

ORDINANCE NO. 2011- 01 -CMDB

**AMENDING TIPPECANOE COUNTY CODE
REPEALING SECTION 155.18
ADDING NEW SECTION 155.18**

**ADOPTING AN ADMINISTRATIVE FEE IN RELATION TO THE CERTIFICATION
OF ALCOHOLIC BEVERAGE PERMITS BY THE TIPPECANOE COUNTY
SURVEYOR**

WHEREAS, the members of the Board of Commissioners of the County of Tippecanoe, in the State of Indiana (Commissioners) are also members of the Tippecanoe County Drainage Board (Drainage Board); and

WHEREAS, the Tippecanoe County Surveyor is obligated under I.C. 7.1-3-4-3 to certify certain information to the Alcoholic Beverages Commission for alcoholic permits filed in the County; and

WHEREAS, in the performance of his statutory duty, the Tippecanoe County Surveyor incurs costs and must dedicate resources related to the certification of the information required by the Alcoholic Beverage Commission; and

WHEREAS, the Tippecanoe County Surveyor recommends that due to the resources that certification of these permits consumes, it is appropriate to assess an administrative fee for the certification to reimburse the County for time, manpower, and costs associated therewith; and

WHEREAS, The Board of Commissioners of the County of Tippecanoe, State of Indiana, and the Tippecanoe County Drainage Board has established and enacted Tippecanoe County Code Section 155.18, as part of the comprehensive Tippecanoe County Stormwater Quality Management Plan, to provide a uniform schedule of fees for the Tippecanoe County Drainage Board and Surveyor's Department.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the County of Tippecanoe, State of Indiana, and the Tippecanoe County Drainage Board, that the Board of Commissioners hereby adopts and approves a one hundred dollar (\$100) administrative fee for the certification of alcoholic beverage permits by the Tippecanoe County Surveyor, and that the Tippecanoe County Code be amended to repeal Section 155.18 and add a new Section 155.18, reading as follows:

**UNIFORM FEE SCHEDULE FOR THE TIPPECANOE COUNTY
DRAINAGE BOARD AND SURVEYOR'S DEPARTMENT**

1. **Stormwater Management Permits.**

- A. The fees for review of drainage submittals, preliminary plans, and/or construction plans and accompanying information and data in accordance with the Tippecanoe County Stormwater Management Ordinance, (Ordinance 2005-04-CM) shall be as follows:

Base Permit Fees

Acreage	Residential	Commercial	Industrial
0 up to less than ½	\$150	\$250	\$250
Equal to or greater than ½ up to less than 1	\$200	\$300	\$300
Equal to or greater than 1 up to less than 3	\$350	\$500 + \$40 per acre	\$500 + \$40 per acre
Equal to or greater than 3 up to less than 5	\$500	\$750 + \$40 per acre	\$750 + \$40 per acre
Equal to or greater than 5	\$500 + \$20 per acre	\$750 + \$40 per acre	\$750 + \$40 per acre

Utility Work Annual Certification Processing Fee: \$50

The Base Permit Fees set forth above shall include three on-site inspections, administrative fees, and three annual post-construction inspections. The foregoing fees shall be charged for each phase of multi-phased projects.

- B. The following fees shall be charged for services required in addition to those included in the foregoing Base fees:

Additional Permit Fees

Additional Inspections	During the construction process resulting from inadequate site conditions or additional post-construction inspections	\$50 each
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Grading Plan Revisions and Amended Notices of Intent	For each additional revision or amended notice	\$25 each
Engineering Review (not required for single lot review)	Out-sourced	Actual cost per Ordinance 2005-04-CM.

2. Outlets.

The County Surveyor’s Office shall charge the following application fees to any person, partnership, corporation, or any other entity filing an application to discharge private or mutual drains into a regulated drain under the jurisdiction of the County Drainage Board:

Direct Outlets:

Individual Residences	\$ 75
Subdivisions, Multi-family, or Commercial uses	\$150

Indirect Outlets:

Subdivision, Multi-family, or Commercial uses	\$150
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These rates shall be charged for both permanent outlets and temporary outlets.

