

ORDINANCE NO. CO 2021-15

AN ORDINANCE TO RESCIND RESTATED ORDINANCE NO. CO 2020-38

WHEREAS Indiana Code § 36-1-3-1 et seq. permits any unit in the State of Indiana to exercise any power or to perform any function necessary to the public interest in the context of its governmental 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;

WHEREAS Indiana Code § 36-8-2-1 et seq. permits for the preservation of public safety and health, among other things, any unit in the State of Indiana to (1) regulate use of property to protect public health; (2) impose restrictions upon persons that might cause others to contract diseases; (3) regulate public gatherings; and (4) regulate the operations of businesses and entities;

WHEREAS Elkhart County businesses and community members have been diligent in their efforts to independently implement the COVID-19 mitigation directives established by the State and local Health Officer;

WHEREAS, pursuant to Executive Order 21-09, effective April 6, 2021, Governor Holcomb modified many of the COVID-19 restrictions required in previous Executive Orders (e.g. 21-06) to make them into strong recommendation;

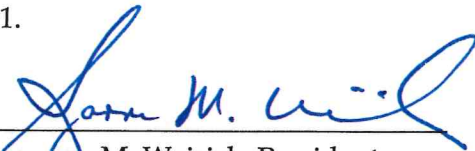
WHEREAS the Board of Commissioners adopted Ordinance No. CO 2021-14 reducing the level of County oversight by removing the civil fine structure and maintaining the educational initiative established by Restated Ordinance No. CO 2020-38;


WHEREAS the Board of Commissioners has determined that the educational initiative still existing under Restated Ordinance No. CO 2020-38 is no longer necessary.

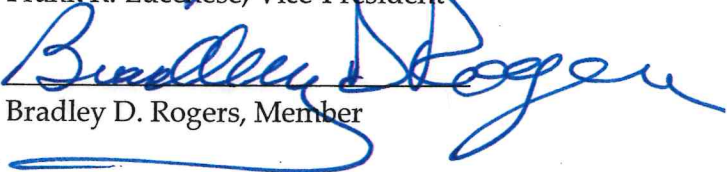
NOW, THEREFORE, BE IT ORDERED, ESTABLISHED, AND ORDAINED by the Board of Commissioners of the County of Elkhart as follows:

1. Rescission. Restated Ordinance No. CO 2020-38, as amended by Ordinance No. CO 2021-14, is hereby rescinded in its entirety and is of no further force or effect.
2. Effective Date. This Ordinance is effective as of 12:01 am, April 6, 2021.

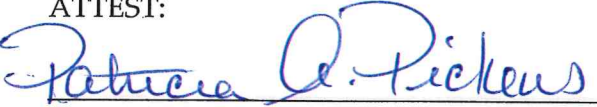
ORDAINED AND ADOPTED on April 5, 2021.

  
Suzanne M. Weirick, President

  
Frank R. Lucchese, Vice-President

  
Bradley D. Rogers, Member

ATTEST:

  
Patricia A. Pickens, Elkhart County Auditor