

IC 36-8-4.5

Chapter 4.5. Town Police and Fire Employment Policies

IC 36-8-4.5-1

Application

Sec. 1. This chapter applies to the following:

- (1) A member of a town police department under IC 36-5-7 or IC 36-8-9.
- (2) A member of a town fire department.

As added by P.L.65-2008, SEC.2.

IC 36-8-4.5-2

Inapplicable to volunteer fire department

Sec. 2. This chapter does not apply to a volunteer fire department under IC 36-8-12.

As added by P.L.65-2008, SEC.2.

IC 36-8-4.5-3

"Member of a town fire department"

Sec. 3. As used in this chapter, "member of a town fire department" does not include a volunteer firefighter under IC 36-8-12-2.

As added by P.L.65-2008, SEC.2.

IC 36-8-4.5-4

Residency in county or contiguous county

Sec. 4. A member of a town police or fire department must reside in Indiana within:

- (1) the county in which the town is located; or
- (2) a county that is contiguous to the county in which the town is located.

As added by P.L.65-2008, SEC.2.

IC 36-8-4.5-5

Town with population of less than 7,500; ordinance requiring residence within town or certain distance of town

Sec. 5. A town with a population of less than seven thousand five hundred (7,500) may adopt an ordinance that requires a member of the town police or fire department to satisfy all of the following:

- (1) Reside within:
 - (A) the county in which the town is located; or
 - (B) a distance from the town stated in the ordinance.
- (2) Have adequate means of transportation into the town.
- (3) Maintain in the member's residence telephone service with the town.

As added by P.L.65-2008, SEC.2.

IC 36-8-4.5-6

Town with population of less than 7,500; ordinance requiring town residency for five years

Sec. 6. This section applies to a town that:

- (1) has a population of less than seven thousand five hundred (7,500); and
- (2) adopted an ordinance to establish the requirements described in this section before September 1, 1984.

A town may require, in addition to the requirements of section 5 of this chapter, that a member of the police or fire department reside within the town until the member has served in the department for five (5) years.

As added by P.L.65-2008, SEC.2.

IC 36-8-4.5-7

Town with population of less than 7,500; exemption for members not in compliance on date ordinance adopted

Sec. 7. An ordinance adopted under section 5 or 6 of this chapter may not require a member of a town police or fire department to comply with section 5(1) of this chapter if the member resides:

- (1) outside the county; or
- (2) a distance outside the town greater than stated in the ordinance;

on the date the ordinance is adopted.

As added by P.L.65-2008, SEC.2.

IC 36-8-4.5-8

Exemption for members of town police departments appointed before July 1, 2008

Sec. 8. Notwithstanding any other law, a member appointed to a town police department under IC 36-5-7 or IC 36-8-9 before July 1, 2008, may not be required to reside within:

- (1) the county in which the town is located; or
- (2) a county that is contiguous to the county in which the town is located;

if the member resided within a county that is noncontiguous to the county in which the town is located on July 1, 2008.

As added by P.L.65-2008, SEC.2.

IC 36-8-4.5-9

Use of department vehicles

Sec. 9. Members of the police and fire departments may not use vehicles owned or maintained by their department outside the county in which the town is located except:

- (1) during the performance of official duties; or
- (2) as provided for by department regulation.

As added by P.L.65-2008, SEC.2.