PREPARED IN THE LAW OFFICES OF
BAUMGARTNER

ATTORNEYS PC

BY DAVID N. BAUMGARTNER

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