

Town of Avon

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1. WHAT DOES A “NOTICE TO CORRECT” LETTER MEAN AND WHY DID I RECEIVE ONE?

A Notice to Correct letter, or NTC, means that a Town official has noted or a citizen has reported an action contrary to the Town’s Code of Ordinances or Zoning Ordinance. These two documents represent the general regulations for land or activity within the Town. The NTC will provide you with information on the necessary steps to correct the violation as well as whom you should contact with any questions. If the violation would require a permit or other approval, then an application form is usually included with the letter. The Town will notify the property owner of record regarding any violation. The Town determines the owner of record from the Hendricks County Assessor’s Office. Letters to residential properties include the owner of record in addition to the current occupant in case the owner of the property is not the same as the person located on the property. The Town has a few variations for an NTC:

1. **Courtesy Letter** – An unofficial reminder that an activity is a violation and needs to be corrected.
2. **10-day Notice to Correct Letter** – Official action has occurred and the violation must be resolved within 10 days to avoid further action.
3. **Notice to Correct / Final Notice** – The final action prior to assessing fines or legal action.
4. **Attorney Action Letter** – A notice that the case will be forwarded to the Town Attorney.
5. **Legal Notice** – Official letter from the Town Attorney regarding court involvement.

2. WHAT DO I NEED TO DO TO CORRECT THE VIOLATION?

The Notice to Correct letter includes information regarding the correction of a noted violation as well as a time frame. In general, the violation should cease or be removed from the property. If the action requires a permit, an application will be included with the NTC or you may find applications on the Town’s website under the [Building Department](#). The NTC will also include a “Follow-up Date” for the necessary action to occur. The Code Enforcement Officer, or another Town staff member, will inspect the property on or after the listed follow-up date. If the violation has been corrected, the case will be closed. If the violation continues, additional action including fines and legal action may occur.

You may contact the Town regarding the noted violation to request clarification on the steps to correct or to request additional time to correct the violation.

3. WHAT HAPPENS IF I DON’T CORRECT A VIOLATION?

As mentioned under #2, if the violation continues after the listed “First Follow-up Date”, the Town may begin to assess fines of up to \$2,500 per day as long as the violation continues. After assessing fines, the Town will turn the case over to the Town Attorney for official legal action including taking the case to court. Please note that the Town’s goal is compliance. The Town will work with property owners to remove a violation.

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4. WHY DID I RECEIVE A ZONING VIOLATION TICKET?

The Town will attempt to resolve all violation matters without fines. If the same violation continues to occur after being notified by the Town or if the delay in sending notification will have a negative impact on the effectiveness of Town Ordinances, the Town may provide a violator with a Zoning Violation Ticket. This ticket will include the party responsible for the violation, the location of the violation and the violation that has occurred. The ticket may be a warning ticket or it may have a fine associated with it. There should be an amount listed on the ticket as well as a pay by date to avoid further action. Once compliance is achieved and the ticket has been paid, the case will be closed. Tickets that go unpaid may be forwarded to the Town Attorney for additional legal action.

5. HOW DO I PAY FOR A ZONING VIOLATION TICKET?

A Zoning Violation Ticket and associated fee may be returned to either the Clerk-Treasurer or the Planning Office. The mailing address is located on the reverse side of the Zoning Ticket. The responsible party may return the ticket in person to Avon Town Hall at the same address, though it is not necessary for the fee to be delivered in person. *Please note that any pending violation tickets may result in future approvals or permits being withheld until payment is received.*

6. WHAT IF I DISAGREE THAT A VIOLATION OCCURRED?

While rare, it is possible that the information on a Notice to Correct letter was an error and can be corrected simply by contacting the listed Town employee on the notice. These cases may result from inaccurate owner/location information or an incorrect violation noted. These may simply be typos and will be corrected.

If the Town has accurately cited the property, responsible party and violation reference, the responsible party may appeal a decision or determination by the Town employee. All appeals must be submitted to the Avon Board of Zoning Appeals for public hearing. There is an associated fee with the Administrative Appeal process. The application, fee schedule and Board meeting schedule may be found on the Town's website under the [Planning Department](#). Anyone that wishes to proceed with the appeal process should contact the Planning office for assistance with forms and schedules.

7. WHAT REGULATIONS DOES THE DEPARTMENT OF CODE ENFORCEMENT MONITOR?

The Town of Avon Department of Code Enforcement primarily monitors regulations provided in the Town Code of Ordinances and the Zoning Ordinance. The Town Code may be found on the Town's website under the [Town Manager](#). The Zoning Ordinance may be found under the [Planning Department](#).

The Town of Avon Department of Code Enforcement only monitors properties within the corporate limits of the Town of Avon. A copy of the Town Map is available [here](#). Please note that all properties with an "Avon" address are not located within the Town limits. You may contact Town Hall for information or visit the Town website at <http://www.avongov.org>.

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8. DOES THE TOWN ENFORCE HOME OWNER'S ASSOCIATION'S (HOA) COVENANTS?

