



# TOWN COUNCIL WORK SESSION

Tuesday, September 17, 2024 at 7:00 PM

Bristol Town Hall Council Chamber

## AGENDA

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This meeting is held in the Bristol Municipal Complex is open for in-person participation.

The meeting is live streamed on Town of Bristol YouTube channel.

Livestream link is available on the Town Website

Bristol Indiana - YouTube

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA

### REPORTS

#### 5. TOWN MANAGER

- a. Town Council options for Howard property RFP - Alex

#### 6. CLERK-TREASURER

#### 7. TOWN MARSHAL

- [a.](#) reports

#### 8. BRISTOL FIRE DEPARTMENT

- [a.](#) BFD report

#### 9. PARK BOARD REPORT

- [a.](#) Park Board report

#### 10. TOWN ATTORNEY

- [a.](#) Amend noise ordinance - next ordinance number is 10/17/2024-22, if voted to move to second reading.
- [b.](#) Resolution pertaining to establishing rules for public comment. Next resolution number is 9/17/2024-7

#### 11. QUESTIONS ABOUT UPCOMING COUNCIL MEETING AGENDA ITEMS

#### 12. OTHER COMMENTS OR QUESTIONS

**Town Manager project updates:**

- 1) Water Main project start September 30/ detours**
- 2) splash pad rebuild**
- 3) Howard property delay**
- 4) Newsletter name - Jill presentation**

**13. NEXT MEETING**

**September 19 7:00 pm Bristol Community Church**

**14. MOTION TO ADJOURN**

**Bristol Police Department**  
**August 2024**

<b>Traffic Enforcement:</b>	Citations: 48
	Warnings: 37
<b>Calls for Service:</b>	490
<b>Calls:</b>	294
<b>Vehicle Crashes:</b>	Property Damage: 7
	Personal Injury: 0
	Fatal: 0
	Leaving Scene: 0
<b>Criminal Enforcement:</b>	Cases Taken: 36
	Cases closed by arrest: 11
	OWI: 1 Felony: 0
	Poss. Drugs and/or Paraphernalia: 0
<b>Impounded Vehicles:</b>	6
<b>Miles Driven:</b>	13, 215

**Criminal Enforcement:** August brought us several investigations, having investigated 36 cases and 11 of those cases were closed by immediate arrest. We investigated 3 thefts, 2 resisting law enforcement, 1 domestic battery, 1 criminal trespass, 7 warrant arrests, 2 harassments, 2 resisting law enforcement, 1 OWI, 1 burglary and one Habitual Traffic Violator. We continue to investigate several cases from this and previous months. As always, we wish to remind everyone that there are still many scams or attempts. Always know who you are dealing with and never give out pertinent information over the phone.

**Traffic Enforcement:** In August officers investigated 7 vehicle crashes. Officers issued 48 traffic citations, addressing speed, signal and sign violations. There were 3 of our citations that were for driving while license suspended or never receiving a license. They

also issued 37 written warning tickets. As always, please drive defensively and never text and drive. Always wear safety restraints properly – **THEY DO SAVE LIVES.**

Please report any suspicious activity when you see it. Our continued work together can only make our community better and safer. Our thanks to all for your continued support and cooperation.

Together we can make a better community

Respectfully,  
Stephen M. Priem, Marshal

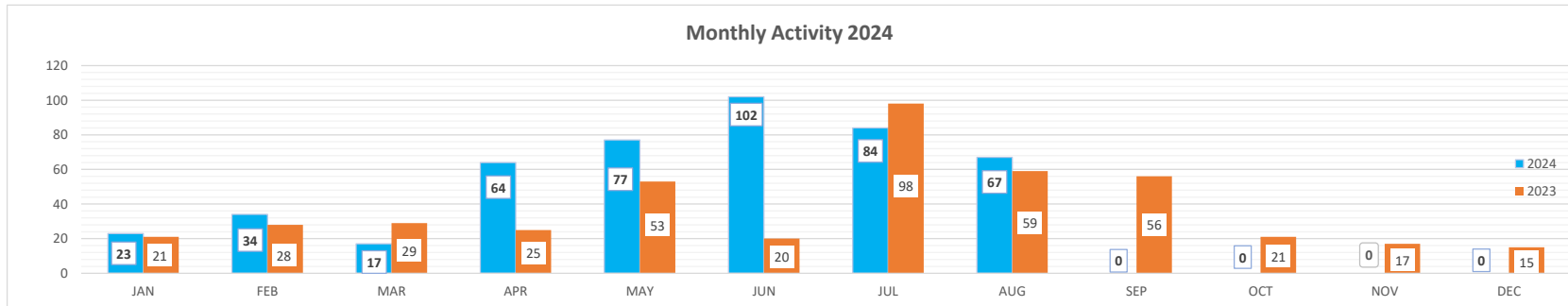
## Code Enforcement Dashboard 2024

Section 7, Item a.

