

AN ORDINANCE ESTABLISHING THE HENDRICKS COUNTY  
SOLID WASTE PLANNING FEE

WHEREAS, IC 13-9.5-2 requires each county in the State of Indiana, including Hendricks County ("County"), to either establish itself as a county solid waste management district ("county district") or to join with one or more other counties in the formation of a joint solid waste management district ("joint district") no later than July 1, 1991; and

WHEREAS, IC 13-9.5-4 and P.L. 10-1990, SECTION 21 require each solid waste management district so formed to adopt a district solid waste management plan no later than July 1, 1992; and

WHEREAS, IC 13-9.5-6 authorizes the county executive to impose fees on the disposal or incineration of solid waste at a final disposal facility located within the county, to pay costs associated with the preparation of a district solid waste management plan; and

WHEREAS, the task of preparing a district solid waste management plan involves the development of information about solid waste management activities and facilities in Hendricks County to enable the County to make an informed decision about whether to become a county district or a joint district; and

WHEREAS, the county executive held a public hearing in the Hendricks County Courthouse in Danville, Indiana, on January 14, 1991, pursuant to a notice published in accordance with IC 5-3-1; now, therefore:

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, INDIANA:

SECTION 1. For the purpose of this ordinance, the following terms shall have the meanings ascribed to them as follows:

- (a) "Final disposal facility" shall have the meaning prescribed at IC 13-9.5-1-14.
- (b) "Solid Waste" shall have the meaning prescribed at IC 13-9.5-1-26.
- (c) "Board of Commissioners" means the Hendricks County Board of Commissioners.
- (d) "County auditor" means the auditor of Hendricks County.

SECTION 2. A county solid waste planning fee is imposed at the rate of Twenty-five Cents (\$0.25) per ton on each ton of solid waste disposed of at a final disposal facility in Hendricks County.

1991

SECTION 3. The owner or operator of a final disposal facility located in Hendricks County is responsible for collecting the county solid waste planning fee imposed under Section 2 of this ordinance from persons delivering solid waste to the final disposal facility. The disposal facility owner or operator may deduct an amount equal to one percent (1%) of the fees collected and may retain this amount as compensation for collecting and remitting the fees.

SECTION 4. The remainder of the fees collected each month under Section 3 of this ordinance shall be remitted to the county auditor within ten (10) days after the last day of the month in which the fees are collected.

SECTION 5. The owner or operator of a final disposal facility shall make necessary records available to an employee designated by the Board of Commissioners for the purpose of verifying the amount of solid waste disposed of and the amount of fees being collected and remitted to the county auditor.

SECTION 6. The owner or operator of a final disposal facility that does not have a scale suitable for solid waste may determine the weight of the solid waste by conversion from the volume of the solid waste. In making this conversion, an owner or operator shall use the following conversion factors:

- (a) Three and three-tenths (3.3) cubic yards of compacted solid waste equals one (1) ton of solid waste.
- (b) Six (6) cubic yards of uncompacted solid waste equals one (1) ton of solid waste.

SECTION 7. (a) The fee imposed under Section 2 of this ordinance does not apply to solid waste that is received at a final disposal facility pursuant to a contract entered into before January 1, 1990, unless the contract contains a pass-through provision by which the transporter of the solid waste may recover the fees from the transporter's client.

- (b) Any solid waste for which an exemption under this section is sought must be identified as to the particular contract which does not contain the pass-through provision. A copy of any contract for which the owner or operator of a final disposal facility desires to claim an exemption under this section must be filed with the Board of Commissioners.

SECTION 8. The fee imposed under Section 2 of this ordinance does not apply to solid waste disposed of at a final disposal facility by a person that:

- (1) generated the solid waste; and
- (2) disposes of the solid waste at a final disposal facility that is owned by that person and is limited, for the purposes of the disposal of solid waste, to use by that person for the disposal of solid waste generated by that person.

SECTION 9. The county auditor shall establish a fund to be known as the "Hendricks County Solid Waste Planning Fund." The Fund shall be administered in the same manner as all other county funds.

SECTION 10. (a) Money in the Fund may be used only for the following purposes:

- (1) to pay expenses of administering the Fund
  - (2) to pay costs associated with the development of a district solid waste management plan, including costs to develop information to enable the County to determine whether its plan should be prepared for a county or joint solid waste district.
- (b) A description of the activities to be undertaken, together with an estimate of the costs of such activities is attached as Exhibit A and is incorporated by reference herein.

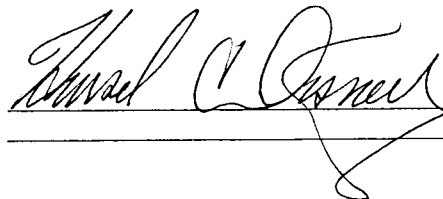
SECTION 11. The fee imposed under this ordinance may not be imposed after the earlier of:

- (1) the date on which Hendricks County is either designated a county district or joins into a joint district; or
- (2) December 31, 1992.

SECTION 12. This ordinance shall take effect February 14, 1991, after adoption and compliance with IC 36-2-4-8.

Adopted by the Board of Commissioners of Hendricks County, Indiana, by a vote of 3-0, on January 14, 1991.

THE BOARD OF COMMISSIONERS OF  
HENDRICKS COUNTY

  
\_\_\_\_\_, President

ATTEST:

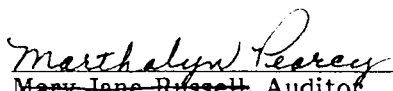
  
\_\_\_\_\_  
Mary Jane Russell, Auditor  
Special Deputy

EXHIBIT A

COST PROJECTIONS FOR PRELIMINARY SOLID WASTE DISTRICT STUDY

\$80,000 I. Preliminary Solid Waste Study of Hendricks County and Surrounding Counties

- (1) Current Waste Stream Analysis
  - sources
  - quantity
  - composition
- (2) Current Collection and Disposal Practices
- (3) Current (& Proposed) Recycling and Composting Activities
- (4) Inventory of Existing Waste Management Facilities
- (5) Transportation Routes and Geographic Limitations
- (6) Current and Projected Urban/Rural Population Mix
- (7) Projected Waste Generation Rates
- (8) Market Survey for Recyclable Materials
- (9) Financing of Current Systems
- (10) Inventory of Resources Available
- (11) Development of Goals and Objectives
- (12) Compatibility Among Counties

\$11,000 II. Legal fees for drafting and reviewing ordinances, agreements, forms, contracts, and legal instruments requisite to:

- (1) implementation of county solid waste planning fee
- (2) retention of technical advisors
- (3) establishment of county or joint district

Also, consultation with parties involved in preparation of the preliminary plan and subsequent district formation regarding the legal proceedings required.

\$ 6,000 III. Costs incurred by the Hendricks County Auditor's Office in administering the Hendricks County Solid Waste Planning Fund

\$11,000 IV. Salary for county employee to monitor and insure proper collection of the Hendricks County Solid Waste Planning Fee

\$55,000 V. Optional: Public Information and Education

- (1) Public survey(s)
- (2) Public meetings
- (3) Promotional materials

TOTAL PROJECTED EXPENSES \$163,000

ORDINANCE NO. 1991-4

A SPECIAL ORDINANCE CONCERNING THE COUNTY CORRECTIONS FUND

WHEREAS, SEA 395, (1986) AN ACT to amend the Indiana Code concerning corrections, added I.C. 11-12-6 to the Indiana Code to provide for the establishment and funding of a county corrections fund; and

WHEREAS, I.C. 11-12-6-6 provides that a county legislative body may annually adopt an ordinance to elect to receive deposits from the State Department of Correction and to establish a county corrections fund; and

WHEREAS, the Hendricks County Board of Commissioners will hold a public hearing on Monday, February 11, 1991 at 1:00 P.M. in the Commissioners' Room on the third floor of the Courthouse, and

WHEREAS, the county corrections fund may be used only for funding the operation of the county jail, jail programs, or other local correctional facilities; and

WHEREAS, the county legislative body may elect to receive deposits at either Level 1, Level 2 or Level 3 funding; and

WHEREAS, Level 3 is the most appropriate level of participation for Hendricks County; therefore;

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY:

SECTION 1. Hendricks County Board of Commissioners hereby elect to receive deposits from the Department of Correction in accordance with I.C. 11-12-6.

SECTION 2. Hendricks County Board of Commissioners hereby elect to receive such deposits at Level 3 funding.

SECTION 3. There is hereby created a "county corrections fund", to be administered by the Hendricks County Council. The fund shall consist of deposits received from the Department of Correction in accordance with I.C. 11-12-6

SECTION 4. The County Corrections fund may be used only for funding the operation of the county jail, jail programs, or other local correctional facilities. Any money remaining in a county corrections fund at the end of the year does not revert to any other fund but remains in the county corrections fund.

SECTION 5. This ordinance shall be in full force and effect upon passage.

