



CITY OF SOUTH BEND

DEPARTMENT OF COMMUNITY INVESTMENT

July 7, 2026

President Canneth Lee
South Bend Common Council
3rd Floor – South Bend City Hall
South Bend, IN 46601

Filed in Clerk's Office

Jul 7, 2026

Bianca Tirado
City Clerk, South Bend, IN

Re: Ordinance Updates – Vehicle Regulations

Dear President Lee:

Attached for consideration by the South Bend Common Council (“Council”) are updates to the existing South Bend Municipal Code including Chapter 20, Article 3 – Abandoned Vehicles, Chapter 20, Article 11 – Parking of Trucks Having More than Eleven Thousand Pounds’ Gross Vehicle Weight, Section 16-53 – Conditions constituting public nuisances, and Section 20-84 – Parking on sidewalk, alley or parkway.

The proposed ordinances focus on updating South Bend’s regulations around vehicles to improve clarity, align with Indiana law, address gaps in parking enforcement, and strengthen the City’s ability to protect quality of life.

I request that the proposed amendments be included on the full Council agenda for first reading and assignment to the Residential Neighborhoods Standing Committee on July 13, 2026.

Thank you for your consideration.

Sincerely,

Liz Maradik
Chief Neighborhoods Officer

Jul 7, 2026

Bianca Tirado
City Clerk, South Bend, IN

BILL NO. 40-26

ORDINANCE NO. _____

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,
INDIANA, AMENDING SECTION 16-53 OF THE SOUTH BEND MUNICIPAL CODE
REGARDING CONDITIONS CONSTITUTING PUBLIC NUISANCES**

STATEMENT OF PURPOSE AND INTENT

The Common Council finds that the preservation of public health, safety, welfare, and neighborhood quality requires clear standards governing the maintenance and use of real and personal property within the City. The Council further finds that the accumulation, storage, and placement of materials, furniture, personal property, and vehicles in a manner that creates health hazards, safety risks, visual blight, or attractive nuisances can adversely affect surrounding properties and the community as a whole.

The purpose of this ordinance is to clarify and strengthen the City's nuisance regulations by: (1) Confirming that nuisance conditions may exist regardless of whether materials are deposited directly upon property or stored in containers, trailers, vehicles, or other receptacles not authorized for refuse collection purposes; (2) Providing enforcement tools to address vehicles that, while not meeting the statutory definition of abandoned vehicles, nevertheless create public health, safety, sanitation, or aesthetic concerns through neglect, dismantling, prolonged storage, property damage, or other nuisance conditions; and (3) Promoting safe, clean, attractive, and livable neighborhoods while protecting property owners' rights through objective nuisance standards.

It is the intent of the Common Council that these provisions be liberally construed to protect the public health, safety, welfare, and aesthetic well-being of the community and to provide effective remedies for nuisance conditions that adversely affect the use and enjoyment of surrounding properties.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of South Bend, as follows:

SECTION I. Chapter 16, Article 8, Section 16-53 of the South Bend Municipal Code shall be amended as follows:

Sec. 16-53. Conditions constituting public nuisances.

- (a) In addition to what is declared in this article and Code to be a public nuisance, those offenses which are known to the common law and the Statutes of Indiana as public nuisances may, when found to exist within the City limits, be treated as such and be

proceeded against as provided in this article and Code, or in accordance with any other provisions of law. Wherever the word "nuisance" is used in this article it refers to a public nuisance.