No fee shall be required for those discharges to be made indirectly to a regulated drain for individual residential lots and agricultural drains. However, any such indirect discharge within the drainage shed of a regulated drain shall be required to file an application.

3. Crossings

The County Surveyor’s Office shall charge the following application fees to any person, partnership, corporation, or association who applies for authority to cross under, over, or through a regulated drain, with any structure of improvement.

Individual Residences	\$ 75
Subdivisions, Multi-family, or commercial uses	\$150

These rates shall be charged for both permanent crossings and temporary crossings.

4. Encroachments

The County Surveyor’s Office shall charge the following application fees to any person,

partnership, corporation, or association filing an application for an Encroachment Agreement pursuant to Indiana Code 36-9-27-33:

Subdivision: Per each secondary plat \$100

Individual: agricultural and single unit residential \$ 75

Commercial, multi-family, and business \$100

Utility

Underground construction, grading, trenching or excavation parallel to the drain for up to 400 feet of continuous construction: \$100

For each 400 feet or part thereof of continuous construction parallel to the drain thereafter \$ 70

In addition to the above fees for each type of request there shall be collected an additional fee equal to the amount charged by the County Recorder for recording the Encroachment Agreement.

5. Fill Permit Fees

The fee for individual fill permit reviews shall be: \$ 30

6. Building Permit Reviews

The fee for individual building permit reviews shall be: \$ 30

7. Individual Site Plan Reviews

The fee for review of each individual site plan for sites disturbing one (1) acre or more, or for individual site plan reviews authorised by the Drainage Board shall be: \$100

8. Obstruction Petitions

The filing fee for Obstruction Petitions filed in accordance with Indiana Code 36-9-27.4 shall be: \$150

9. Alcoholic Beverage Verification Permits

The fee for certification of Alcoholic Beverage Permit locations shall be: \$100

10. **General Provisions**

A. All filing fees are non-refundable. All monies shall be payable to the Tippecanoe County Treasurer. The County Surveyor's Office shall maintain records of the fees collected hereunder on forms prescribed by the State Board of Accounts. The fees collected hereunder for Outlets, Crossings and Encroachments shall be deposited in the maintenance fund, if any, for the regulated drain affected thereby, and if none, to the General Drain Improvement Fund. The fees collected for Obstruction Petitions shall be deposited in the County General Fund. All other fees collected hereunder shall be deposited in the Phase II Stormwater Fund established pursuant to Resolution 2005-19-CM. No fee shall be required to be paid by any unit of the County for construction, maintenance, or remodeling of any public facility.

B. The fees for Outlets and Crossings include application review, initial inspection, and one (1) re-inspection. The fee for each additional re-inspection shall be equal to two (2) times the initial application fee. After the third re-inspection, the County Surveyor shall order the work necessary for compliance to be done in accordance with Indiana Code 36-9-27-46 and 36-9-27-47.

C. Any person found in violation of any provision of this Ordinance shall be guilty of a civil infraction and be subject to the Enforcement Provisions of the Comprehensive Stormwater Management Ordinance, Ordinance 2005-04-CM, which provisions are incorporated herein by reference, and include fines of not less than \$500 for a first offense, and not less than \$1,000 for each subsequent offense, plus damages, expenses, costs and attorney fees.

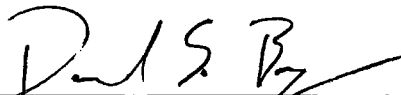
D. This Ordinance shall be in full force and effect immediately upon its passage and signing.

Presented to the Board of Commissioners of Tippecanoe County, Indiana, and approved on first reading this 18th day of January, 2011, by the following vote:

BOARD OF COMMISSIONERS OF
TIPPECANOE COUNTY

VOTE

Y



David Byers, President

4

Thomas P. Murtaugh
Thomas P. Murtaugh, Vice President

4

John Knochel
John Knochel, Member

ATTEST:

Jennifer Weston
Jennifer Weston, Auditor of
Tippecanoe County

Presented to the Board of Commissioners of Tippecanoe County, Indiana, and approved on
second reading this 18th day of January, 2011, by the following vote:

BOARD OF COMMISSIONERS OF
TIPPECANOE COUNTY

VOTE

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