DATED 2-11-91

ATTEST: Marthelyn Pearey  
Secretary

[Signature]  
Hansel S. Pinsky  
[Signature]  
[Signature]

ORDINANCE 1991 - 5

AN ORDINANCE AMENDING THE HENDRICKS COUNTY ZONING ORDINANCE TO REPEAL ALL SECTIONS IN REFERENCE TO THE SETTING AND COLLECTING OF ZONING AND BUILDING PERMIT ADMINISTRATIVE FEES

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana, desire to establish a Planning and Building Department Uniform Fee Schedule separate from the Hendricks County Zoning Ordinance which will include, but not be limited to, zoning and building permit administrative fees; and

WHEREAS, it is necessary to repeal all sections in the adopted Hendricks County Zoning Ordinance, as amended, in reference to the setting and collection of zoning and building permit administrative fees prior to adopting a separate Planning and Building Department Uniform Fee Schedule; and

WHEREAS, Section 36-7-4-602(b) of the Indiana Code allows the Board of County Commissioners of Hendricks County, Indiana, to initiate a proposal to amend or partially repeal the text of the Hendricks County Zoning Ordinance; and

WHEREAS, the Hendricks County Advisory Plan Commission may amend the Hendricks County Zoning Ordinance in accordance with Chapter 5.7 - Amendments of the Zoning Ordinance; and

WHEREAS, the Hendricks County Advisory Plan Commission held a public hearing on the 14th day of January, 1991, pursuant to the public notification requirements and made certain recommendations to the Board of Commissioners of Hendricks County, Indiana, and

WHEREAS, the Board of Commissioners of Hendricks County, Indiana, after having considered the Hendricks County Zoning Ordinance, as amended, and after having received a favorable recommendation from the Hendricks County Advisory Plan Commission, and finding that the recommendations should be adopted.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Hendricks County, Indiana by authority of Section 36-7-4-602(b) of the Indiana Code that the Hendricks County Zoning Ordinance be amended by repealing the following sections:

SECTION 1- Repeal Section 5.5.5 of Article V - ADMINISTRATION entitled fees, and


SECTION 2 - Repeal Section 5.19.4.5 of Article XIX -  
Manufactured Housing entitled Permit Fee  
(Temporary Use).


This Ordinance shall be in full effect from and after its  
passage and approved according to law.

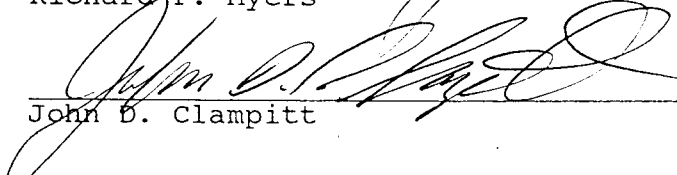
If any section, clause, paragraph, provision, or portion of  
this amendment shall be held to be invalid or unconstitutional by  
any court of competent jurisdiction, such decision shall not  
affect any other section, clause, paragraph, provision or portion  
of this amendment.

Passed and approved by the Board of Commissioners of  
Hendricks, County, Indiana, this 19th day of February,  
1991.


BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
Hursel C. Disney

  
\_\_\_\_\_  
Richard P. Myers

  
\_\_\_\_\_  
John B. Clampitt

ATTEST:

  
\_\_\_\_\_  
Marthalyn Pearcy  
Secretary



AN ORDINANCE AMENDING THE HENDRICKS COUNTY SUBDIVISION CONTROL ORDINANCE TO REPEAL ALL SECTIONS IN REFERENCE TO THE SETTING AND COLLECTING OF SUBDIVISION PLATTING ADMINISTRATIVE FEES.

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana, desire to establish a Planning and Building Department Uniform Fee Schedule separate from this Hendricks County Subdivision Control Ordinance which will include, but not be limited to subdivision platting administrative fees; and

WHEREAS, it is necessary to repeal all sections in the adopted Hendricks County Subdivision Control Ordinance, as amended in reference to the setting and collection of subdivision platting administrative fees prior to adopting a separate Planning and Building Department Uniform Fee Schedule; and

WHEREAS, Section 36-7-4-701 of the Indiana Code allows the Board of County Commissioners of Hendricks County, Indiana, to initiate a proposal to amend or partially repeal the text of the Hendricks County Subdivision Control Ordinance; and

WHEREAS, the Hendricks County Advisory Plan Commission held a public hearing on the 14th day of January, 1991, pursuant to the public notification requirements and made certain recommendations to the Board of Commissioners of Hendricks County, Indiana; and

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana, after having considered the Hendricks County Subdivision Control Ordinance, as amended, and after having received a favorable recommendation from the Hendricks County Advisory Plan Commission, and finding that the recommendations should be adopted.

NOW THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Hendricks County, Indiana, by authority of Section 36-7-4-701 of the Indiana Code that the Hendricks County Subdivision Control Ordinance be amended by repealing the following section.

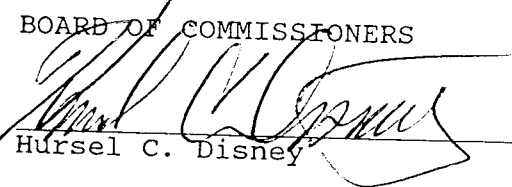
SECTION 1 - Repeal Section 4.2.2.5 of Article II PROCEDURE entitled Fees

This Ordinance shall be in full effect from and after its passage and approved according to law.

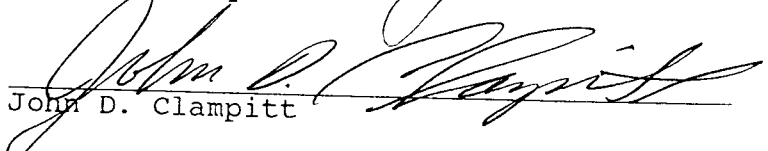
If any section, clause, paragraph, provision or portion of this amendment shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, paragraph, provision or portion of this amendment.

Passed and approved by the Board of Commissioners of Hendricks County Indiana, this 19th day of February, 1991.


BOARD OF COMMISSIONERS

  
Hursel C. Disney

  
Richard P. Myers

  
John D. Clampitt

ATTEST:

  
Marthalyne Fearcy  
Secretary

AN ORDINANCE ESTABLISHING A PLANNING AND BUILDING DEPARTMENT  
UNIFORM FEE SCHEDULE

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana, desire to establish a Planning and Building Department Uniform Fee Schedule separate from the Hendricks County Zoning Ordinance and the Hendricks County Subdivision Control Ordinance which will include the setting and collecting of all planning, zoning, and building permit administrative fees; and

WHEREAS, Section 36-7-4-411 of the Indiana Code allow the Hendricks County Advisory Plan Commission to set and collect reasonable administrative fees for all planning, zoning, and building permits; and

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana after receiving a favorable recommendation from the Hendricks County Advisory Plan Commission, adopted an ordinance appealing the Sections permitting the setting and collection of fees in the Zoning Ordinance for zoning and building permit fees; and

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana, after receiving a favorable recommendation from the Hendricks County Advisory Plan Commission, adopted an ordinance repealing the Sections permitting the setting and collection of fees in the Subdivision Control Ordinance for subdivision - platting fees; and

WHEREAS, the Hendricks County Advisory Plan Commission held a public hearing on the 14th day of January, 1991 pursuant to the public notification requirements and made certain recommendations to the Board of County Commissioners of Hendricks County, Indiana, and

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana, after having considered the Hendricks County Zoning Ordinance and the Subdivision Control Ordinance, as amended, and after having received a favorable recommendation from the Hendricks County Advisory Plan Commission, and finding that the recommendations should be adopted.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Hendricks County, Indiana by authority of Section 36-7-4-411 of the Indiana Code that there is hereby established a Planning and Building Department Uniform Fee Schedule as follows:

SECTION I

I. PLANNING ADMINISTRATION FEES

A. SUBDIVISION

1. MINOR SUBDIVISION	\$150.00 + \$5.00/lot
2. MAJOR SUBDIVISION	
a. Preliminary (Primary)	\$250.00
b. Final (Secondary)	\$250.00 + \$5.00/lot
3. REVISION - CHANGE TO APPROVED PLAT, NOT RECORDED	\$150.00
4. AMENDMENT - CHANGE TO RECORDED PLAT	\$250.00 + \$5.00/lot
5. EXTENSION OF TIME FOR PLAT RECORDING	\$100.00
6. VACATION OF RECORDED PLAT	\$150.00 + \$5.00/lot

B. ZONING AMENDMENT

1. CHANGE IN ZONING ORDINANCE TEXT	\$150.00
2. CHANGE IN ZONING MAP CLASSIFICATION	\$300.00

C. SHOPPING CENTER

1. PRELIMINARY DEVELOPMENT PLAN	\$300.00
2. FINAL DEVELOPMENT PLAN	\$150.00 + \$5.00/acre
3. AMMENDMENT TO APPROVED PLAN	\$150.00 + \$5.00/acre

D. PUBLIC NOTIFICATION FOR PUBLIC HEARING

1. NEWSPAPER LEGAL ADS	\$ 30.00
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E. OTHER

1. COMPREHENSIVE DEVELOPMENT PLAN	\$ 10.00
2. SUBDIVISION CONTROL ORDINANCE	\$ 5.00
3. PLAN COMMISSION RULES OF PPROCEDURE	\$ 2.00
4. HENDRICKS COUNTY HIGHWAY MAP	\$ 1.00

