

ORDINANCE NO. 2019-09-CM
AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
TIPPECANOE COUNTY, INDIANA, NO. 97-51-CM

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TIPPECANOE COUNTY, INDIANA, THAT THE UNIFIED ZONING ORDINANCE, BEING A SEPARATE ORDINANCE AND NOT PART OF A UNIFIED COUNTY CODE IS HEREBY AMENDED AS FOLLOWS:

Section 1. Insert a new **UZO Section 6-3-4 ZONING ORDINANCE CITATION NOTIFICATION PROCESS** as follows:

6-3-4 ZONING ORDINANCE CITATION NOTIFICATION PROCESS:

(a) For violations listed below in 6-3-4(b) and (c), the **Administrative Officer** may choose to issue a citation notification as outlined in this Section, before taking further action under 6-3-1. The purpose of this Section is to help protect the public health, safety, and general welfare of the community by allowing an alternative process to correct violations of this ordinance.

(b) Land use violations that are subject to the citation notification process include:

- Junk yards
- Child Care Home
- Child Care Center
- Home Businesses (not legal Home Occupations) such as but not limited to:
 - Lawn care
 - Vehicle repair
 - Building contractor
 - Small engine repair
 - Billboard/outdoor advertising sign
- Transient guest house
- Agricultural rental hall
- Boarding kennel
- Breeding kennel
- Construction/demolition disposal site
- Buildings in FP zones
- Amusement and recreation (outdoor) SIC 7999

(c) Development standard violations that are subject to the citation notification process include:

- Electronic signs/changeable copy signs changing more frequently than once per minute
- On-premise signage
- Fill in the floodplain

- Signs in public right-of-way
- Home occupation limitations
- Clear vision triangle
- Fences
- Setbacks for porches, decks and accessory buildings
- Event oriented signs

- (d) In the event of a violation under 6-3-4(b) or (c), the **Administrative Officer** may issue a citation notification, either in person or by certified letter, to the owner and/or possessor who violates, or who permits a violation of any provision of this ordinance. The person shall then have 15 days from the date of notice to contact the **Administrative Officer** and remedy the violation. If the violation is not corrected, or if no response is made within 15 days, the **Administrative Officer** may issue notice of a fine in an amount not to exceed \$250. If the violation is not corrected and no response is made to the **Administrative Officer** after 30 days, a second notice of fine may be issued in double the amount of the first fine. If the violation is not corrected and no response is made to the **Administrative Officer** after 45 days, a fine in triple the amount of the first fine may be issued, and the **Administrative Officer** may take further action under 6-3-1.
- (e) Nothing in this Section shall preclude or limit the Area Board of Zoning Appeals or any **Administrative Officer** from seeking any remedy under 6-3-1.

This ordinance shall be in full force and effect from and after its passage.

(Adopted And Passed) (Denied) by the Board of Commissioners of Tippecanoe County, Indiana, this 1st day of April, 20 .

VOTE:

Yes

David S. Byers
David S. Byers, President

Yes

Tracy A. Brown
Tracy A. Brown, Vice President

Absent
Thomas P. Murtaugh, Member

ATTEST:

Robert Plantenga
Robert Plantenga, Auditor