

BY THE BOARD OF COMMISSIONERS
FOR CLARK COUNTY, INDIANA

ORDINANCE NO. 44-2007

**An Ordinance Instituting a Fee Schedule for Planning,
Zoning and Establishing the Clark County
Planning and Zoning Non-Reverting Fees Fund
And Authorizing Enforcement Actions by Plan Commission**

WHEREAS, the Board of Commissioners of Clark County ("Board") is the County Executive under I. C. 36-2-2-2 and also functions as the County legislative body under I. C. 36-1-2-9(1);

WHEREAS, the Clark County Planning and Zoning office ("Zoning office") collects various fees ("Fees") for building permits, electrical permits, heating/air conditioning permits, plumbing permits, driveway permits, swimming pool permits, petitions for approval of subdivision plats, petitions to vacate subdivision plats, petitions to re-zone and other subdivision application fees, inspections and planning and zoning activities and functions; and

WHEREAS, the Clark County Plan Commission ("Commission") by action taken in December, 2003, recommended that the Board adopt a new fee schedule increasing the amounts charged for certain activities and creating new fees for re-inspections and building code violations, such proposed schedule being attached herewith and made a part hereof; and

WHEREAS, each year all such Fees collected by the Zoning office have historically been deposited into the County General Fund; and

WHEREAS, the County has experienced rapid growth and is understaffed to adequately keep up with the increased workload necessary to monitor development, growth and compliance. The Clark County Council, in budget sessions of 2007, reduced all County Department budgets

by 25% (including the Commission budget for the Zoning office). This action for 2008 excluded only salaries from the 25% reduction;

WHEREAS, the Board has determined there is a need to establish a non-reverting fund for the Zoning office and Commission wherein a portion of the Fees, up to \$150,000.00 annually, can be deposited to a specific non-reverting fund and utilized solely by the Zoning/Commission office for enhanced and improved operations and for enforcement of subdivision obligations from developers, including enforcement and collections from Letters of Credit, bonds or other instruments of surety and security and

WHEREAS, pursuant to I.C. 36-1-3 (the "Home Rule Statute"), the Board desires to establish the Clark County Planning and Zoning Non-Reverting Fees Fund ("the Fund") pursuant to provisions contained herein; and

WHEREAS, the Board, in exigent or emergency circumstances declared at a public meeting during the remainder of any year after July 1st, may order the Zoning office and Auditor to deposit such amounts of Fees as are necessary, on specified dates, to replenish the Fund to any needed level;

NOW, THEREFORE, be it ordained by the Board as follows:

1. Each and every recital above is adopted and made a term of this Ordinance;
2. The Clark County Planning and Zoning Non-Reverting Fees Fund (the "Fund") shall be and is hereby established;
3. The Board shall, and does hereby, adopt the attached schedule of Fees, such being identified by the heading "Clark County Building Fees" and consisting of two (2) pages, for planning and zoning operations so as to identify sources of monies for this Fund;

4. The revenue generated from the collection of the Fees set forth in the attached schedule shall be deposited to the Fund in the manner set forth above up to a level of \$150,000.00 annually, as measured on July 1st of each year;

5. Payments or uses of the Fund shall be made through the claim procedure and Ordinances of the Board without the necessity of appropriation by the Clark County Council;

6. The Fund shall be used for enforcement actions by the Commission to assure compliance and remedy all defects or non-performance, arising from plats, construction Performance Agreements or development approvals granted by the Commission either before or after enactment of this Ordinance.