SECTION 2

II. ZONING ADMINISTRATION FEES

A. APPEALS

1. ADMINISTRATIVE APPEAL \$100.00

B. VARIANCES

1. VARIANCE OF USE \$300.00 + \$50.00 for each additional variance of development standards

2. VARIANCE OF DEVELOPMENT STANDARDS \$100.00 + \$10.00 for each additional variance of development standards

C. SPECIAL EXCEPTIONS

1. RESIDENTIAL USE \$100.00

2. COMMERCIAL/INDUSTRIAL USE \$200.00

3. MOBILE HOME \$100.00

4. MOBILE HOME RENEWAL \$ 50.00

D. PLANNED UNIT DEVELOPMENT (PUD)

1. PRELIMINARY DEVELOPMENT PLAN \$300.00

2. FINAL DEVELOPMENT PLAN \$150.00 + \$5.00/acre

3. AMENDMENT TO APPROVED PLAN \$150.00 + \$5.00/acre

E. PUBLIC NOTIFICATION FOR PUBLIC HEARING

1. NEWSPAPER LEGAL ADS \$ 30.00

F. OTHER

1. ZONING ORDINANCE \$ 5.00

2. BZA RULES OF PROCEDURE \$ 2.00

SECTION 3

III. BUILDING ADMINISTRATION FEES

A. RESIDENTIAL USES

1. PRINCIPAL USES	
a. Single Family Dwelling	\$100.00 + .05/ea. add. sq. ft. > 1,500 sq. ft.
b. Two Family Dwelling	\$150.00 + .05/ea. add. sq. ft. > 2,000 sq. ft.
c. Multifamily Dwelling	\$100.00/bldg. + \$50.00/ dwelling unit
2. ACCESSORY USE	
a. Garage	\$ 50.00
b. Storage	\$ 50.00
c. Other Structures	\$ 25.00
3. ADDITIONS - MAXIMUM	
3 additional rooms	\$ 50.00
More than 3 rooms	\$100.00 + .05/ea. add. sq. ft.
4. REMODELING (No additional room)	\$ 50.00
5. SWIMMING POOL	\$ 25.00
6. ELECTRICAL	\$ 25.00
7. RELOCATION	
a. Principal	\$ 75.00
b. Accessory	\$ 35.00
8. DEMOLITION	
a. Principal	\$ 50.00
b. Accessory	\$ 25.00
9. MOBILE HOME/TEMPORARY USE	\$ 50.00

B. COMMERCIAL USES

1. PRINCIPAL USE	\$200.00 + .05/ea. add. sq. ft. NOT TO EXCEED \$1,500
2. ACCESSORY USE	\$100.00 + .05/ea. add. sq. ft. NOT TO EXCEED \$1,500
3. ADDITION	\$100.00 + .05/ea. add. sq. ft. NOT TO EXCEED \$1,500

SECTION 3 (CONTINUED)

4. REMODELING	\$100.00 + .05/ea. add. sq. ft. NOT TO EXCEED \$1,500
5. ELECTRICAL	\$ 50.00
6. RELOCATION	
a. Principal	\$100.00
b. Accessory	\$ 50.00
7. DEMOLITION	
a. Principal	\$100.00
b. Accessory	\$ 50.00
C. <u>INDUSTRIAL USES</u>	
1. PRINCIPAL USE	\$250.00 + .05/ea. add. sq. ft. NOT TO EXCEED \$1,500
2. ACCESSORY USE	\$150.00 +.05/ea. add. sq. ft. NOT TO EXCEED \$1,500
3. ADDITION	\$150.00 + .05/ea. add. sq. ft. NOT TO EXCEED \$1,500
4. REMODELING	\$150.00 + .05/ea. add. sq. ft. NOT TO EXCEED \$1,500
5. ELECTRICAL	\$ 50.00
6. RELOCATION	
a. Principal	\$100.00
b. Accessory	\$ 50.00
7. DEMOLITION	
a. Principal	\$100.00
b. Accessory	\$ 50.00
D. <u>AGRICULTURAL USES</u>	All structures greater than 120 square feet located on less than 20 acres require a building permit as per the residential permit fees.

SECTION 3 (CONTINUED)

E. SIGN OR ADVERTISING STRUCTURE

- 1. GROUND OR POLE SIGN \$ 20.00
- 2. BUILDING SIGN \$ 20.00

F. COMMERCIAL PARKING LOT \$2.00/parking space

IV. MISCELLANEOUS PROVISIONS

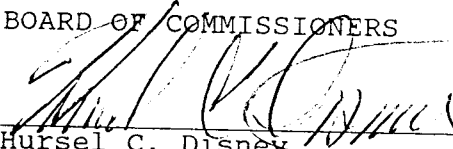
- A. The cost of Certificate of Occupancy is included in the Improvement Location Permit (Building Permit).
- B. Applications and petitions shall be accompanied with the proper fee payment. Checks or money orders must be made payable to the Hendricks County Planning and Building Department.
- C. Until the applicable fees have been paid in full, no application shall be processed by the Building Department.
- D. All fees paid are nonrefundable.

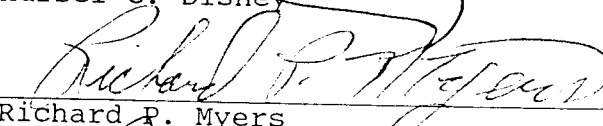
This Ordinance shall be in full effect from and after its passage and approved according to law.


If any section, clause, paragraph, provision, or portion of this amendment shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, paragraph, provision or portion of this amendment.

Passed and approved by the Board of Commissioners of Hendricks County, Indiana, this 19th day of February, 1991.

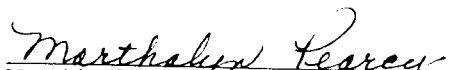
BOARD OF COMMISSIONERS

  
Hursel C. Disney

  
Richard P. Myers

  
John D. Clampitt

ATTEST:

  
Marthalyne Kearcy, Secretary



AMENDMENT OF WORDS OF PENALTY IN ALL HENDRICKS COUNTY

ORDINANCES FROM "INFRACTION" TO "VIOLATION"

WHEREAS, Indiana Code 36-1-4-11 of the Acts of General Assembly of the State of Indiana, as amended, granted certain powers to the Boards of County Commissioners, relative to the adoption of ordinances; and

WHEREAS, the Hendricks County Board of Commissioners held a public hearing pursuant to the legislative procedure established under Indiana Code 36-2-4 seq; and

WHEREAS, the penalty statute for the State of Indiana being Indiana Code 34-4-32-1, et. seq. mandates that violations of County ordinances shall be brought in the name of the municipal corporation; and

WHEREAS, the County ordinances penalty provisions inappropriately designated as "infractions" instead of "violations"; and

WHEREAS, it is the intent of this ordinance to amend all Hendricks County ordinances which have a penalty provision of "infractions" to state that the violation of the Hendricks County Ordinance is a "violation"; and

WHEREAS, the Board of County Commissioners, after having a public hearing found: the uniform enforcement of all Hendricks County as amended, is necessary.

THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Hendricks County, Indiana that the provisions of this ordinance are effective within Hendricks County as follows:

1. Amendment of Hendricks County Ordinances. All Hendricks County ordinances whose penalty provisions are inappropriately designated as an "infraction", be and are hereby amended to be designated "violation" of said ordinance.

2. Penalties. Any person or legal entity found to be violating any provisions of this ordinance or any prior ordinances of the Board of Commissioners shall be cited for said "violation" into a Court having jurisdiction. Upon conviction, by a court of competent jurisdiction, the violator shall be punished by a fine of no more than Two Thousand Five Hundred Dollars (\$2,500.00), including any court cost imposed. If such violation is continued, each day's violation shall be a separate offense.

3. Unconstitutionality Clause. Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

4. Repeal and Date of Effect.

A) All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed, and this ordinance shall be in full force and effect from and after its passage, approval by the Commissioners and publication as required by law.

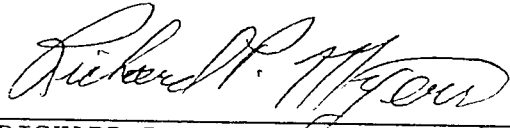
B) Passed and adopted by the Commissioners of Hendricks County, State of Indiana, on the 19<sup>th</sup> day of February, 1997.

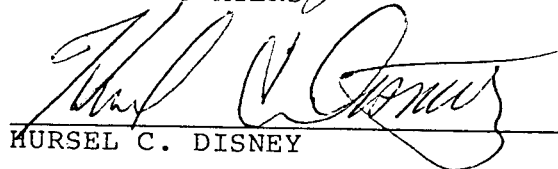
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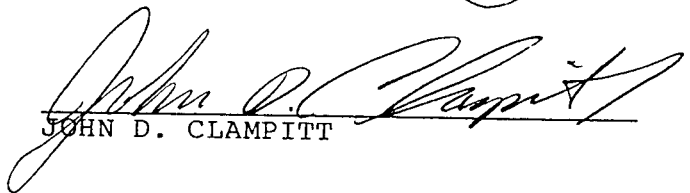
DATE: \_\_\_\_\_

BONNIE L. MORPHEW, RECORDER

BOARD OF COMMISSIONERS

  
RICHARD P. MYERS

  
HURSEL C. DISNEY

  
JOHN D. CLAMPITT

ORDINANCE NUMBER 1991-12

March 26, 1991

ORDINANCE FOR WEIGHT RESTRICTIONS ON COUNTY ROADS

200 EAST AND 75 SOUTH

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WHEREAS, the Board of Commissioners of Hendricks County, Indiana is the governing body for said County; and

WHEREAS, the Board of Commissioners of Hendricks County, Indiana is responsible for the maintenance and upkeep of all county roads; and

WHEREAS, there is currently a weight restriction of Eighty Thousand (80,000) pounds for the traffic on 75 South; and


WHEREAS, to insure the safety of all persons traveling said roads and to properly maintain and upkeep said County Road 75 South;

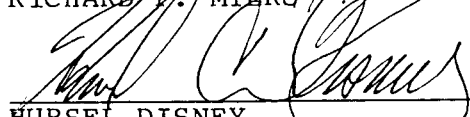
BE IT THEREFORE ORDAINED that there will be a weight restriction of no more than fifteen (15) tons on County Road 75 South, beginning at County Road 200 East and continuing to County Road 150 East for all traffic traveling on this route.

