

## **IC 36-1-2**

### **Chapter 2. Definitions of General Applicability**

#### **IC 36-1-2-1**

##### **Application to title**

Sec. 1. The definitions in this chapter apply throughout this title.  
*As added by Acts 1980, P.L.211, SEC.1.*

#### **IC 36-1-2-1.7**

##### **"Assessed value"**

Sec. 1.7. "Assessed value" has the meaning set forth in IC 6-1.1-1-3.  
*As added by P.L.6-1997, SEC.202.*

#### **IC 36-1-2-2**

##### **"Bonds"**

Sec. 2. "Bonds" means any evidences of indebtedness, whether payable from property taxes, revenues, or any other source, but does not include notes or warrants representing temporary loans that are payable out of taxes levied and in the course of collection.  
*As added by Acts 1980, P.L.211, SEC.1.*

#### **IC 36-1-2-3**

##### **"City"**

Sec. 3. "City" refers to a consolidated city or other incorporated city of any class, unless the reference is to a school city.  
*As added by Acts 1980, P.L.211, SEC.1.*

#### **IC 36-1-2-4**

##### **"Clerk"**

Sec. 4. "Clerk" means:

- (1) clerk of the circuit court, for a county;
- (2) county auditor, for a board of county commissioners or county council;
- (3) clerk of the city-county council, for a consolidated city;
- (4) city clerk, for a second class city;
- (5) clerk-treasurer, for a third class city;
- (6) clerk-treasurer, for a town; or
- (7) chief executive officer of a political subdivision not described in subdivisions (1) through (6).

*As added by Acts 1980, P.L.211, SEC.1. Amended by Acts 1981, P.L.44, SEC.35; P.L.186-2006, SEC.1.*

#### **IC 36-1-2-4.5**

##### **"Emergency"**

Sec. 4.5. "Emergency" means a situation that could not reasonably be foreseen and that threatens the public health, welfare, or safety and requires immediate action.

*As added by P.L.329-1985, SEC.1.*

#### **IC 36-1-2-4.7**

##### **"Environmental restrictive ordinance"**

Sec. 4.7. "Environmental restrictive ordinance" means, with respect to land, any ordinance that:

- (1) is adopted by a municipal corporation; and
- (2) seeks to control the use of groundwater in a manner and to a degree that protects human health and the environment against unacceptable exposure to a release of hazardous substances or petroleum, or both.

*As added by P.L.78-2009, SEC.21. Amended by P.L.159-2011, SEC.42.*

#### **IC 36-1-2-5**

##### **"Executive"**

Sec. 5. "Executive" means the:

- (1) board of commissioners, for a county that:
  - (A) does not have a consolidated city; and
  - (B) is not subject to IC 36-2-2.5;
- (2) single county executive elected under IC 3-10-2-13, for a county that:
  - (A) does not have a consolidated city; and
  - (B) is subject to IC 36-2-2.5;
- (3) mayor of the consolidated city, for a county having a consolidated city;
- (4) mayor, for a city;
- (5) president of the town council, for a town;
- (6) trustee, for a township;
- (7) superintendent, for a school corporation; or
- (8) chief executive officer, for any other political subdivision.

*As added by Acts 1980, P.L.211, SEC.1. Amended by P.L.8-1989, SEC.93; P.L.77-2014, SEC.9.*

#### **IC 36-1-2-6**

##### **"Fiscal body"**

Sec. 6. "Fiscal body" means:

- (1) county council, for a county not having a consolidated city;
- (2) city-county council, for a consolidated city or county having a consolidated city;
- (3) common council, for a city other than a consolidated city;
- (4) town council, for a town;
- (5) township board, for a township;
- (6) governing body or budget approval body, for any other political subdivision that has a governing body or budget approval body; or
- (7) chief executive officer of any other political subdivision that does not have a governing body or budget approval body.

*As added by Acts 1980, P.L.211, SEC.1. Amended by Acts 1981,*

*P.L.11, SEC.132; P.L.8-1987, SEC.81; P.L.8-1989, SEC.94; P.L.186-2006, SEC.2.*

#### **IC 36-1-2-7**

##### **"Fiscal officer"**

Sec. 7. "Fiscal officer" means:

- (1) auditor, for a county not having a consolidated city;
- (2) controller, for a:
  - (A) consolidated city;
  - (B) county having a consolidated city, except as otherwise provided; or
  - (C) second class city;
- (3) clerk-treasurer, for a third class city;
- (4) clerk-treasurer, for a town; or
- (5) trustee, for a township.

*As added by Acts 1980, P.L.211, SEC.1. Amended by Acts 1981, P.L.44, SEC.36; P.L.227-2005, SEC.12.*

#### **IC 36-1-2-8**

##### **"Law"**

Sec. 8. "Law" includes the Constitution of Indiana, statutes, and ordinances.

*As added by Acts 1980, P.L.211, SEC.1.*

#### **IC 36-1-2-9**

##### **"Legislative body"**

Sec. 9. "Legislative body" means the:

- (1) board of county commissioners, for a county not subject to IC 36-2-2.5, IC 36-2-3.5, or IC 36-3-1;
- (2) county council, for a county subject to IC 36-2-2.5 or IC 36-2-3.5;
- (3) city-county council, for a consolidated city or county having a consolidated city;
- (4) common council, for a city other than a consolidated city;
- (5) town council, for a town;
- (6) township board, for a township;
- (7) governing body of any other political subdivision that has a governing body; or
- (8) chief executive officer of any other political subdivision that does not have a governing body.