7. The Fund may be used to pay costs of litigation or administrative enforcement work of the Commission, including legal, technical, expert or other witness and trial/hearing costs and expenses. The Fund may also be used to contract with expert engineers and professional persons to assist the Zoning office and County Engineer in inspecting and monitoring compliance by developers and other persons/entities with the County (a) Subdivision Control and Zoning Ordinance and/or with Performance Agreements signed with the Commission. All such contracts are subject to prior approval by the Board, in writing, as a condition precedent before becoming effective and binding upon Clark County, Indiana;

8. The Fund may also be used to pay for necessary contract inspectors or equipment required for the Commission and Zoning office, to the extent the 2008 25% reduction of that office budget has limited the ability of the Commission to perform duties or functions;

9. The Fund may also be used, upon approval by the Board, on a case-by-case basis, to remediate minor problems arising from breach of a Performance Agreement after all litigation efforts and other enforcement efforts against a defaulting contractor have been exhausted;

Clark County Building Fees

BUILDING

New Residential Structure.....(min).....	\$100.00 (1 st 1000 sq ft)
(Includes Manufactured.....	\$ 5.00/ add. 100 sq ft
and Additions)	
Commercial Structure.....(min).....	\$150.00 (1 st 1000 sq ft)
(Includes Additions).....	\$ 15.00/ add. 100 sq ft
Alteration (Residential)/Remodel.....	\$120.00
Accessory Bldg/Barn.....	\$100.00 (for structures over 100 sq ft)
Camper...(180 days or less).....	\$ 75.00
Demolition – Commercial.....	\$100.00
Garage.....	\$ 75.00 (1 st car space) plus
	\$ 40.00 each add car space
Pool – Inground.....	\$100.00
Pool – Above ground (anything 1 ft above grade).....	\$ 70.00
Billboard.....	\$500.00
Signs (other than billboard).....	\$175.00
Signs (temporary).....	\$ 25.00
Cell Towers.....	\$1,000.00
Co-Locating.....	\$ 300.00

ELECTRICAL

New Residential Structure.....	\$100.00
Commercial.....	\$0.75/amp
Alteration/Addition.....	\$65.00
Change of Service/Up-Grade.....	\$65.00
Double-Wide/Mobile/Modular/Camper.....	\$65.00
Garage/Out Building.....	\$75.00
Pool.....	\$50.00
Rewire.....	\$80.00
Signs.....	\$60.00
Towers & Co-Locating.....	\$100.00

HEATING/AIR CONDITIONING

New Residential Structure Heating & A/C.....	\$100.00
Addition (Heating).....	\$ 50.00
Addition (AC).....	\$ 45.00
Replace Furnace.....	\$ 50.00
Replace AC.....	\$ 45.00

PLUMBING

1 Bath + Kitchen.....	\$100.00
Additional Bath – Full or Half.....	\$ 50.00
Hot Water Heater.....	\$ 35.00
Pool.....	\$ 40.00

Driveway.....	\$ 50.00
---------------	----------

10. Whenever any Ordinance of Clark County identifies the "County Attorney" to represent the County's interest in litigation or enforcement actions, the Board herein finds and states that this term shall include (in addition to the Board's retained attorney) the attorney for the Commission, whom the Board designates as the primary authorized attorney for enforcement, and/or any other attorney approved for specific case retention by the Board;

11. Deposits to the Fund shall commence December 1, 2007;

SO ORDAINED THIS 18 DAY OF OCTOBER, 2007.

Members voting Aye:

Mr. Edward Weiss
Karl D. Nutknie

Members voting Nay:

1 Commissioner absent

ATTEST:

Barbara Haas
Auditor of Clark County

Zoning Change Request.....	\$400.00
Subdivision Petition.....	\$400.00 Primary Plus \$400.00 + \$20.00/lot Final
BZA Petition.....	\$200.00
Mobile Home Park.....	\$800.00 + \$20.00/lot
Replats.....	\$400.00 if not recorded \$600.00 if recorded
Vacations of Recorded Plats.....	\$400.00
All Re-Inspections.....	1 st ---\$50.00 2 nd ---\$100.00 3 rd or more --- \$500.00 each visit
Comprehensive Plan.....	\$45.00
Zoning Ordinance.....	\$30.00
Subdivision Control Ordinance.....	\$15.00

