

ORDINANCE 2016-OR-01

Before the COMMON COUNCIL
THE CITY OF CHARLESTOWN

Amendment to Ordinance NO 2004-OR-05

WHEREAS, the Charlestown Advisory Plan Commission and the Charlestown Board of Zoning Appeals are authorized and organized under the provisions of Indiana Code 36-7-4-100 et seq.; and

WHEREAS, the City of Charlestown enacted Ordinance 2004-OR-05 that established Planning and Zoning Review and Developmental Fees (221 Non-Reverting Fund) to fund carrying out of the duties and responsibilities of the Advisory Plan Commission and The Board of Zoning Appeals; and

WHEREAS, the City of Charlestown enacted Ordinance Amendment 2007-OR-08 which cited the downturn in the housing and building market as a means of transferring funds on an annual basis to the City's General Fund; and

WHEREAS, the City of Charlestown has now experienced an upturn in the housing and commercial building industries; and

WHEREAS, The Office of the Building Commissioner under which the duties of the Advisory Plan Commission and Board of Zoning has experienced a rapid increase in all areas of the duties and responsibilities of the Office of the Building Commissioner, and

WHEREAS, the Common Council for the City of Charlestown recognizes the need to properly fund the duties and responsibilities of the Office of the Building Commissioner through the use of fines and fees which are deposited into the non-reverting fund established under City of Charlestown Ordinance 2004-OR-05, and

WHEREAS, the Common Council for the City of Charlestown recognizes the need to sufficiently maintain said non-reverting fund in a manner which would allow the Office of the Charlestown Building Commissioner to properly carry out the duties and responsibilities of the office.

NOW THEREFORE, BE IT ORDAINED by the City Council of Charlestown that:

1. Amendment Ordinance 2007-OR-08 to Ordinance 2004-OR-05 be repealed and considered null and void.
2. Any monies since transferred from the Non-Reverting (221) Fund during the 2015 year be returned to the Non-Reverting (221) Fund upon approval of this ordinance.
3. Amend Ordinance 2004-OR-05, body of text to read as follows;

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All review and development fees paid to the City of Charlestown under the authority of the Charlestown Ordinance Establishing Planning and Zoning Review and Developmental Fees shall be deposited into a non-reverting fund entitled "Non-Reverting Planning and Zoning Review and Developmental Fees Fund" and said fees shall be used exclusively to carry out the duties and responsibilities of the Advisory Plan Commission and the Board of Zoning Appeals through the Office of the Charlestown Building Commission.

ADOPTED by the Common Council of the City of Charlestown, Indiana, this 18th day of January, 2016,

	<u>AYE</u>	<u>NYE</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
<u>Tina Barnes</u> Tina Barnes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Brian Hester</u> Brian Hester	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Ben Ledbetter</u> Ben Ledbetter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Ted Little</u> Ted Little	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Eric Vaughn</u> Eric Vaughn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ATTEST: <u>G. Robert Hall</u> MAYOR, G. ROBERT HALL				
<u>Donna Coomer</u> CLERK TREASURER, DONNA COOMER				