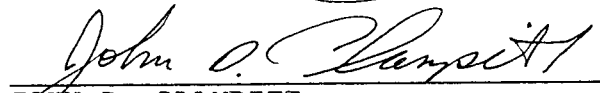
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BE IT FURTHER ORDAINED that upon a finding of a violation of this ordinance a penalty shall be imposed in the penal sum up to Five Hundred Dollars (\$500.00).

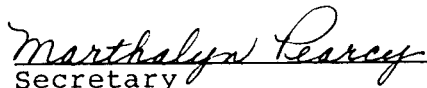
DULY EXECUTED this 26<sup>TH</sup> day of March, 1991.

  
RICHARD P. MYERS

  
HURSEL DISNEY

  
JOHN D. CLAMPITT

ATTEST:

  
Secretary

ORDINANCE  
OF  
HENDRICKS COUNTY, INDIANA

ORDINANCE NO. 13 - 1991

AN ORDINANCE TO FORM THE WEST CENTRAL INDIANA SOLID WASTE DISTRICT CONSISTING OF THE COUNTIES OF HENDRICKS, MONTGOMERY, MORGAN, PARKE AND PUTNAM.

WHEREAS, IC 13-9.5-2 requires each county in the State of Indiana to either establish itself as a single county solid waste management district or to join with one or more other counties in the formation of a joint solid waste management district ("joint district"); and

WHEREAS, IC 13-9.5-2-6 establishes procedures for the formation of a joint district; and

WHEREAS, the County Commissioners of Hendricks, Montgomery, Morgan, Parke and Putnam Counties have agreed that these respective counties can best serve the needs of their citizens with regard to the management of solid waste by forming a joint district; and

WHEREAS, IC 13-9.5-2-6(d) allows that an agreement among three (3) or more counties establishing a joint district may provide that the membership of the board of directors of the district and the terms of office and members of the board of directors will be determined by the terms of an agreement entered into by the executive of each county; and

WHEREAS, the organizing board of the WEST CENTRAL INDIANA SOLID WASTE DISTRICT, with membership from the County Commissioners of each member county, submits and proposes adoption of an Agreement governing the operation of the joint district for adoption by the County Commissioners of each county; and

WHEREAS, each member county has now before it the matter of adopting an ordinance identical in terms as contained herein;

NOW THEREFORE:

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, INDIANA AS FOLLOWS:

SECTION 1. Hendricks County, Indiana does hereby join together with Montgomery, Morgan, Parke and Putnam Counties, Indiana in establishing a joint solid waste management district to be known as the WEST CENTRAL INDIANA SOLID WASTE DISTRICT ("District"), organized pursuant to IC 13-9.5, to perform all of the functions authorized and directed by said statute, as it is now promulgated or as the same may

hereafter be modified. The District shall be controlled by a board of nineteen (19) members known as the West Central Indiana Solid Waste District Board of Directors.

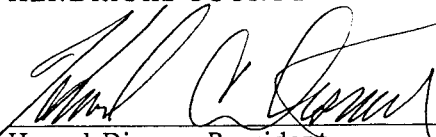
SECTION 2. All of the incorporated and unincorporated territory of Hendricks County shall be included in the District.

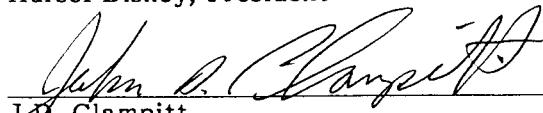
SECTION 3. The proposed Agreement governing the operation of the District is hereby approved and made a part of this ordinance as Attachment A; and the County Commissioners of Hendricks County are hereby authorized to enter into the Agreement and execute the same, attested by the Hendricks County Auditor, for and on behalf of Hendricks County.

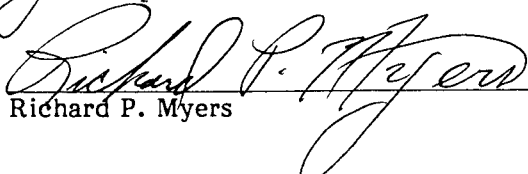
SECTION 4. This ordinance shall become effective from and after the date of its passage.

Adopted by the Board of Commissioners of Hendricks County in regular meeting on the 17 day of June, 1991.

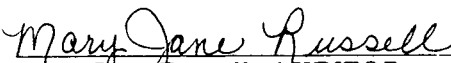
THE BOARD OF COMMISSIONERS OF  
HENDRICKS COUNTY

  
\_\_\_\_\_  
Hursel Disney, President

  
\_\_\_\_\_  
J.P. Clampitt

  
\_\_\_\_\_  
Richard P. Myers

ATTEST:

  
\_\_\_\_\_  
Mary Jane Russell, AUDITOR

ATTACHMENT A

WEST CENTRAL INDIANA SOLID WASTE DISTRICT  
AGREEMENT

WHEREAS, the County Commissioners of Hendricks, Montgomery, Morgan, Parke, and Putnam Counties have been meeting together for several months to discuss their mutual interests with regard to solid waste management and compliance with IC 13-9.5-2, ("Act"); and

WHEREAS, the County Commissioners of each of the aforementioned counties have adopted or are expected to adopt identical ordinances establishing the West Central Indiana Solid Waste District ("District"), which shall encompass all of the incorporated and unincorporated territory of Hendricks, Montgomery, Morgan, Parke, and Putnam Counties for purposes of solid waste management and compliance with the Act; and

WHEREAS, IC 13-9.5-2-6 allows that an agreement among three (3) or more counties establishing a joint district may provide that the membership of the board of directors of the district and the terms of members of the board of directors will be determined by the terms of an agreement entered into by the executive of each county under the Act; and

WHEREAS, the County Commissioners of each of the aforementioned counties are desirous of entering an agreement establishing the District and governing its operation.

NOW THEREFORE, in consideration of the mutual terms, covenants and conditions set forth herein, the aforementioned counties hereby agree as follows:

Section 1. Purpose. The purpose of this agreement is to join together the aforementioned counties in establishing a joint solid waste management district to be known as the West Central Indiana Solid Waste District and to provide an agreement governing its operation in fulfillment of the obligations imposed under the Act; and to jointly prepare and implement a solid waste management plan for the citizens and all of the incorporated and unincorporated territory of each member county.

Section 2. Duration. This agreement shall be in full force and effect as of the date of its execution by the member counties and shall remain in full force and effect until otherwise amended or terminated by agreement between the parties in accordance with Section 12.

Section 3. Administration. The District shall be administered as a separate legal entity and political subdivision, pursuant to the Act and shall be governed by a board of directors, to be called the West Central Indiana Solid Waste District Board of Directors ("Board"). The Board shall exercise the powers of the District, as authorized by the Act and shall be composed of nineteen (19) elected officials from the member counties as follows: seven (7) officials representing Hendricks County, three (3) officials representing Montgomery County, four (4) officials representing Morgan County, two (2) officials representing Parke County, and three (3) officials representing Putnam County.



Appointments to the Board shall made as follows:

- A. The Hendricks County Commissioners shall appoint five (5) members from any or all of the following: their own membership, the membership of the Hendricks County Council, or the Town Councils of Brownsburg, Danville, or Plainfield.
- B. The Montgomery County Commissioners shall appoint two (2) members from their own membership or the membership of the Montgomery County Council.
- C. The Morgan County Commissioners shall appoint three (3) members from any or all of the following: their own membership, the membership of the Morgan County Council, or the Town Council of Mooresville.
- D. The Parke County Commissioners shall appoint one (1) member from their membership.
- E. The Putnam County Commissioners shall appoint two (2) members from their own membership or the membership of the Putnam County Council.
- F. Each Board of County Commissioners shall also appoint one (1) member recommended by the executive of the largest municipality in the county and approved by that municipality's legislative body.
- G. In addition to the appointments made under Subsections A through E of this Section, the Board of Commissioners in a county in which a permitted final disposal facility is located shall appoint one (1) additional member.

Thirteen (13) members of the Board shall constitute a quorum for the purpose of conducting business. At its first meeting the Board shall elect from its membership a chairman, vice-chairman, and a secretary. The chairman shall be responsible for determining the time and place of all meetings and shall act as the presiding officer. A meeting may also be called by a majority of the members of the Board. The vice-chairman shall preside in the absence of the chairman. The secretary shall prepare and maintain minutes and be responsible for providing notice of all the meetings in compliance with the provisions of the Indiana Open Door Law.

