

STATE OF INDIANA
BEFORE THE BOARD OF KOSCIUSKO COUNTY COMMISSIONERS

ORDINANCE NO. 23-09-26-004

23-08-15-001 2023080496

**AMENDED AND RESTATED ORDINANCE REGARDING KOSCIUSKO COUNTY
JUSTICE BUILDING SECURITY**

WHEREAS:

1. The Board of Commissioners ("Board") of Kosciusko County, Indiana ("County"), is the executive body of County government pursuant to the provisions of IC 36-2-2-2 and the legislative body of County government pursuant to the provisions of IC 36-1-2-9.
2. The Judges of the Circuit and Superior Courts of Kosciusko County ("Judges") have authority under Indiana law to regulate the courtrooms inside the Kosciusko County Justice Building located at 121 N Lake Street, Warsaw, IN 46580 ("Justice Building").
3. The Board has authority under Indiana law to regulate the security of the Justice Building as a whole.
4. The Judges have requested that the Board adopt this Ordinance Regarding Kosciusko County Justice Building Security ("Ordinance") for the safety of the public, jurors, elected officials, and staff and the protection of the Justice Building and its improvements.
5. The Board believes that the request of the Judges is reasonable and that it is in the best interests of the County and the public that it serves to adopt this Ordinance.

NOW, THEREFORE, THE FOLLOWING IS HEREBY ORDAINED BY THE BOARD:

1. No person, other than law enforcement officers, elected officials, officers of the court, and authorized security personnel for the Justice Building, shall possess within the Justice Building any "deadly weapon" as defined by IC 35-31.5-2-86. IC 35-31.5-2-86, as amended from time to time, is hereby incorporated into and made a part of this Ordinance by reference.
2. Except as otherwise authorized by one of the Judges and except for law enforcement officers, elected officials, officers of the court, authorized security personnel for the Justice Building, and employees or contractors of the County or the State of Indiana that are conducting official business, no person shall possess or use a mobile phone on the second floor of the Justice Building.
3. No person shall bring food or drink into the Justice Building, except for persons that work at the Justice Building.
4. A violation of Section 1 of this Ordinance may result in a fine up to, but not more than, \$2,500.00 for a first violation and up to, but not more than, \$7,500.00 for a second or subsequent violation per IC 36-1-3-8(a)(10)(B).
5. A violation of Section 2 or Section 3 of this Ordinance may result in a fine up to, but not more than, \$100.00 for a first violation and up to, but not more than, \$250.00 for a second or subsequent violation per IC 36-1-3-8(a)(10)(B).
6. This Ordinance does not restrict the lawful authority of the Judges to adopt more restrictive orders or rules within and about the courtrooms of the Justice Building.
7. Previous Ordinance 23-08-15-001 is hereby repealed and replaced by this Ordinance.
8. Effective Date Clause: This Ordinance shall be in full force and effect as of the date of adoption by the Board.
9. Controlling Clause: If this Ordinance or any portion thereof conflicts or is inconsistent with any previous ordinance, rule, resolution, regulation, policy, or any other law of, or otherwise

applicable to, the County, or any portion thereof ("Previous Law"), this Ordinance shall control and shall supersede only those conflicting or inconsistent terms of the Previous Law, to the extent allowed by law.

10. Savings Clause: If any portion of this Ordinance is determined at law to be invalid, unlawful, or otherwise unenforceable, the remainder of this Ordinance shall be saved and enforceable.

[Signature page follows]

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09/26/2023 10:50:44A 3 PGS
Deborah A Wright
Kosciusko County Recorder IN
Recorded as Presented



So passed and adopted by the Board of Commissioners of Kosciusko County, Indiana, this 26th day of September, 2023.

ATTEST:

BOARD OF COMMISSIONERS,
KOSCIUSKO COUNTY, INDIANA


Rhonda Helser, Auditor


Bradford Jackson, President


Robert Conley, Member


Cary Groninger, Member

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

Britni Shenefield