

CHAPTER 105
POWERS OF THE COUNTY

105-1. Acknowledgement of Powers Granted by the State

This chapter is an acknowledgment of:

- (A) the policy of the state expressed in IC 36-1-3-2 to grant to Monroe County all the powers that it needs for the effective operation of government as to local affairs;
- (B) the powers that the state has granted to Monroe County in IC 36-1 and other statutes to implement that policy; and
- (C) the procedures by which Monroe County must exercise any power.

105-2. Powers of the County

- (A) Monroe County has:
 - (1) all the powers granted it by statute, including but not limited to IC 36-1-4; and
 - (2) all other powers necessary or desirable in the conduct of its affairs, even though not granted by statute.
- (B) Monroe County may exercise any power it has to the extent that the power is not expressly:
 - (1) denied by the Indiana Constitution or by statute, including IC 36-1-3-8; or
 - (2) granted to another entity.

105-3. Procedures for the Exercise of the Powers of the County

- (A) Monroe County shall exercise a power in the specific manner required by any constitutional or statutory provision.
- (B) If there is no constitutional or statutory provision requiring a specific manner for exercising a power, and Monroe County wants to exercise the power, Monroe County:
 - (1) through its Board of Commissioners, shall adopt an ordinance prescribing a specific manner for exercising the power; or
 - (2) shall comply with a statutory provision permitting, but not requiring, a specific manner for exercising the power.

[end of chapter]