Section 4. Terms of Office. Each director shall be appointed to serve for a term of one (1) year commencing on January 1 and ending on December 31, except that the term of office for each member of the initial Board of Directors shall commence on the date this Agreement is adopted by all of the member counties, and ending on December 31, 1992. Unless and until the appointing body gives notice to the West Central Indiana Solid Waste District of a different appointment, the then-current board member shall be automatically reappointed for subsequent one (1) year terms, coextensive with and limited by the director's term of elective office. In accordance with the Act, each board member serves at the pleasure of the appointing authority.

Section 5. Powers and Duties. Except as provided by Section 6 of this Agreement, the Board shall conduct all business on behalf of the District in conformance with, and exercise all of the powers and authority provided in the Act and all other requirements of law governing municipal corporations in the State of Indiana. The Board shall be

responsible for the development of all district-wide plans for the disposition of solid waste and the management of such disposition for all of the member counties. By approving this Agreement, each county executive agrees to adopt such necessary resolutions and ordinances to enforce the rules and regulations concerning solid waste disposal and management recommended by the Board.

Section 6. Executive Committee. Pursuant to a resolution adopted by the Board, the Board shall elect an Executive Committee from its membership. The Committee shall have only the powers invested in it by resolution of the Board.

Section 7. Financing. Planning, organizational, and long-range costs shall be determined by the Board after study and in the best interests of the citizens of the District.

Section 8. Accounting. The Board shall appoint a fiscal officer who is delegated the duty to receive, disburse, and account for all monies of this joint undertaking.

Section 9. Budget. The Board shall be responsible for preparing and approving an annual budget subject to regular budget procedures. The Board shall submit the annual budget to the Board of County Commissioners and County Council of each member county for their review.

Section 10. Property. All property acquired by the District after the formation of the District shall be taken in the name of the District. The Board shall comply with the provisions of the Indiana Code applicable to political subdivisions relating to the acquisition and disposal of property. In the event that a member county removes itself from the District, all property interests are forfeited to the District without compensation. If the District shall cease to exist, the assets of the District shall be liquidated and the proceeds distributed among the member counties generally in proportion to each county's representation on the Board.

Section 11. Final Disposal Facilities. The Board shall not adopt any resolution which requires the county executive of any member county to accept a site for the purpose of locating a final disposal facility unless the prior approval of the county executive has been obtained. Nor shall the Board adopt a resolution which requires an existing final disposal facility within the District to accept solid waste, as defined by the Act, from any generator, hauler or facility in the District.

Section 12. Indemnification. Each member county that has owned or operated a solid waste facility at any time up to and including the date of this agreement, or that owns or operates a solid waste facility at any time after the date of this agreement other than a solid waste facility owned or operated by the District, to the extent permitted by law, shall defend, indemnify and hold harmless the District and the Board, its agents and employees while acting within the scope of their duties, from and against all liability, claims, damages and costs of defense arising out of or relating to such member county's ownership or operation of such solid waste facility. Each member county expressly acknowledges that the liability, claims, damages and costs of defense described in this Section shall include without limitation all liability, claims, damages and costs of defense arising out of or relating to environmental response, remediation or mitigation; contractual claims; personal injury; property damage; violations of any law, regulation, order or other legal authority; or requirements regarding permits, authorizations or fees.

Section 13. Removal from the District. Pursuant to IC 13-9.5-4-13, a member county may remove itself from the District before the District's solid waste management plan is approved by the Indiana Department of Environmental Management. The Board shall establish procedures in its rules for reorganization after the removal of a member county.

Section 14. Amendment or Termination. This agreement may be amended or terminated only with the affirmative vote of thirteen (13) members or two-thirds (2/3) of the entire membership of the Board.

Section 15. Severability. If any term or provision of this agreement is declared to be invalid, null, void or unenforceable, the remaining provisions shall not be affected, and shall have full force and effect.

This Agreement in separate counterparts, for each respective county, all identical in wording, having been examined by the County Commissioners of Hendricks COUNTY, shall upon the proper adoption by the undersigned become a part of the whole of all counterparts properly executed by the proper officers of all other participating counties which whole of the counterparts shall make up the entire Agreement for all member counties as the West Central Indiana Solid Waste District.

For Hendricks County, Indiana executed this 17<sup>th</sup> day of June, 1991.

BOARD OF COMMISSIONERS OF  
Hendricks COUNTY

"Nay"

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

"Aye"

[Signature]  
[Signature]  
[Signature]

ATTEST:

Mary Jane Russell  
AUDITOR

ORDINANCE NO. 1991-14

AN ORDINANCE ESTABLISHING THE  
HENDRICKS COUNTY DEPARTMENT OF REDEVELOPMENT  
AND THE HENDRICKS COUNTY REDEVELOPMENT COMMISSION

WHEREAS, IC 36-7-14 (the "Act") authorizes the Board of Commissioners of Hendricks County, Indiana (the "County"), to establish a department of redevelopment controlled by a board of five members; and

WHEREAS, in order to pursue the public purposes of the Act, the Board of Commissioners now desires to establish the Hendricks County Department of Redevelopment and the Hendricks County Redevelopment Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, INDIANA, as follows:

SECTION 1. There is hereby created the Department of Redevelopment of Hendricks County, Indiana, which shall be entitled to exercise all the rights, powers, privileges and immunities accorded to such department by the Act.

SECTION 2. Such Department of Redevelopment of Hendricks County, Indiana, shall be under the control of a Board of five (5) members to be known as the Hendricks County Redevelopment Commission.

SECTION 3. There is hereby created a Board to be known as the Hendricks County Redevelopment Commission. All five (5) of said Commissioners shall be appointed by the Board of Commissioners of Hendricks County, Indiana. Each Redevelopment Commissioner shall serve for one (1) year from the first day of January after his or her appointment and until his or her successor is appointed and has qualified, except that the original Commissioners shall serve from the date of their appointment until the first day of January in the second year after their appointment. If a vacancy occurs, a successor shall be appointed in the same manner as the original Commissioner, and the successor shall serve for the remainder of the vacated term.

Each Redevelopment Commissioner, before beginning his or her duties, shall take and subscribe an oath of office in the form prescribed by law, to be endorsed on the certificate of his or her appointment, which shall be promptly filed with the Auditor of Hendricks County, Indiana.

Each Redevelopment Commissioner, before beginning his or her duties, shall execute a bond payable to the State, with surety to be approved by the Board of Commissioners of Hendricks County, Indiana. The bond must be in a penal sum of Fifteen Thousand

Dollars (\$15,000.00) and must be conditioned on the faithful performance of the duties of his or her office and the accounting for all monies and property that may come into his or her hands or under his or her control. The cost of the bond shall be paid by the Redevelopment District.

SECTION 4. Such Commissioners shall have the qualifications prescribed by the laws of the State of Indiana as from time to time amended and shall qualify as therein provided; and shall exercise and enjoy the rights and powers and assume the duties and obligations conferred and imposed by said Act, including but not limited to the following qualifications:

(a) A Redevelopment Commissioner must be at least 18 years of age and must be a resident of Hendricks County, Indiana. If a Commissioner ceases to be qualified under this Section, he or she forfeits his or her office.

(b) No Redevelopment Commissioner of Hendricks County shall receive a salary; but such Redevelopment Commissioners are entitled to reimbursement for expenses necessarily incurred in the performance of their duties.

(c) A Redevelopment Commissioner may not have a pecuniary interest in any contract, employment, purchase or sale made under the provisions of this Ordinance and the Act. However, any property required for redevelopment purposes in which a Commissioner has a pecuniary interest may be acquired, but only by gift or condemnation. A transaction made in violation of this Section of this Ordinance is void.

SECTION 5. If any part of this Ordinance shall be adjudged to be invalid by a Court of proper jurisdiction, it shall be conclusively presumed that the Board of Commissioners of Hendricks County, Indiana, would have passed the remainder of this Ordinance without such invalid part.

SECTION 6. This Ordinance shall be in full force and effect immediately from and after its passage by the Board of Commissioners in the manner provided by law.

PASSED by the Board of Commissioners of the County of Hendricks, Indiana, on the 5th day of August, 1991.

THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDRICKS, INDIANA

David C. Carney  
President  
(Presiding Officer)

John D. Bennett  
Commissioner

Richard P. Meyer  
Commissioner

(SEAL)

ATTEST:

Marthelyn Caray  
~~Special Deputy~~ Auditor  
Hendricks County, Indiana

RXS00082

ORDINANCE NO. 15

ORDINANCE VACATING PUBLIC ALLEYWAY,

BE IT ORDAINED by the County of Hendricks, Indiana, that:

WHEREAS, Glen R. Arnold and Betty L. Arnold; Fred R. Hamilton; and Henry Walton and Ruth Walton, have filed their Petition to Vacate certain Alleyways with the Clerk of the Board of Commissioners of Hendricks County, Indiana, pursuant to statute; and

WHEREAS, notice has been given by certified mail, return receipt requested, to each owner of the land that abuts the property proposed to be vacated; and

WHEREAS, notice of publication has been given as prescribed by I.C. 5-3-1, and the proof of publication having been filed with the Clerk of the Board of Commissioners of Hendricks County, Indiana; and

WHEREAS, the Board of Commissioners of Hendricks County, Indiana, having held a public hearing on such "Petition to Vacate Alleyways" on Monday, August 12, 1991 at 1:30 p.m.; and

WHEREAS, after reviewing all of the pertinent facts relative to the request of the "Petition to Vacate Alleyways" and all interested persons having had an opportunity to be heard at the public hearing;

NOW, THEREFORE, by the powers vested in the Board of Commissioners of Hendricks County, Indiana, pursuant to I.C. 36-7-3-12, is hereby ordered and ordained that the relief requested in said "Petition to Vacate Alleyways" is now granted.