NEW FEES

CHANGE

ZONING CHANGE REQUEST to
PLAN COMMISSION PETITION\$400.00

ADD

PUD PETITION.....\$400.00
 PUD PRIMARY PLAT.....\$400.00
 PUD FINAL.....\$400.00 +
 SINGLE-FAMILY RESIDENTIAL USE \$20.00 PER LOT
 MULTI-FAMILY COMPLEX.....\$20.00 PER UNIT
 BUSINESS DESIGNATED USE.....\$60.00 PER LOT
 INDUSTRIAL DESIGNATED USE.....\$120.00 PER LOT
 PUBLIC NOTIFICATION SIGNS.....\$10.00

FEES FOR COMMERCIAL HEATING/AIR CONDITIONING

(1) **HEATING - Double or Multi Unit - each unit times Heating fee for Single-Family Dwelling**
 (Same base fee as single family multiplied by units)

(2) Fees for Heating, Air Conditioning and Ventilating are as follows:

..Inspection.....	\$35.00
..Permit.....	\$35.00
..Each Supply & Return Outlet.....	\$ 1.10
(3) Conversion permit, any fuel.....	\$35.00
(4) Furnace.....	\$65.00
..Unit Heaters.....	\$20.00
..Electric Heaters/Heat Pumps.....	\$60.00
..Gas Fired Incinerators.....	\$20.00
..Gas Fired Commercial Clothes Dryers.....	\$20.00
Minimum Fee.....	\$225.00
Add: Minimum Fee.....	\$150.00

(5) Fees for Air Conditioning

..Fee for Air Conditioning permit.....	\$50.00
..For each ton up to 50 tons, per ton.....	\$25.00
Minimum Fee.....	\$100.00
Add: Minimum Fee.....	\$75.00

FEEES FOR COMMERCIAL PLUMBING PERMITS

- (1) Double or Multi Unit - each unit times cost of Plumbing fee for single-family dwelling plus any extra bathrooms
(Same base fee as single family multiplied by units)
- (2) Industrial and Commercial buildings & additions or repairs to any building shall be as follows:

..Plumbing Permit.....	\$20.00
..First Fixture.....	\$25.00
..Each additional fixture up to and including 50 fixtures.....	\$ 2.25
..Above 50 fixtures.....	\$ 1.25

Fixtures shall be defined as any receptacle intended to receive & discharge water, liquid, or water carried for soil & for waste into a drainage system with which they are connected.

- (3) Inspection fee for replacement of existing or new sanitary sewer systems from the property line to the building will be.....\$15.00
- (4) Fee for installation of process piping & vessels (fixtures) (Declaration of cost) - Per \$1,000.00..\$12.00
- (5) Fee for replacement of existing plumbing fixtures & existing water services shall be \$15.00, excepting replacement of garbage disposals. (When electrical system is grounded to metallic water service & water service is changed to plastic, it is the responsibility of the installer of the plastic service to see that the electrical service is grounded properly.....\$15.00
- (6) Hot Water Heater - One Unit.....\$35.00
Each Additional Unit.....\$25.00

Minimum Fee.....	\$200.00
Add: Minimum Fee.....	\$150.00
Lift Station.....	\$50.00

FEEES FOR COMMERCIAL ELECTRICAL

(1) Double or Multi Unit - each unit times Electrical fee for Single-Family Dwelling

(2) Industrial & Commercial buildings & additions or repairs to any building shall be as follows:

..Electrical Permit.....	\$20.00
..Initial Inspection.....	20.00
..Commercial Amp.....	.75
Each Electrical Light.....	1.10
Panel Box - each Breaker.....	1.10
Each Outlet (switches not counted as outlets)	.60
Phone & Intercom same as outlets.....	.60
Motors.....	3.50
Electrical Smoke Alarms.....	1.10
Fee for Electrical Inspection on Signs.....	60.00

Minimum Fee for Commercial (new structure...)	\$200.00
Minimum Fee for Commercial Addition.....	150.00