

PLAINFIELD TOWN COUNCIL

RESOLUTION NO. 2020-40

**A RESOLUTION DECLARING THE ASHLEY MOTEL TO BE A PUBLIC
NUISANCE AND AUTHORIZING FURTHER ACTION**

WHEREAS, the Town of Plainfield, Indiana (“Town”) passed and adopted Ordinance 4-83, concerning abatement of nuisances, and that Ordinance is codified at §§ 92.40 through 92.49 of the Town Code of Ordinances;

WHEREAS, the Town Council has a good faith belief the Ashley Motel, located at 2452 E. Main Street, does not operate as a traditional hotel or motel, but serves as long-term housing for approximately 60 to 90 residents;

WHEREAS, the Town Council also has a good faith belief the Ashley Motel constitutes a public nuisance as defined in § 92.43 of the Town Code of Ordinance, and Ind. Code § 32-30-6-6;

WHEREAS, the Town has received reports of various conditions that are unsafe and injurious to public health, including lack of heat, insect and vermin infestation, leaks, faulty or unsafe electrical connections, and much more.

WHEREAS, the Hendricks County Health Department conducted an investigation, which revealed and confirmed health and safety concerns in the Ashley Motel;

WHEREAS, the Plainfield Fire Department conducted an inspection of the Ashley Motel’s common areas and mechanical rooms, which revealed, among other things, various electrical hazards, deficient fire protection systems, and the presence of combustible material in a mechanical room;

WHEREAS, the Ashley Motel has been the site of numerous police runs and is believed to be a hub of criminal activity;

WHEREAS, the Town Council is authorized to abate the public nuisance in any manner authorized by law, including litigation in the name of the Town against the owner or occupant of the Ashley Motel, or any other person, and recovery of the amount of expense of such abatement, the costs of the action, and attorneys’ fees; and

WHEREAS, the Town, by and through its Town Council, has determined that it is in the best interests of health, safety, and welfare to declare the Ashley Motel a public nuisance and authorize further Town Council action to abate the same.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PLAINFIELD, INDIANA, AS FOLLOWS.

Section 1. The above recitals are incorporated by reference.

Section 2. The Town Council declares the Ashley Motel, located at 2452 E. Main Street, to be a public nuisance as defined under § 92.43 of the Town Code of Ordinances and Ind. Code § 32-30-6-6.

Section 3. In accordance with § 92.41 of the Town Code of Ordinances and Ind. Code § 32-30-6, *et. al.*, the Town Council hereby authorizes the Town, its designees or attorneys, to take any and all action necessary and proper to ensure the abatement of the Ashley Motel for the health and safety of its residents and neighboring properties.

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RESOLVED by the Town Council of the Town of Plainfield, Indiana this 14th day of September, 2020.

TOWN COUNCIL, TOWN OF PLAINFIELD
HENDRICKS COUNTY, INDIANA

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ATTEST:

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Mark J. Todisco
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Mark Todisco, Clerk-Treasurer
Town of Plainfield, Indiana

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