IT IS, THEREFORE, ORDERED AND ORDAINED that the following alleyways heretofore platted be, and the same are hereby vacated which alleyways are more particularly described as follows, to-wit:

Alley located between Lots Three (3) and Four (4) in Block 16 in the Original Town of Belleville, Hendricks County, Indiana.

Alley located between Lots One (1), Two (2), Three (3) and Four (4) and Lots Eight (8), Ten (10) and Eleven (11) in Block 16 in the Original Town of Belleville, Hendricks County, Indiana.

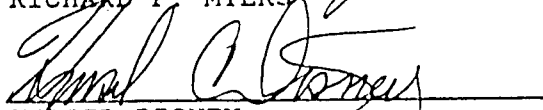
Alley located between Lots Eight (8) and Ten (10) in Block 16 in the Original Town of Belleville, Hendricks County, Indiana.

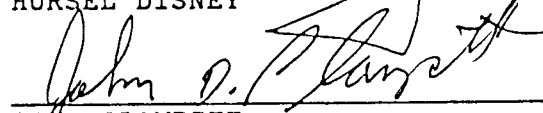
IT IS FURTHER ORDAINED AND ORDERED that the Clerk of the Board of Commissioners of Hendricks County, Indiana, shall furnish a copy of this Ordinance to the County Recorder for recording, and to the County Auditor, all pursuant to the provisions of I.C. 36-7-3-12.

THIS ORDINANCE ADOPTED THIS 12TH DAY OF AUGUST, 1991.

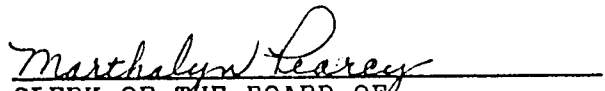
BOARD OF COMMISSIONERS OF  
HENDRICKS COUNTY, INDIANA

  
RICHARD P. MYERS

  
HURSEL DISNEY

  
JOHN CLAPPITT

ATTESTED BY:

  
CLERK OF THE BOARD OF  
COMMISSIONERS OF HENDRICKS COUNTY

This instrument prepared by Lee T. Comer, attorney-at-law, P.O. Box 207, Danville, IN 46122; 317-745-4300.



ORDINANCE NO. 16

ORDINANCE VACATING PUBLIC ALLEYWAY  
AND RESERVING UTILITY EASEMENT

BE IT ORDAINED by the County of Hendricks, Indiana, that:

WHEREAS, George W. Kolcheck and Anita M. Kolcheck, and Michael T. Martin and Elaine S. Martin, have filed a Petition to Vacate a certain alleyway with the Clerk of the Board of Commissioners of Hendricks County, Indiana, pursuant to statute; and

WHEREAS, there are no other property owners affected by the vacation herein; and

WHEREAS, notice of publication has been given as prescribed by I.C. 5-3-1, and the proof of publication having been filed with the Clerk of the Board of Commissioners of Hendricks County, Indiana; and

WHEREAS, the Board of Commissioners of Hendricks County, Indiana, having held a public hearing on such "Petition to Vacate Alleyway" on Monday, November 4th at 1:00 p.m.; and

WHEREAS, after reviewing all of the pertinent facts relative to the request of the "Petition to Vacate Alleyways" and all interested persons having had an opportunity to be heard at the public hearing;

NOW, THEREFORE, by the powers vested in the Board of Commissioners of Hendricks County, Indiana, pursuant to I.C. 36-7-3-12, is hereby ordered and ordained that the relief requested in said "Petition to Vacate Alleyway" is now granted.

IT IS, THEREFORE, ORDERED AND ORDAINED that the following alleyway heretofore platted be, and the same is hereby vacated which alleyway is more particularly described as follows, to-wit:

A ten (10) foot alley commencing at Summit Street, Cartersburg, Hendricks County, Indiana and running East to its point of terminus.

IT IS FURTHER ORDAINED AND ORDERED that the Clerk of the Board of Commissioners of Hendricks County, Indiana, shall furnish a copy of this Ordinance to the County Recorder for recording, and to the County Auditor, all pursuant to the provisions of I.C. 36-7-3-12.

THIS ORDINANCE ADOPTED THIS 4<sup>th</sup> DAY OF November, 1991.

BOARD OF COMMISSIONERS OF  
HENDRICKS COUNTY, INDIANA

Richard P. Myers  
RICHARD P. MYERS

Hursel Disney  
HURSEL DISNEY

John Clappitt  
JOHN CLAPPITT

ATTESTED BY:

Leana L. Owens  
CLERK OF THE BOARD OF  
COMMISSIONERS OF HENDRICKS COUNTY

This instrument prepared by Lee T. Comer, attorney-at-law, P.O. Box  
207, Danville, IN 46122; 317-745-4300.

*Ord. No. ? 18*

*Debbie Simpson  
in Auditor's office*

*get recorded  
get check  
make a copy & see*

*11/12/91*

AN ORDINANCE REPLACING THE HENDRICKS COUNTY  
ZONING ORDINANCE INCLUDING THE ZONING TEXT  
AND ZONING DISTRICT CLASSIFICATION MAP

WHEREAS, the legislature of the State of Indiana granted certain powers to boards of county commissioners for the establishment of an advisory plan commission within their jurisdiction pursuant to IC 36-7-4-200, as amended; and

WHEREAS, the Board of County Commissioners of Hendricks County established an advisory plan commission in 1951 entitled the "Hendricks County Advisory Plan Commission"; and

WHEREAS, the legislature of the State of Indiana granted certain powers to boards of county commissioners and advisory planning commissions pertaining to the adoption of a zoning ordinance within their jurisdiction pursuant to IC 36-7-4-500, as amended; and

WHEREAS, the Hendricks County Advisory Plan Commission, with the assistance of the Citizens Advisory Committee, has prepared a replacement zoning ordinance and zoning district classification map in accordance with the provisions of IC 36-7-4-500, as amended; and

WHEREAS, the Hendricks County Advisory Plan Commission has considered the comments made during the public hearing and has deliberated on the zoning proposals contained in the prepared replacement zoning ordinance entitled "Hendricks County Zoning Ordinance 1992"; and


WHEREAS, the Hendricks County Plan Commission has reviewed and approved the Replacement Hendricks County Zoning Ordinance 1992 and has, by resolution, recommended the adoption of the ordinance to the Board of Commissioners of Hendricks County; and

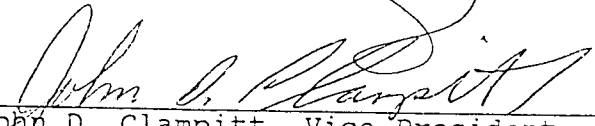
WHEREAS, the Hendricks County Board of Commissioners held a public hearing on September 23, 1991 to consider the Certified Replacement Hendricks County Zoning Ordinance as required by IC 36-7-4-606 and recommended its adoption;

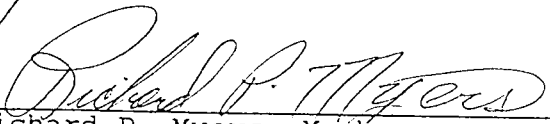
NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Hendricks County, Indiana, that in order to promote the public health, safety, morals, convenience, order and the general welfare and for the sake of efficiency and economy in the process of developing Hendricks County, the Board of County Commissioners finds that the replacement zoning ordinance entitled "Hendricks County Zoning Ordinance 1992" and the zoning map entitled "Hendricks County Zoning District Classification Map 1992", attached hereto and made a part thereof, be in full force and effect as of January 1, 1992.

Passed and approved by the Board of Commissioners of Hendricks County, Indiana, this 18th day of November, 1991.