Measure Scoring Value	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Current 2024	2023	Warning Issued	Notice Issued	Parking Citation	Impound	Violation Corrected	Unfounded	Open
Abandoned & Junk Vehicles (Property)	0	3	0	2	1	0	0	0	0	0	0	0	6	18	5	0	0	0	6	0	0
Abandoned & Junk Vehicles (Street)	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Animals	1	3	0	0	2	0	2	0	0	0	0	0	8	11	8	0	0	0	7	1	1
Bicycles & foot scooters	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Golf Carts	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
High Grass	0	0	0	14	37	40	26	16	0	0	0	0	133	144	133	0	0	0	132	0	1
Illegal Parking	11	20	8	18	14	27	34	20	0	0	0	0	152	140	152	0	0	0	149	0	3
Improper disposal of trash	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Litter & Dumping	0	0	0	0	0	0	2	0	0	0	0	0	2	23	2	1	0	0	2	0	0
Loud Noise or disturbing the peace	1	0	0	1	1	0	0	0	0	0	0	0	3	2	3	0	0	0	2	1	0
Nuisance issues	0	2	5	4	1	2	0	0	0	0	0	0	14	26	14	0	0	0	11	3	0
Snowmobiles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Snow and Ice from sidewalk	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Signs and devices	2	0	3	21	15	28	8	24	0	0	0	0	101	35	101	0	0	0	101	0	0
Trash on property	2	2	0	2	0	3	3	2	0	0	0	0	14	3	14	1	0	0	14	0	0
Trees & Bushes	0	1	0	0	6	0	1	1	0	0	0	0	9	6	9	0	0	0	9	0	0
Weeds & Rank Vegetation	0	0	0	0	0	0	1	0	0	0	0	0	1	1	1	0	0	0	1	0	0
Vehicles for sale on grass	1	0	1	0	0	0	0	0	0	0	0	0	2	9	2	0	0	0	2	0	0
Other	5	3	0	2	0	2	7	4	0	0	0	0	23	22	23	0	0	0	22	1	0
<b>TOTAL</b>	<b>23</b>	<b>34</b>	<b>17</b>	<b>64</b>	<b>77</b>	<b>102</b>	<b>84</b>	<b>67</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>468</b>	<b>442</b>	<b>467</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>458</b>	<b>6</b>	<b>5</b>

Citizens' complaints	6	4	2	6	11	3	10	4	0	0	0	0	46
Code enforcement officer	17	30	15	58	65	99	74	63	0	0	0	0	421

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	
Chicken Permits Issued	0	0	0	1	0	0	0	0	0	0	0	0	1



2023      21      28      29      25      53      20      98      59      56      21      17      15

# Elkhart County Public Safety Communications Center

## Number Of Calls Report by Department

Section 7, Item a.

First Date: 08/01/2024

Jurisdiction: ECC

Last Date: 08/31/2024

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	<i>Department</i>	<i>Number</i>
1	4	294

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*Total:* 294



# BRISTOL FIRE DEPARTMENT

405 E. ELKHART STREET  
BRISTOL, IN. 46507

Office 1-574-848-4155 / Fax 1-574-848-0459



Section 8, Item a.

Nicholas J. A. Kantz Fire Chief

James A. Hanes Jr. Assistant Chief

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## **September 2024 Operations Report:**

**We responded to 91 calls in August.**

**We had 366 responses in August.**

## **Staffing:**

We are short 1 Fulltime Firefighter/EMT.

We are short 1 Fulltime Firefighter/Paramedic.

## **Additional:**

We are going to start our picture fundraiser. Instead of individuals going door to door we are trying a letter program this year. You will receive a letter in the mail from Bristol Fire Department with a request for a \$35.00 donation, in turn will get you a free 8X10 picture.

We have partnered with the Tackle Shack in Middlebury to help raise money for Toys for Tots. We will be helping them with a fishing tournament on October 12<sup>th</sup>. If you are interested in participating in the tournament, please give us a call and ask for Jen.

We are taking monetary donations to put towards new lights for the Christmas tree. Our goal is to raise \$2,500.00. This is enough money to purchase 2000 feet of lights.

Our new ambulance is scheduled to start being built October 22<sup>nd</sup>.