The Town of Avon does not enforce, monitor or maintain record of any HOA covenants. These regulations are created by the HOA and any questions or issues with an HOA covenant should be addressed to them. HOA covenants may be more restrictive than Town Ordinances, but may not reduce any Town Ordinance. In the event that an HOA covenant is less restrictive than a Town Ordinance, the Town Ordinance supersedes the covenant.

9. HOW DO I REPORT A CODE VIOLATION?

If you believe that a neighbor or business is responsible for a violation of a Town Code or Ordinance, you may contact the Code Enforcement Office at (317) 272-0948. You may also report a possible violation through the Town's [Action Center](#). All violations may be reported anonymously. If you would like a follow-up response to your request, you may leave a number or email for a Town employee to contact you. As always, you may email the Town's Code Enforcement Officer at the contact email located below or stop by Town Hall.

10. WHAT ARE COMMON VIOLATIONS FOR RESIDENTIAL PROPERTIES?

While there are a number of violations that occur on residential properties within the Town of Avon, the following items occur most frequently:

- **Grass Violations** – No property may allow grass to grow beyond 12”.
- **RV and Trailer Parking Restrictions** – The Town has a number of restrictions related to the proper parking and storage of RVs and trailers. You may find these Ordinances on the Town's website under the [Code Enforcement Department](#).
- **Construction without a permit** – Permits are required for items such as fences, decks, pergolas, reroofs, building additions or remodels, accessory structures and new buildings. You may find applications for these items [here](#). Questions regarding permits should be sent to the [Planning and Building Department](#).
- **Inoperable or unlicensed vehicles** – All vehicles parked in the open must have an up-to-date license plate and be in road worthy and drivable condition.
- **Garage sales** – Each home is allowed two (2) garage sales in a calendar year. Garage sale signs may be placed on the property of the sale and at the entrance to the subdivision. All signs must be placed out of the Right-of-Way of any road. Signs placed in the Right-of-Way are subject to removal by the Town. You may find a simple diagram regarding the location of Rights-of-way throughout the Town [here](#). Garage sale signs **may not** include balloons, flags or streamers. You may contact the [Planning and Building Department](#) with additional questions.
- **Commercial vehicle storage** – No vehicle exceeding 3 tons may be stored in a residential district. A single commercial vehicle not exceeding 3 tons may be stored in a residential district within an enclosed garage or permitted accessory structure.
- **Storage of debris, junk and litter** – Storage of these items may not occur in the open and in all cases must be enclosed in a permitted accessory structure or trash disposal container.

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11. WHAT ARE COMMON VIOLATIONS FOR COMMERCIAL AND INDUSTRIAL PROPERTIES?

While there are a number of violations that occur on commercial and industrial properties within the Town of Avon, the following items occur most frequently:

- **Sign violations** – Signs are regulated by the Town of Avon. Common violations include window graphics exceeding 25% of the window area, flashing or pulsating signs including “Open” signs, and “Now Hiring”, “For Sale or Lease” or “Coming Soon” signs exceeding size limits. Sign requirements may be found [here](#).
- **Sign permits** – Sign permits are required for most sign displays for businesses including permanent signs, sign face changes, tenant panel changes, temporary promotion signs, grand opening signs and other signage. Sign permit requirements may be found on the Town’s website under the [Building Department](#).
- **Building permits** – Building Permits are required for a majority of work on commercial and industrial structures. Many projects will require State approval prior to the Town releasing a Building Permit. All projects that require a permit must receive the permit prior to starting work. Building permit information may be found on the Town’s website under the [Building Department](#) or the [Building FAQ’s](#) page.
- **Outdoor storage** – Outdoor storage is permitted only in certain zoning districts and then, only a limited percentage of a lot may be used for storage. Specific items related to Open or Outdoor storage may be found in the [Avon Zoning Ordinance](#), specifically Chapters 10-12, 14 and 27.
- **Building modifications** – Work planned for a commercial or industrial structures may require a Building Permit or Development Plan Review approval through the Avon Plan Commission. Questions regarding building modifications should be sent to the [Planning and Building Department](#). Requirements for Plan Review may be found on the Town’s website under the [Planning Department](#).
- **Landscape modifications** – Landscape modifications, including reductions and additions, may require approval from the Town. Please email questions to the [Planning and Building Department](#) or find information on landscaping requirements [here](#).
- **Company vehicle parking/storage** – While businesses are allowed to have company vehicles with advertisement graphics on them, these vehicles may not be used as additional signage for a business. No vehicle with advertisements may be parked for the purposes of additional signage along Town roads and in all cases, should be located in the rear of a building or a designated loading space outside of normal business hours.

12. WHY DOES THE TOWN OF AVON ENFORCE CODES AND ORDINANCES?

Code Enforcement is one of the top priorities for the Town. Code violations can have a negative impact on surrounding property values, public safety and an overall appearance of the Town. Through voluntary compliance, cooperation, a spirit of personal responsibility and community pride, conditions that create code violations can be eliminated. These acts will make the Town of Avon a better place to live.

Questions regarding Code Enforcement items should be directed to the Code Enforcement Officer. Questions regarding permits, planning and building issues or other department duties should be directed to the [Planning and Building Department](#).