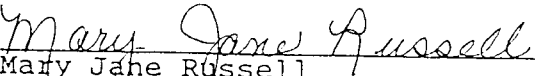
BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
Hursel C. Disney, President

  
\_\_\_\_\_  
John D. Clampitt, Vice-President

  
\_\_\_\_\_  
Richard P. Myers, Member

ATTEST:

  
\_\_\_\_\_  
Mary Jane Russell  
Hendricks County Auditor

ENTERED FOR RECORD

ORDINANCE NO. 1991-18

BOOK 311

NOV 27 1991

At 2:00 PM Page 55-556

ORDINANCE VACATING PUBLIC ALLEYWAY

Jay Keenan  
HENDRICKS COUNTY RECORDER

BE IT ORDAINED by the County of Hendricks, Indiana, that:

WHEREAS, George W. Kolcheck and Anita M. Kolcheck, and Michael T. Martin and Elaine S. Martin, have filed a Petition to Vacate a certain alleyway with the Clerk of the Board of Commissioners of Hendricks County, Indiana, pursuant to statute; and

WHEREAS, there are no other property owners affected by the vacation herein; and

WHEREAS, notice of publication has been given as prescribed by I.C. 5-3-1, and the proof of publication having been filed with the Clerk of the Board of Commissioners of Hendricks County, Indiana; and

WHEREAS, the Board of Commissioners of Hendricks County, Indiana, having held a public hearing on such "Petition to Vacate Alleyway" on Monday, November 4th at 1:00 p.m.; and

WHEREAS, after reviewing all of the pertinent facts relative to the request of the "Petition to Vacate Alleyways" and all interested persons having had an opportunity to be heard at the public hearing;

NOW, THEREFORE, by the powers vested in the Board of Commissioners of Hendricks County, Indiana, pursuant to I.C. 36-7-3-12, is hereby ordered and ordained that the relief requested in said "Petition to Vacate Alleyway" is now granted.

IT IS, THEREFORE, ORDERED AND ORDAINED that the following alleyway heretofore platted be, and the same is hereby vacated which alleyway is more particularly described as follows, to-wit:

A ten (10) foot alley commencing at Summit Street, Cartersburg, Hendricks County, Indiana and running East to its point of terminus.

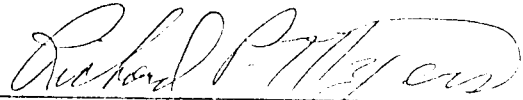
IT IS FURTHER ORDAINED AND ORDERED that the Clerk of the Board of Commissioners of Hendricks County, Indiana, shall furnish a copy of this Ordinance to the County Recorder for recording, and to the County Auditor, all pursuant to the provisions of I.C. 36-7-

Duly Entered for Taxation this 27th day of November 19 91

Mary Jane Russell

THIS ORDINANCE ADOPTED THIS 4<sup>th</sup> DAY OF November, 1991.

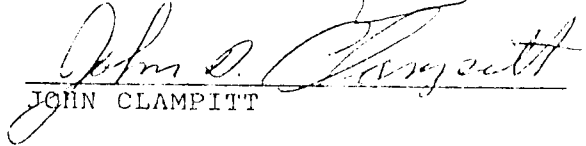
BOARD OF COMMISSIONERS OF  
HENDRICKS COUNTY, INDIANA



RICHARD P. MYERS



HURSEL DISNEY



JOHN CLAPPITT

ATTESTED BY:



CLERK OF THE BOARD OF  
COMMISSIONERS OF HENDRICKS COUNTY

This instrument prepared by Lee T. Comer, attorney-at-law, P.O. Box 207, Danville, IN 46122; 317-745-4300.

HENDRICKS COUNTY

DOG, ANIMAL CONTROL ORDINANCE AMENDMENT NO. 1991 - 19

An Ordinance Regulating the Keeping of Dogs and Providing for the Taking Up and Impoundment of Dogs and Other Animals, and Quarantining and the Destruction of Dogs in Certain Cases and making Violations a Misdemeanor Punishable by fine not exceeding One Hundred Dollars (\$100.00); was passed by the Board of Commissioners in 1975; and

WHEREAS, the Board of Commissioners of Hendricks County, Indiana, have changed the job description of the animal control warden; and

WHEREAS, the Animal Control Warden is now a department head within the County Personnel System; and

WHEREAS, the Animal Control Warden will report directly to the Hendricks County Board of Commissioners the same as all other department heads; and

WHEREAS, the Hendricks County Board of Commissioners has jurisdiction over all personnel matters within the department; and

WHEREAS, the Hendricks County Board of Commissioners finds that the Hendricks County Animal Control Authority has served a valuable function in the past, but is not necessary for the continued supervision of the Animal Control Department;

BE IT THEREFORE RESOLVED that the Ordinance No. 1975-1 be amended as follows:


1) All provisions referring to the Hendricks County Animal Control Authority shall be deleted and shall be replaced by the Hendricks County Board of Commissioners.

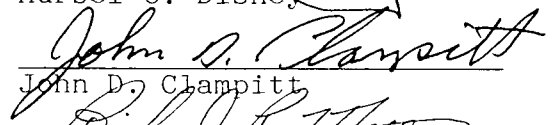
2) The Hendricks County Board of Commissioners shall be substituted for the Hendricks County Animal Control Authority when just and proper within the ordinance.


3) The Hendricks County Animal Control Authority shall be hereby dissolved, and all pertinent functions shall become the jurisdiction and authority of the Hendricks County Board of Commissioners.

4) All other provisions of Ordinance No. 1975-1 shall remain in full force and effect.

EXAMINED AND APPROVED THIS 30 day of December, 1991.


  
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Hursel C. Disney

  
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John D. Clappitt

  
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Richard P. Myers

BOARD OF HENDRICKS  
COUNTY COMMISSIONERS

ATTEST:

  
\_\_\_\_\_  
Marthalyne Percy, Secretary  
Board of Hendricks  
County Commissioners



EMERGENCY APPROPRIATION ORDINANCE

Whereas, certain extraordinary emergencies have developed since the adoption of the existing budget, so that it is necessary to appropriate more money than was appropriated in the annual budget; now, therefore, to meet such extraordinary emergencies:

Sec. 1. Be it ordained by the County Council of Hendricks County, Indiana, that for the expense of said municipal corporation the following additional sums of money are hereby appropriated and ordered set apart out of the several funds herein and for the purpose herespecified, subject to the laws governing the same:

CUMULATIVE BRIDGE FUND

	<u>REQUESTED</u>	<u>APPROVED</u>
1) 25-203-571 Bridge #120 Marion Twp 150 S west of 800 W	\$ 80,000.00	\$ 80,000. <sup>00</sup>
TOTAL	\$ 80,000.00	\$ 80,000. <sup>00</sup>

ADOPTED THIS 8TH DAY OF JANUARY, 1991, BY THE FOLLOWING VOTE:

AYE

NAY

W. Hunt Palmer  
John A. Daum  
Richard J. Turpin  
J. K. Newby  
Barbara Ford  
Linda H. Watson

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ATTEST: Mary Jane Russell  
SECRETARY - COUNCIL

Linda H. Watson  
PRESIDENT - COUNCIL

*State action is no longer required on Cumulative Bridge Fund.  
Only Council approval is needed.*

ORDINANCE No. 1990-3

EMERGENCY APPROPRIATION ORDINANCE

Whereas, certain extraordinary emergencies have developed since the adoption of the existing budget, so that it is necessary to appropriate more money than was appropriated in the annual budget; now, therefore, to meet such extraordinary emergencies:

Sec. 1. Be it ordained by the County Council of Hendricks County, Indiana, that for the expense of said municipal corporation the following additional sums of money are hereby appropriated and ordered set apart out of the several funds herein and for the purpose herespecified, subject to the laws governing the same:

	REQUESTED	APPROVED
<u>GENERAL FUND</u>		
1) 01-149-303 Council Legal Fees	\$ 5,000.00	<u>5,000.00</u>
2) 01-144-152 Animal Control Overtime	\$ 2,030.70	<u>2,030.70</u>
3) 01-101-446 Clerk Shelf Filing System	\$ 20,000.00	<u>- 0 -</u>
4) 01-103-114 Treasurer Salary (Third Deputy)	\$ 2.40	<u>2.40</u>
01-103-115 Treasurer Salary (Fourth Deputy)	\$ 2.40	<u>2.40</u>
01-103-116 Treasurer Salary (Fifth Deputy)	\$ 2.40	<u>2.40</u>
01-103-117 Treasurer Salary (Sixth Deputy)	\$ 2.40	<u>2.40</u>
5) 01-135-441 Commissioners Clerk Shelf System	\$ 20,000.00	<u>- 0 -</u>
<b>TOTAL</b>	<b>\$ 48,040.30</b>	<b><u>7,040.30</u></b>
<u>HIGHWAY FUND</u>		
6) 02-201-155 Steven Maxwell	\$ 25,804.00	<u>25,804.00</u>
02-201-192 Group Insurance	\$ 6,401.00	<u>6,401.00</u>
02-201-190 Social Security	\$ 3,514.00	<u>3,514.00</u>
02-201-191 PERF (Retirement)	\$ 4,938.00	<u>4,938.00</u>
<b>TOTAL</b>	<b>\$ 40,657.00</b>	<b><u>40,657.00</u></b>
<u>HEALTH FUND</u>		
7) 05-213-___ Heat for Health Dept. Trailer	\$ 1,500.00	<u>- 0 -</u>
<u>REASSESSMENT FUND</u>		
8) 08-507-305 Training	\$ 500.00	<u>500.00</u>
<u>CIRCUIT PROBATION USERS FEE FUND</u>		
9) 16-000-321 Fee to Obtain Tax Exempt Status	\$ 500.00	<u>Tabled</u>
<u>SUPERIOR PROBATION USERS FEE FUND</u>		
10) 16-317-112 Deb Boyer	\$ 4.00	<u>4.00</u>
16-317-113 Jeff Milner	\$ 4.00	<u>4.00</u>
16-317-114 Steve Roberts	\$ 802.00	<u>802.00</u>
16-317-115 Anthony Gray	\$ 802.00	<u>802.00</u>
16-317-201 Office Supplies	\$ 2,700.00	<u>2,700.00</u>
16-317-234 Equipment Supplies	\$ 450.00	<u>450.00</u>
16-317-243 Copier Service	\$ 975.00	<u>975.00</u>
16-317-330 Communication & Travel	\$ 7,000.00	<u>7,000.00</u>
16-317-346 Printing	\$ 1,200.00	<u>1,200.00</u>
16-317-392 Dues and Subscriptions	\$ 500.00	<u>500.00</u>
16-317-393 Urinalysis Fees	\$ 16,000.00	<u>16,000.00</u>
16-317-398 Continuing Education	\$ 8,000.00	<u>8,000.00</u>
16-317-441 Furniture	\$ 1,500.00	<u>1,500.00</u>
16-317-442 Equipment	\$ 1,000.00	<u>1,000.00</u>
<b>TOTAL</b>	<b>\$ 40,937.00</b>	<b><u>40,937.00</u></b>
<u>CUMULATIVE BRIDGE FUND</u>		
11) 25-203-117 Perry Cook	\$ 20,124.00	<u>20,124.00</u>
25-203-577 Bridge #218 700E Guilford Twp	\$ 350,000.00	<u>350,000.00</u>
<b>TOTAL</b>	<b>\$ 370,124.00</b>	<b><u>370,124.00</u></b>