- (b) No owner, occupant, tenant, or any other person having a substantial interest in any real or personal property within the City, or any agent thereof, shall permit or allow to remain on or within such property or upon public ways abutting such real property any materials, trash, garbage, debris or any other matter which is detrimental to public health, comfort, safety or to the aesthetic well-being of the community. Such prohibition shall apply regardless of whether the matter described in this subsection or in any portion of subsection (c) below is deposited upon the property or is stored in an unapproved portable container outside of refuse collection under the Municipal Code, such as a bin, vehicle, trailer, or any other container.
- (c) The following conditions shall be considered to constitute public nuisances for the purpose of this chapter:
 - (1) Litter.
 - (2) Fallen trees stumps, dead trees, cut brush, fallen or cut limbs.
 - (3) Boxes, appliances, household items and tires.
 - (4) Demolition remains.
 - (5) Open excavations, uncovered or improperly covered holes, whether lined or unlined, and dirt piles on any open or unfenced real property within the City.
 - (6) Accumulated garbage and trash.
 - (7) Automobile parts, disassembled automobiles, automobiles without engines, plumbing and piping materials and parts, scrap metal, unseaworthy or dilapidated boats, dilapidated, deteriorated, or nonoperable jet skis, snowmobile, motorcycles, bicycles, trailers or mopeds.
 - (8) Structures defaced with paint or wording.
 - (9) Any portion of real property or any personal property which emits an unwholesome odor.
 - (10) Any wastewater, filth, offal, garbage, rubbish, animal waste, human excrement, which is deposited, allowed or caused to be upon any public or private property.
 - (11) Any water or any other substance which is caused or permitted to flow onto or be deposited upon any public property or public way, except natural surface water drainage.
 - (12) Any dead animal or animal parts.
 - (13) The erection of a dam or any other obstruction by a private party which prevents the natural flow of water and causes it to collect in pool upon any public property.
 - (14) Any real or personal property which is infected with contagious disease or is likely to cause an immediate health hazard.

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- (15) The placing or accumulating on or within any real or personal property or the permitting of same, of any matter which attracts or may attract rodents, insects, domestic or wild animals in such a manner as to create a health hazard or unsanitary or dangerous condition.
 - (16) Any real or personal property, used as a place of residence or habitation or for sleeping, including structures or vehicles, that is maintained in such a way as to be dangerous or detrimental to life or health due to lack of or defects in water, drainage, heat, electricity, plumbing, ventilation or garbage and trash removal.
 - (17) The storage of any explosive, combustible or other material which creates a safety or health hazard.
 - (18) Trees, shrubbery, weeds, snow or other matter obstructing public ways, or causing visual barriers which create vehicular traffic or pedestrian safety hazards.
 - (19) Trash or garbage containers left upon the sidewalk, the area between a street and sidewalk or the front or side yard, except as permitted by this Code for trash and garbage collection purposes.
 - (20) Building materials stored on any lot in violation of Section 16-60, below.
 - (21) Any furniture, not originally designed or manufactured solely for outdoor use; or any furniture which was originally designed or manufactured for outdoor use, which is now dilapidated or deteriorated.
 - (22) A vehicle of any type which does not meet the definition of Abandoned Vehicle in Section 20-28 but is wrecked, partially or wholly dismantled, neglected, used primarily for waste storage, or otherwise used in a manner inconsistent with its intended use such that it becomes an attractive nuisance creating a hazard to public health and safety and/or poses a public nuisance.
 - (23) A vehicle of any type which does not meet the definition of Abandoned Vehicle in Section 20-28 or the provisions of subsection (22) herein which:
 - (i). Is parked in violation of Section 21.07.03(e)(4) of the Municipal Code;
 - (ii) Is parked in a manner which damages property;
 - (iii) Becomes an attractive nuisance creating a hazard to public health and safety; or
 - (iv) Poses a public nuisance based upon a combination of the following factors: parked primarily for storage, number of vehicles, period of time, and/or lacking current registration.

SECTION II. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Canneth J. Lee, Council President
South Bend Common Council

Attest:

Bianca L. Tirado, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the ____ day of _____, 2026, at ____ o'clock __.m.

Bianca L. Tirado, City Clerk
Office of the City Clerk

Approved and signed by me on the ____ day of _____, 2026, at ____ o'clock ____m.

James Mueller, Mayor
City of South Bend, Indiana

Jul 7, 2026

Bianca Tirado
City Clerk, South Bend, IN

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Canneth Lee, President, Common Council

Attest:

Bianca Tirado, City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana, on the
_____ day of _____, 2026, at _____ o'clock ____ . m.

Bianca Tirado, City Clerk

Approved and signed by me on the _____ day of _____, 2026, at
_____ o'clock ____ . m.

James Mueller,
Mayor, City of South Bend, Indiana