**Thank you,  
Nicholas J.A. Kantz  
Fire Chief**

Filter statement

Filters Alarm Date Range 8/1/24 to 8/31/24

# Total Incidents & False Alarms

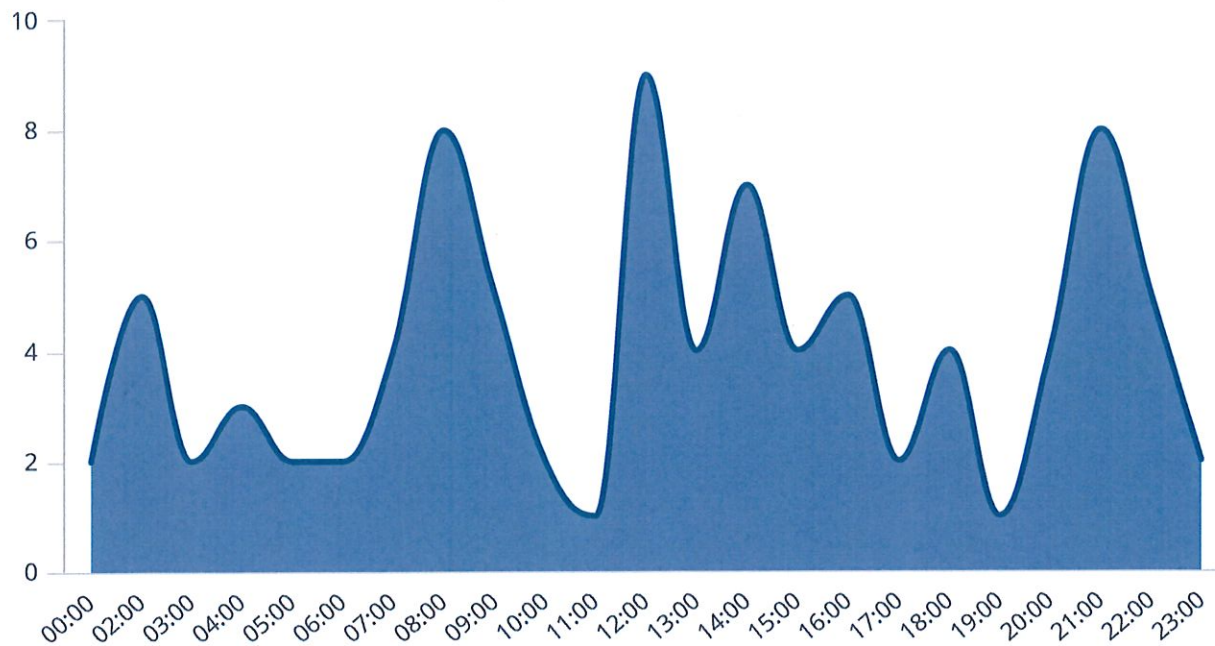
Total Incidents w/false alarms included

91

Percent of Incidents with False Alarm

Percent of False Alarm Calls  
7.69%

Incidents over Time

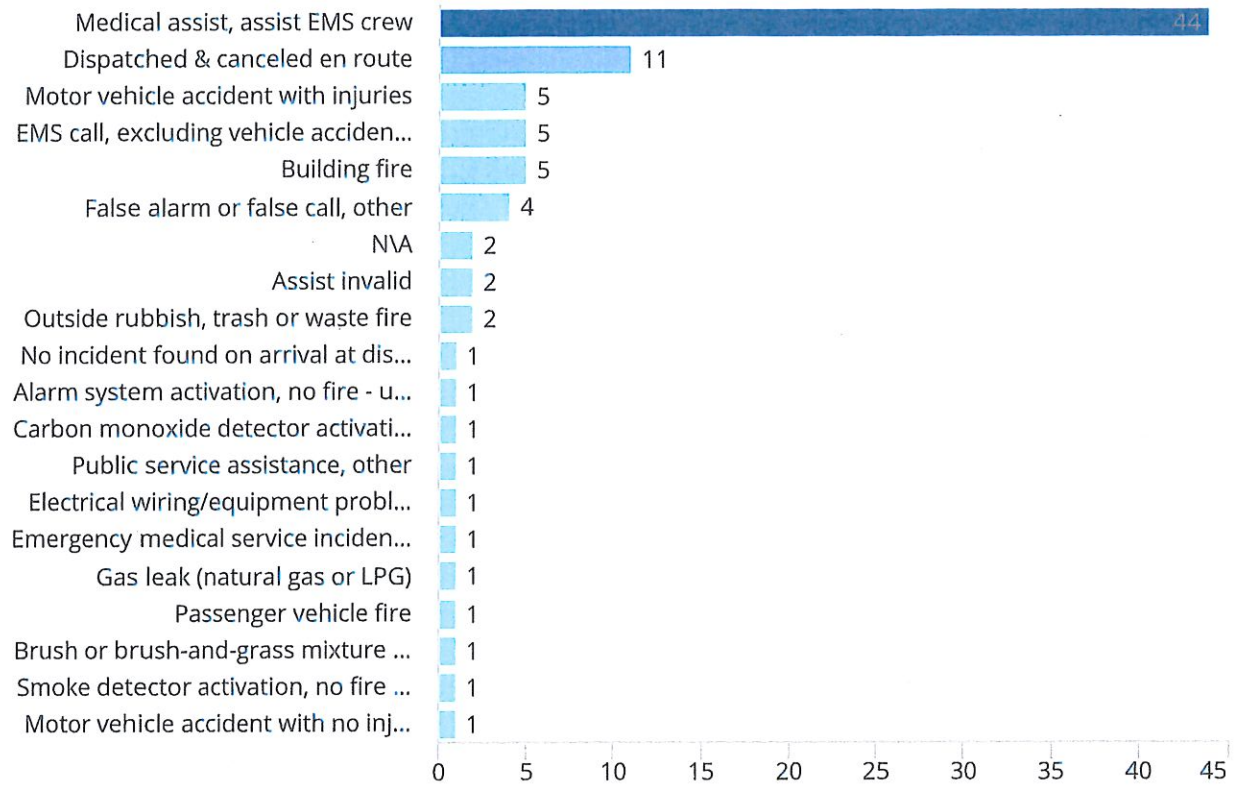




Filter statement

Filters Alarm Date Range 8/1/24 to 8/31/24

Breakdown of False Alarm Incidents by Type



## Sept 10, 2024 Park Board Report

Attending: Scott Dreamer, Linda Powell, Mike Ropp, Andrew Medford, Mike Yoder

Visitor: Carol Reeves of Bristol Library.

Minutes were approved as corrected.

### Visitor Comments:

Carol Reeves of the Bristol Library presented a program for 2025, that would include the use of both of our parks, Congdon & Cummins. This event will be the kick off of their Summer Reading Program and will be held June 14, 2025. The theme will be "Color my World." Congdon Park will be more the adults, and Cummins Park will be the Kids Zone. We discussed a possible Pickleball Child/Parent tournament. Carol also said next year's Car Show will be the second week in August (16th).

The Park Board watched a presentation by Chris Rosenberg on park self service equipment rentals. The plans included everything from Kayak rentals, ping pong, corn hole, pickle ball and more. This plan would allow Parks to offer more variety of things to do in the parks, which would be the benefit of this program. Park visitors could buy a season pass for \$99, and they would be able to play all these different activities with no additional cost. Park Board will discuss this opportunity at the next meeting.

It was announced that Trucks & Treats this year would be held on Oct. 26, 2024. This will also be Trick & Treat night in Bristol. The time will be 5 pm to 7 pm. The Park Board discussed having a table to hand out our Park Surveys for the 5 year Plan at this event.

The Park Board also discussed having surveys at the Corn Dog Festival.

There will be another 5 year Plan input meeting at the Bristol Library on Wednesday, Oct. 2 5-7pm. Bristol residents are invited to attend and provide their input.

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Town Manager Report:

Splash Pad is now being repaired, and Linda Powell suggested while the fixtures were taken down, can we look into having them painted.

Eric Funkhouser, Street Superintendent is looking into getting a quote for the lights in Cummins Park.

The Corn Dog Festival on Saturday, Sept. 28 needs 180 volunteers from 9am to 9 pm to assist in helping with the Festival The HUB needs volunteers from 12:30 to 2:30 pm that day for the Corn Dog Festival.

