

ALLEN COUNTY CODE TITLE 1 GENERAL PROVISIONS

ARTICLE 28 HOME ADDRESS RESTRICTION FOR COVERED PERSONS

1-28-1 Chapter 1: Definitions

The following definitions apply throughout this article:

“County Auditor” means the Allen County Auditor or any employee in the Auditor’s office that is given authority to administer this article.

“Covered person” (*IC 36-1-8.5-2*) means:

- (1) a judge;
- (2) a law enforcement officer;
- (3) a victim of domestic violence;
- (4) a public official;
- (5) the surviving spouse of a law enforcement officer if the officer was killed in the line of duty;
- (6) an employee of the Department of Child Services; or
- (7) any other individual or category of individuals identified as Covered Persons in Indiana Code 36-1-8.5-2 presently or as may be amended from time to time.

“Employee of the Department of Child Services” (*IC 36-1-8.5-2.5*) means an individual who is or was employed as any of the following by the department of child services established by *IC 31-25-1-1*:

- (1) A family case manager trainee.
- (2) A family case manager;
- (3) A family case manager supervisor;
- (4) A local office director;
- (5) A regional manager;

(6) A child services assistant; or

(7) A child services attorney.

“Judge” (*IC 36-1-8.5-3*) means an individual who holds or formerly held office as:

(1) a judge of the supreme court, court of appeals, tax court, circuit court, superior court, municipal court, county court, federal court, or small claims court; or

(2) a magistrate, commissioner, or juvenile referee of a court.

“Law enforcement officer” (*IC 36-1-8.5-4*) means an individual who is employed or was formerly employed as:

(1) a police officer (including a correctional police officer), sheriff, constable, marshal, prosecuting attorney, special prosecuting attorney, special deputy prosecuting attorney, the securities commissioner, or the inspector general;

(2) a deputy of any of the persons specified in subdivision (1);

(3) an investigator for a prosecuting attorney or for the inspector general;

(4) a conservation officer;

(5) an enforcement officer of the alcohol and tobacco commission; or

(6) an enforcement officer of the securities division of the office of the secretary of state.

"Public official" (*IC 36-1-8.5-4.5*) means an individual who holds or formerly held office at any time during the preceding four (4) years in the executive or legislative branch of the state or federal government or a political subdivision of the state or federal government.

"Public property data base web site" (*IC 36-1-8.5-5*) means an Internet web site that:

(1) is available to the general public over the Internet;

(2) does not require registration, subscription, or the creation of a user name and password to search the web site; and

(3) connects a covered person's home address to the covered person's name, so that a search of the web site for the covered person's name discloses the covered person's home address.

“Public Property Tax Data Base Web Site” means the public access tax information portal.

"Victim of domestic violence" (IC 36-1-8.5-6) means a victim of domestic violence who is certified as a program participant in the address confidentiality program established by the attorney general under IC 5-26.5-2.

"Written Request" is the *Application for Home Address Restriction* provided by the County Auditor's office.

1-28-2 Chapter 2: Administration and Application Process 1-28-2-1

The County Auditor shall be responsible for the administration of this article as it relates to the application process and the **County's Public Property Tax Data Base Web Site**.

1-28-2-2

Any county office or department receiving a written or otherwise request shall refer the covered person to the County Auditor's office. The **Covered Person** shall file a **Written Request** to the County Auditor's office using the *Application for Home Address Restriction*. The County Auditor's office shall process the request and update the property tax data used in the **Public Property Tax Data Base Web site**.

1-28-2-3

The County Auditor will notify other departments of the restriction and will electronically notify the County Office of Information Technology through the **Public Property Tax Data Base Web Site**.

1-28-2-4

The **Covered Person** who

- (a) moves and need to change their home address; or
- (b) change their name; must submit a new **Written Request** to the County Auditor's office.

1-28-3 Chapter 3: Application Fees 1-28-3-1

There will be no fee charged for the initial **Written Request** for a homestead address restriction. There will be no fee for a **Written Request** for a change of address to the Covered Person's homestead. Subsequent **Written Requests** for additional parcels that may be owned by the **Covered Person** or refer back to the homestead address will be charged no fee.

1-28-3-2

No fee will be charged for:

- (a) a **Written Request** received before the effective date of this ordinance; or
- (b) a **Written Request** received from a **Victim of Domestic Violence**; or (c) the removal of an address from the public disclosure restriction.

1-28-4 Chapter 4: Notification to Covered Persons

1-28-4-1

The County Executive shall notify all eligible **Covered Persons** by the following measures:

- (a) Email notification to the County Elected Officials, Superior and Circuit Court Judges, and the highest ranking official in the municipal law enforcement agencies located in Allen County
- (b) Publication of the link to the ordinance on Allen County's public website (www.allencounty.us) with the capability to download the *Application for Home Address Restriction*

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