

**ORDINANCE 2024-17**

**An Ordinance Adopting an Easement Encroachment Process for the Town of Churubusco**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CHURUBUSCO, as follows:

1. **GENERAL.** It shall be unlawful for any person to place any structures, landscaping, and obstructions within any granted or platted utility easement for the benefit of the Town of Churubusco, IN (“**Town**”) without a duly authorized Easement Encroachment Agreement (“**Agreement**”) (in a form reasonably prescribed by the Town). Any such approval shall be subject to the terms and conditions of the Agreement and shall only relate to the Towns use of any utility easement area.

2. **PERMIT.** The Town Council may establish, adopt, and amend a permitting procedure for easement encroachment as it deems appropriate and in the best interest of the peace, health, safety, and general welfare of the population.

3. **POLICY.** The Town Council hereby adopts the policy for review and approval of an easement encroachment as substantially set forth in Exhibit A attached hereto and incorporated by reference (“**Policy**”).

4. **CONFLICT.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

5. **FORCE AND EFFECT.** This Ordinance shall be in full force and effect from and after its adoption by the Town Council for the Town of Churubusco, Indiana.

ALL OF WHICH IS PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF CHURUBUSCO, WHITLEY COUNTY, INDIANA, THIS 20th DAY OF NOVEMBER, 2024.

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Mark Pepple, President

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Nathan Van Horn, Vice President

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Devin Keener, Council Member

ATTEST: \_\_\_\_\_  
Madalyn Sade-Bartl, Clerk-Treasurer

**EXHIBIT A**  
**Process and Agreement**

*See attached.*