The Park Board discussed handing out the Park 5-year Plan surveys at the Corn Dog Festival while helping the HUB.

Linda Powell moved that we transfer \$9000 to the non-reverting fund, Scott Dreamer seconded, and motion passed.

Andrew Medford moved to adjourn the meeting, seconded by Mikel Ropp, and motion was passed.

Next Park Board meeting:

October 8, 2024 at 6pm at the Town Hall.

Reported by Secretary, RoseMary McDaniel.



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BRISTOL, INDIANA AMENDING SECTIONS OF CHAPTER 95 OF TITLE IX OF THE CODE OF ORDINANCES FOR THE TOWN OF BRISTOL, INDIANA

WHEREAS, the Town of Bristol, Indiana (the “Town”) is a duly formed municipal corporation within the State of Indiana governed by its duly elected Town Council (the “Council”); and

WHEREAS, the Town pursuant to Indiana Code § 36-8-2-8 may regulate the introduction of any substance or odor into the air, or any generation of sound; and

WHEREAS, the Town pursuant to Indiana’s Home Rule statutes, Indiana Code § 36-1-3-1, et seq., the Town may exercise any power or perform any function necessary to the public interest in the context of its municipal or internal affairs, which is not prohibited by the Constitution of the United States or of the State of Indiana, or denied or pre-empted by any other law, or is not expressly granted by any other law to another governmental entity; and

WHEREAS, the Council has determined that the creation of excessive noise and sound within the corporate limits of Town is a detriment to the public health, safety and welfare and the quality of life of the citizens of the Town; and

WHEREAS, it is the policy of the Town to prevent excessive noise and sound in order to preserve, protect and promote the health, safety and welfare and the quality of life of its citizens; and

WHEREAS, Chapter 95 of Title IX of the Code of Ordinances for the Town (the “Code”) concerns the regulation of loud and unnecessary noises in the Town; and

WHEREAS, the Council has seen fit to amend certain provisions of the Code relating to loud and unnecessary noises for the benefit of the residents and industries of the Town; and

WHEREAS, pursuant to Sec. 95.51(C) of the Code, the Town has advertised the proposed revisions to the Code provided for in this Ordinance for more than one (1) month prior to adoption.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Bristol, Indiana, meeting in regular session, as follows:

Section 1. The foregoing Recitals are fully incorporated herein by this reference.