*As added by Acts 1980, P.L.211, SEC.1. Amended by Acts 1982, P.L.33, SEC.15; P.L.213-1986, SEC.1; P.L.8-1987, SEC.82; P.L.8-1989, SEC.95; P.L.186-2006, SEC.3; P.L.77-2014, SEC.10.*

#### **IC 36-1-2-9.5**

##### **"Materials"**

Sec. 9.5. "Materials" means supplies, goods, machinery, packaged software, and equipment.

*As added by P.L.329-1985, SEC.2.*

**IC 36-1-2-10****"Municipal corporation"**

Sec. 10. "Municipal corporation" means unit, school corporation, library district, local housing authority, fire protection district, public transportation corporation, local building authority, local hospital authority or corporation, local airport authority, special service district, or other separate local governmental entity that may sue and be sued. The term does not include special taxing district.

*As added by Acts 1980, P.L.211, SEC.1.*

**IC 36-1-2-11****"Municipality"**

Sec. 11. "Municipality" means city or town.

*As added by Acts 1980, P.L.211, SEC.1.*

**IC 36-1-2-12****"Person"**

Sec. 12. "Person" means individual, firm, limited liability company, corporation, association, fiduciary, or governmental entity.

*As added by Acts 1980, P.L.211, SEC.1. Amended by P.L.8-1993, SEC.512.*

**IC 36-1-2-13****"Political subdivision"**

Sec. 13. "Political subdivision" means municipal corporation or special taxing district.

*As added by Acts 1980, P.L.211, SEC.1.*

**IC 36-1-2-14****Repealed**

*(Repealed by Acts 1982, P.L.1, SEC.71.)*

**IC 36-1-2-15****"Regulate"**

Sec. 15. "Regulate" includes license, inspect, or prohibit.

*As added by Acts 1980, P.L.211, SEC.1.*

**IC 36-1-2-15.5****"Responsible bidder or quoter"**

Sec. 15.5. (a) "Responsible bidder or quoter" means one who is capable of performing the contract requirements fully and who has the integrity and reliability that will assure good faith performance.

(b) "Responsive bidder or quoter" means one who has submitted a bid or quote conforming in all material respects to the specifications.

*As added by P.L.329-1985, SEC.3.*

**IC 36-1-2-16**

**"Safety board"**

Sec. 16. "Safety board" means the board of public safety or board of public works and safety of a city.

*As added by Acts 1980, P.L.211, SEC.1. Amended by Acts 1981, P.L.309, SEC.39.*

**IC 36-1-2-17****"School corporation"**

Sec. 17. "School corporation" means a local public school corporation established under state law. The term includes a school city, school town, metropolitan school district, consolidated school corporation, county school corporation, township school corporation, community school corporation, or united school corporation.

*As added by Acts 1980, P.L.211, SEC.1. Amended by P.L.233-2015, SEC.325.*

**IC 36-1-2-18****"Special taxing district"**

Sec. 18. "Special taxing district" means a geographic area within which a special tax may be levied and collected on an ad valorem basis on property for the purpose of financing local public improvements that are:

- (1) not political or governmental in nature; and
- (2) of special benefit to the residents and property of the area.

*As added by Acts 1980, P.L.211, SEC.1.*

**IC 36-1-2-19****"Statute"**

Sec. 19. "Statute" means a law enacted by the general assembly.

*As added by Acts 1980, P.L.211, SEC.1.*

**IC 36-1-2-20****"Taxing district"**

Sec. 20. "Taxing district" means a geographic area within which property is taxed by the same taxing entities and at the same total rate.

*As added by Acts 1980, P.L.211, SEC.1.*

**IC 36-1-2-21****"Town"**

Sec. 21. "Town" refers to an incorporated town, unless the reference is to a school town.

*As added by Acts 1980, P.L.211, SEC.1.*

**IC 36-1-2-22****"Township"**

Sec. 22. "Township" refers to a civil township, unless the reference is to a congressional township.

*As added by Acts 1980, P.L.211, SEC.1. Amended by P.L.233-2015,*

SEC.326.

**IC 36-1-2-23**

**"Unit"**

Sec. 23. "Unit" means county, municipality, or township.  
*As added by Acts 1980, P.L.211, SEC.1.*

**IC 36-1-2-24**

**"Works board"**

Sec. 24. "Works board" means the:

- (1) board of commissioners, for a county:
  - (A) not having a consolidated city; and
  - (B) not subject to IC 36-2-2.5;
- (2) single county executive for a county:
  - (A) not having a consolidated city; and
  - (B) subject to IC 36-2-2.5;
- (3) board of public works or board of public works and safety, for a city; or
- (4) town council, for a town.

*As added by Acts 1980, P.L.211, SEC.1. Amended by Acts 1981, P.L.11, SEC.133; P.L.8-1989, SEC.96; P.L.77-2014, SEC.11.*