Section 2. As of the effective date of this Ordinance, Section 95.50 of the Code, entitled “Sound Pressure Level or Noise Measurement”, is hereby deleted and replaced in its entirety by new Section 95.50 entitled “Definitions” as set forth on Exhibit A attached hereto and incorporated herein.

- Section 3. As of the effective date of this Ordinance, Section 95.51 of the Code, entitled “Sound Pressure Level Limits in Db(A) For Single Noise or Sound Sources in Residential, Business, and Manufacturing Zones”, is hereby deleted and replaced in its entirety by new Section 95.51 entitled “Sound Levels by Receiving Land Use” as set forth on Exhibit B attached hereto and incorporated herein.
- Section 4. As of the effective date of this Ordinance, Section 95.52 of the Code, entitled “Noises Prohibited”, is hereby deleted and replaced in its entirety by new Section 95.52 entitled “Prohibited Noises; Noise Level Standards for Sound Amplification Systems and Motor Vehicles; Other Prohibited Noises” as set forth on Exhibit C attached hereto and incorporated herein.
- Section 5. As of the effective date of this Ordinance, Section 95.53 of the Code, entitled “Exemptions”, is hereby amended and replaced in its entirety by new Section 95.53 as set forth on Exhibit D attached hereto and incorporated herein.
- Section 6. As of the effective date of this Ordinance, Section 95.56 of the Code, entitled “Noise Enforcement”, is hereby amended and replaced in its entirety by new Section 95.53 as set forth on Exhibit E attached hereto and incorporated herein.
- Section 7. As of the effective date of this Ordinance, Section 95.55 of the Code, entitled “Other Noises Prohibited: Standards for Unnecessary Noises”, is hereby deleted in its entirety.
- Section 8. If any portion of this Ordinance is for any reason declared to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance so long as enforcement of the same can be given the same effect.
- Section 9. All ordinances and parts of ordinances, and all Titles, Chapters and/or Sections of the Code that conflict with the provisions contained herein are hereby specifically repealed as of the effective date of this Ordinance.
- Section 10. If any portion on this Ordinance is for any reason declared to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance so long as enforcement of the same can be given the same effect.
- Section 11. This Ordinance shall be in full force and effect from and after its adoption in accordance with Indiana Law, and upon passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All acts pursuant to the adoption of this Ordinance are hereby ratified.

\* \* \* \* \*

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.

TOWN COUNCIL OF THE  
TOWN OF BRISTOL, INDIANA

\_\_\_\_\_  
Jeff Beachy, President

\_\_\_\_\_  
Cathy Burke

\_\_\_\_\_  
Dean Rentfrow

\_\_\_\_\_  
Gregg Tuholski

\_\_\_\_\_  
Doug DeSmith

ATTEST:

\_\_\_\_\_  
Cathy Antonelli, Clerk-Treasurer

**EXHIBIT A**

**95.50 DEFINITIONS**

**95.50 DEFINITIONS**

A. For the purposes of this ordinance, the following words, terms and phrases shall have the meanings set forth:

- (1) “Commercial area” shall mean any parcel of land zoned as B-1, B-2, or B-3 under the Zoning Ordinance.
- (2) “dB(A)” shall mean the intensity of a sound expressed in decibels read from a calibrated sound level meter using the A-level weighting scale and the slow meter response, as specified by the American National Standards Institute (or its successor).
- (3) “Decibel” shall mean a unit measure of sound level. The symbol is dB.
- (4) “Domestic power equipment” shall mean any equipment or device rated at 20 horsepower or less and used for home or building repairs and grounds maintenance.
- (5) “Emergency work” shall mean any activities performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by existing or imminent peril.
- (6) “Industrial area” shall mean any parcel of land zoned as M-1 or M-2 under the Zoning Ordinance.
- (7) “Motor Vehicle” shall mean a vehicle that is self-propelled.
- (8) “Person” shall mean any individual, association, partnership or corporation.
- (9) “Premises” shall mean a tract of land including its buildings and structures.
- (10) “Property line” shall mean the real or imaginary line and its vertical extension which separates the real property owned, leased or occupied by any person from contiguous real property owned, leased or occupied by any other person.
- (11) “Public property” shall mean all real property which is owned or controlled by a governmental entity, and shall include any public rights-of-way, public buildings, parks and waterways.
- (12) “Public right-of-way” shall mean any street, avenue, boulevard, highway, road, thoroughfare, sidewalk, alley or any other property which is owned or controlled by a governmental entity.



(13) “Residential area” shall mean any parcel of land zoned as R-1, R-2, R-3, or A-1 under the Zoning Ordinance.

(14) “Sound amplification system” shall mean any apparatus used for the amplification of sounds from any radio, tape player, cassette player, compact disc player, loudspeaker, sound amplifier, alarm or other sound-generating device, including any apparatus for the amplification of the human voice.

(15) “Unreasonable Noise” shall mean a sound that is of a volume, frequency or pattern that prevents, disrupts, injures, or endangers the health, safety, welfare, prosperity, comfort, or repose of reasonable persons of ordinary sensitivities within the corporate boundaries of the Town, given the time of day or environment in which the sound is made.

(16) “Zoning Ordinance” shall mean the Elkhart County Development Ordinance as adopted by the Town Council and may be amended from time to time.

**EXHIBIT B**

**95.51 SOUND LEVELS BY RECEIVING LAND USE**

**95.51 SOUND LEVELS BY RECEIVING LAND USE.**

A. No person shall create, cause to be created, permit to be created, or otherwise generate any source of sound in a manner that creates a sound level which exceeds the following limits for the receiving land use category when measured at or within the property line of the receiving land use as set forth in the following table:

<b>SOUND LEVEL LIMITS BY RECEIVING LAND USE</b>		
<b>Receiving Land Use Category</b>	<b>Time</b>	<b>Sound Level Limit</b>
Residential Area	7:00 a.m. to 10:00 p.m.	75 dB(A)
	10:00 p.m. to 7:00 a.m.	70 dB(A)
Commercial Area	7:00 a.m. to 10:00 p.m.	75 dB(A)
	10:00 p.m. to 7:00 a.m.	70 dB(A)
Industrial Area	All Times	80 dB(A)

B. The Town Council is empowered to review and adjust these levels.

C. This section does not apply to motor vehicles or sound amplification systems operated on public property.

**EXHIBIT C**

**95.52 PROHIBITED NOISES; NOISE LEVEL STANDARDS FOR SOUND AMPLIFICATION SYSTEMS AND MOTOR VEHICLES; OTHER PROHIBITED NOISES**

**95.52 PROHIBITED NOISES; NOISE LEVEL STANDARDS FOR SOUND AMPLIFICATION SYSTEMS AND MOTOR VEHICLES; OTHER PROHIBITED NOISES.**

A. Except as otherwise provided in this ordinance, it shall be unlawful for any person to cause or make any unreasonable noise or to allow any unreasonable noise to be caused or made in or on any real property or personal property within the Town limits occupied or controlled by that person.

B. Sound Amplification Systems.

(1) No person shall play, use, operate or permit to be played, used or operated any sound amplification system if it is located in or on any public property or any motor vehicle on a public street, alley, highway, park or other public property, if the sound generated is plainly audible to any other person measured at a distance at least 100 feet from the sound amplification system.

C. Motor Vehicle Noises.

(1) No person shall operate any motor vehicle on a public street, alley, highway, park or other public property in which the engine, muffler, exhaust and/or other noise control equipment have been altered, removed or maintained in such disrepair as to generate a sound plainly audible to any other person measured at a distance at least 100 feet from the motor vehicle.

(2) No Person shall operate or use any motor vehicle in such a manner to create unreasonable noise from squealing of tires or grating, grinding, rattling or other noises from disrepair.

(3) No person operating a motor vehicle containing a jake brake shall apply the jake brake within the Town limits.

(4) Except as used for warning purposes, no person shall use, operate or sound any horn or other signaling device on any motor vehicle on a public street, road, alley, highway, park or other public property for any unreasonable period of time.

(5) No person shall play, use, or operate or allow to be played, used, or operated in or on any motor vehicle any sound amplification system at a volume that is louder than necessary for the convenient hearing of persons who are inside the motor vehicle within which such device is played, used or operated.

D. Noises from Premises.

(1) No person shall play, use, or operate or allow to be played, used, or operated on a premises any sound amplification system in such a manner that the sound produced causes unreasonable noise heard beyond the boundaries of the premises by a person with normal hearing.

(2) No person shall keep any animal, including but not limited to dogs and birds, on a premises that causes unreasonable noise clearly audible to a person from any place other than the premises from which the animal is located.

E. No person shall create any unnecessary, loud, disturbing, or offensive noise on any street, sidewalk, or public place adjacent to any school, an institution of learning, library, or church while any of the same is in use.

F. Except as may otherwise be provided, measurement of the audible sound under this section shall be by the auditory senses and based upon direct line of sight.

**EXHIBIT D**

**95.53 EXEMPTIONS**

**95.53 EXEMPTIONS.**

A. The sound levels in Sections 95.51 and 95.52 shall not apply to sounds emitted from:

- (1) Authorized emergency vehicles, public safety vehicles or from public safety officials acting in the scope of their authority.
- (2) Vehicle horns, sirens or other devices used as a warning of danger or an emergency.
- (3) Passing trains; provided, however, that excessive use of railroad train signaling devices will be considered violations of this Code section.
- (4) Properly operating building alarms or vehicle alarms.
- (5) Stationary emergency signaling devices, such as severe weather sirens.
- (6) Any emergency work.
- (7) Communication of any message in any public forum between the hours of 8:00 a.m. and 8:00 p.m.
- (8) Any activity authorized by the Town Council or any other governmental body having jurisdiction and control over the property, including parades, festivals, sporting events, concerts or firework displays.
- (9) Any recreational and educational activity including, but not limited to, school bands and neighborhood ball games; however, any recreational or educational activity taking place between the hours of 10:00 p.m. and 7:00 a.m. shall not exceed the maximum sound levels specified in Sections 95.51 and 95.52.
- (10) Any construction equipment operated during the time period between 7:00 a.m. and 10:00 p.m., provided that such equipment shall be equipped with a properly installed muffler in good working order. Construction equipment operated between the hours of 10:00 p.m. and 7:00 a.m. shall not exceed the maximum sound levels specified in Sections 95.51 and 95.52.
- (11) Any detonation of explosives used to fragment rock for mining, quarrying, excavation and construction.
- (12) Any domestic power equipment operated during the time period between 7:00 a.m. and 10:00 p.m., provided that such equipment does not exceed a sound level of 80 dB(A) when

measured at a minimum of 25 feet from the noise source. Domestic power equipment operated between the hours of 10:00 p.m. and 7:00 a.m. shall not exceed the maximum sound levels specified in Sections 95.51 and 95.52.

(13) Licensed refuse collection vehicles operated during the time period between 7:00 a.m. and 10:00 p.m. Sounds emitted from licensed refuse collection vehicles operated between the hours of 10:00 p.m. and 7:00 a.m. shall not exceed the maximum sound levels specified in Sections 95.51 and 95.52.

(14) Aircraft.

(15) Noise sources within multi-family dwellings, offices, apartment complexes, condominiums, and similar structures occupied by more than one tenant which impact only those persons within the same dwelling, office, complex or building.

(16) Lawn maintenance and tree service equipment (i.e., chain saws, blowers, mowers) when operated between the hours of 9:00 a.m. and 7:00 p.m.

(17) Legal consumer fireworks properly used during the times allowed by the State of Indiana.

(18) Church or worship center bells sounded in conjunction with a function or service.

(19) Activities of a temporary duration permitted by law and for which a license or permit, has been granted by the Town in accordance with Section 95.54. Regulation of noises emanating from operations under the permit will be according to the conditions and limits stated on the permit or license.

**EXHIBIT E**

**95.56 NOISE ENFORCEMENT**

**95.56 NOISE ENFORCEMENT.**

A. This ordinance may be enforced by the authorized agents of the Town Council or by a law enforcement agency.

B. A citation may be issued for a violation under this ordinance, subjecting the violator to a fine up to Five hundred Dollars (\$500.00). Each day that a violation occurs is a separate offense.

C. The citation shall be filed with the Clerk-Treasurer or with any court of competent jurisdiction in Elkhart County, Indiana.

D. Upon written notices of a violation by the same person for the same offense three (3) times within a consecutive twelve (12) month period, when such noise is created by the same noise emitter or the same type of noise emitter, the noise creating device may be ordered by the enforcement officer to cease being used or operated until it can be brought into compliance with this Ordinance.

E. For the purposes of this ordinance, the violator shall be the person or persons who created, caused to be created, permitted to be created or otherwise generated any source of sound in a manner that creates a sound level exceeding the limits for the receiving land use category as established by this ordinance; the person or persons in possession of a sound amplification system played, used or operated in violation of this ordinance; or the person in control of a motor vehicle operating in violation of this ordinance.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BRISTOL, INDIANA ESTABLISHING POLICIES AND PROCEDURES FOR PUBLIC MEETINGS

WHEREAS, the Town of Bristol, Indiana (the “Town”) is a duly formed municipal corporation within the State of Indiana governed by its duly elected Town Council (the “Council”); and

WHEREAS, Indiana Code § 5-14-1.5-3.3 permits the Council to adopt reasonable rules and policies governing the conduct of its meetings, to include, among other things, reasonable restrictions on the time allotted for attendees to speak on a topic, reasonable steps to maintain order during a meeting with respect to attendees and the elected officials of the governing body, and a procedure for the presiding member of the governing body to issue warnings to attendees who disrupt a meeting; and

WHEREAS, the Council desires to provide for policies and procedures to govern its meetings in accordance with Indiana law.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Bristol, Indiana as follows:

- Section 1. The foregoing Recitals are fully incorporated herein by this reference.
- Section 2. The Council, pursuant to Indiana Code §§ 5-14-1.5-3 and 5-14-1.5-3.3, hereby adopts the reasonable rules and procedures attached hereto as **Exhibit A** and incorporated herein by reference to govern the public comment portions of the Council’s meetings.
- Section 3. This Resolution shall be effective as of the date of its adoption by the Council.

\* \* \* \* \*



RESOLVED THIS \_\_\_\_\_ DAY OF SEPTEMBER 2024.

TOWN COUNCIL OF THE  
TOWN OF BRISTOL, INDIANA

\_\_\_\_\_  
Jeff Beachy, President

\_\_\_\_\_  
Cathy Burke

\_\_\_\_\_  
Raymond Dean Rentfrow

\_\_\_\_\_  
Gregg Tuholski

\_\_\_\_\_  
Doug DeSmith

ATTEST:

\_\_\_\_\_  
Cathy Antonelli, Clerk-Treasurer

**EXHIBIT A**

**Public Comment Period Rules**

**[Attached]**

**Town of Bristol, Indiana**  
**Rules for Public Comment at Public Meetings of the**  
**Town Council of the Town of Bristol, Indiana**

These Rules for Public Comment (the “Rules”) at Public Meetings of the Town Council (the “Council”) of the Town of Bristol, Indiana (the “Town”) are adopted to provide for the orderly and civil conduct of the Council’s public meetings (each a “Meeting”) and shall be enforced by and at the discretion of the presiding officer for such Meeting.

Meetings of the Council may include opportunities for members of the public to provide general comments to the Council (known as “Privilege of the Floor”) and public hearings on certain items of business as required by law (known as “Public Hearings”) (Privilege of the Floor and Public Hearings are each a “Public Comment Period” and collectively “Public Comment Periods”).

Individuals that would like to be heard during Public Comment Periods the must be recognized by the presiding officer before speaking. Public Comment Periods shall be organized by utilizing a sign-in sheet, which a person intending to address the Council must complete with their name and address before addressing the Council, unless such requirement is waived by the Council. When addressing the Council, the person must identify themselves by their name and address.

1. For Public Comment Periods, each speaker is allowed three (3) minutes, unless time is extended by the presiding officer. Public Comment Periods shall be limited so that the length of the Meeting does not exceed two (2) hours unless such time is modified by a majority vote of the Council.
2. Each attendee shall be permitted to speak only once during a Public Comment Period. Meeting attendees may not “donate” their speaking time to another person.
3. During a Public Comment Period that includes a public hearing as required by law, speakers are not permitted to comment on topics unrelated to the issue that is the subject of the public hearing.
4. All remarks should be addressed to the Council as a whole.
5. All speakers shall refrain from comment or behavior that involves:
  - a. Disorderly speech or action; name-calling or personal attacks; obscene or indecent remarks; and derogatory comments on personalities;
  - b. The private activities, lifestyles, or beliefs of others, including Town employees and elected officials, that are unrelated to the business of the Council or the Town;
  - c. Advertising or promoting the sale of products, services, or private enterprise;

- d. Promoting any contest or lottery; or
- e. Promoting candidates for public office or upcoming ballot measures.

6. In addition to the limits specified above, the presiding officer may set other reasonable, viewpoint-neutral limits to prevent disruption of the Meetings.

7. These Rules do not permit members of the public to join in debate or discussion with speakers, members of the Council, other Town elected or appointed officials, or with other members of the public present at any Meeting, e.g., no “back and forth.” The Council may, but is not obligated to, provide responses to questions or comments presented by persons during Public Comment Periods.

8. Once a motion is on the floor, discussion from the public shall no longer be permitted on that agenda item.

9. These Rules are intended to foster a fair, respectful, and productive meeting. Any person who violates these rules will be declared out of order by the presiding officer and will receive a warning. If an attendee receives three (3) warnings, the presiding officer may, upon issuing the third warning, direct: (1) the attendee to leave the meeting; and (2) a law enforcement officer to remove the attendee from the meeting, if the attendee refuses to leave when directed by the presiding officer for a violation of these Rules. Nothing in these Rules may be construed to prohibit a law enforcement officer from immediately removing an attendee from a meeting if: (1) removal of the attendee is necessary to maintain order or ensure the safety of another person; (2) the attendee commits a criminal offense; or (3) the attendee violates these Rules. *See* Ind. Code § 5-14-1.5-3.3.