ADOPTED THIS 5TH DAY OF FEBRUARY, 1991, BY THE FOLLOWING VOTE:

AYE

NAY

W. Kent Palmer  
Justin H. Huff  
John J. Blawie  
Richard J. Turpin  
Linda H. Watson  
Barbara Gore

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ATTEST: Mary Jane Bussell  
SECRETARY - COUNCIL

Linda H. Watson  
PRESIDENT - COUNCIL

ORDINANCE OF THE HENDRICKS COUNTY COUNCIL  
INCREASING THE COUNTY ADJUSTED GROSS INCOME TAX  
(C.A.G.I.T.)

WHEREAS, the Hendricks County Council ("Council") imposed the county adjusted gross income tax on the adjusted gross income of county taxpayers in Hendricks County effective January 1, 1974, by an ordinance adopted on May 31, 1973; and

WHEREAS, the Council imposed the county adjusted gross income tax at a rate of one-half of one percent (0.5%) on resident county taxpayers and at a rate of one-fourth of one percent (0.25%) on non-resident county taxpayers; and

WHEREAS, IC 6-3.5-1.1-3 authorizes the Council to increase the county adjusted gross income tax rate imposed upon resident county taxpayers by an ordinance adopted after January 1, but before April 1 of a year; and

WHEREAS, IC 6-3.5-1.1-3 prescribes the format for any proposed ordinance to increase the rate;

NOW, THEREFORE, BE IT ORDAINED BY THE HENDRICKS COUNTY COUNCIL:

1. The Hendricks County Council increases the county adjusted gross income tax rate imposed upon the resident county taxpayers of the county from one-half of one percent (0.5%) to one percent (1.0%). This tax rate increase takes effect July 1 of this year.
2. The Hendricks County Auditor shall record all votes taken on ordinances presented under the authority of IC 6-3.5-1.1-3 and immediately send a certified copy of the results by certified mail to the Indiana Department of State Revenue.

Adopted this 5 day of March, 1991, by a vote of  
7 ayes and 0 nays.

HENDRICKS COUNTY COUNCIL

  
LINDA H. WATSON, PRESIDENT

Attest:

  
MARY JANE RUSSELL,  
HENDRICKS COUNTY AUDITOR

dks

ORDINANCE OF THE HENDRICKS COUNTY COUNCIL  
IMPOSING THE COUNTY ECONOMIC DEVELOPMENT INCOME TAX  
(C.E.D.I.T.)

WHEREAS, the Hendricks County Council ("Council") imposed the county adjusted gross income tax on the adjusted gross income of county taxpayers in Hendricks County effective January 1, 1974, by an ordinance adopted on May 31, 1973; and

WHEREAS, the Council imposed the county adjusted gross income tax at a rate of one-half of one percent (0.5%) on resident county taxpayers and at a rate of one-fourth of one percent (0.25%) on non-resident county taxpayers; and

WHEREAS, IC 6-3.5-1.1-3 authorizes the Council to increase the county adjusted gross income tax rate imposed upon resident county taxpayers by an ordinance adopted after January 1, but before April 1 of a year; and

WHEREAS, on March 5, 1991, the Council adopted an ordinance increasing the county adjusted gross income tax rate imposed upon resident county taxpayers from one-half of one percent (0.5%) to one percent (1.0%), effective July 1, 1991; and

WHEREAS IC 6-3.5.7-5 authorizes the Council to impose the county economic development income tax on the adjusted gross income of county taxpayers; and

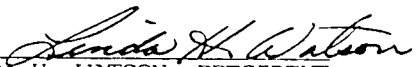
WHEREAS, IC 6-3.5.7-5(c) provides that the county economic development income tax rate plus the county adjusted gross income tax rate, if any, that are in effect on January 1 of a year may not exceed one and twenty-five hundredths percent (1.25%);

NOW, THEREFORE, BE IT ORDAINED BY THE HENDRICKS COUNTY COUNCIL:

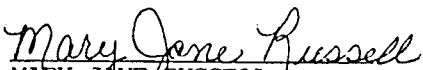
1. The Hendricks County Council imposes the county economic development income tax on the county taxpayers of Hendricks County. The county economic development income tax is imposed at a rate of twenty-five hundredths percent (0.25%). This tax takes effect July 1 of this year.
2. The Hendricks County Auditor shall record all votes taken on ordinances presented under the authority of IC 6-3.5-7-5 and immediately send a certified copy of the results by certified mail to the Indiana Department of State Revenue.

Adopted this 5 day of March, 1991, by a vote of  
2 ayes and 0 nays.

HENDRICKS COUNTY COUNCIL

  
LINDA H. WATSON, PRESIDENT

Attest:

  
MARY JANE RUSSELL,  
HENDRICKS COUNTY AUDITOR

dks

ORDINANCE 1990-10

EMERGENCY APPROPRIATION ORDINANCE

Whereas, certain extraordinary emergencies have developed since the adoption of the existing budget, so that it is necessary to appropriate more money than was appropriated in the annual budget; now, therefore, to meet such extraordinary emergencies:

Sec. 1. Be it ordained by the County Council of Hendricks County, Indiana, that for the expense of said municipal corporation the following additional sums of money are hereby appropriated and ordered set apart out of the several funds herein and for the purpose herespecified, subject to the laws governing the same:

	<u>REQUESTED</u>	<u>APPROVED</u>
	<u>GENERAL FUND</u>	
1) 01-101-446 Clerk - Shelving	\$ 20,000.00	\$ 20,000.00
01-149-440 Council - Reduction	- 20,000.00	\$ 20,000.00
Total Additional Appropriation	-0-	
01-101-    Clerk - New Employee Line Item	\$ 12,685.00	\$ 12,685.00
01-149-150 Council - Reduction	12,685.00	\$ 12,685.00
Total Additional Appropriation	-0-	
2) 01-102-150 Auditor - Part Time Help	\$ 8,000.00	\$ 8,000.00
3) 01-103-150 Treasurer - Part Time Help	\$ 15,000.00	\$ 13,000.00
4) 01-105-156 Sheriff - Salaries	\$ 90.00	\$ 90.00
01-105-158 " "	\$ 30.00	\$ 30.00
01-105-160 " "	\$ 255.00	\$ 255.00
01-105-163 " "	\$ 15.00	\$ 15.00
01-105-164 " "	\$ 195.00	\$ 195.00
01-105-165 " "	\$ 195.00	\$ 195.00
01-105-166 " "	\$ 195.00	\$ 195.00
01-105-167 " "	\$ 135.00	\$ 135.00
01-105-168 " "	\$ 75.00	\$ 75.00
01-105-169 " "	\$ 120.00	\$ 120.00
01-105-172 " "	\$ 210.00	\$ 210.00
01-105-175 " "	\$ 210.00	\$ 210.00
01-105-175 " "	\$ 270.00	\$ 270.00
01-105-449 Sheriff - Automobiles	\$185,028.00	\$185,028.00
5) 01-106-113 Surveyor - Deputy Surveyor	\$ 4,326.00	\$ TABLED
01-106-394 " - Private Surveys	\$ 4,000.00	\$ 4,000.00
6) 01-131-125 Plan Commission - Tammy Kersey	\$ 1,670.00	\$ 1,670.00
01-130-116 Extension Off. - Sharon Wilson	\$ 1,053.00	\$ 1,053.00
01-135-113 Commissioners - M. Percy	\$ 785.00	\$ 785.00
01-147-112 Computer Center - M. Potter	\$ 1,175.00	\$ 1,175.00
01-152-113 Microfilm - Sharon Garing	\$ 1,510.00	\$ 1,510.00
01-104-114 Recorder - Wilma Boyd	\$ 1,256.00	\$ 1,256.00
01-139-116 Circuit Court - D. Swift	\$ 234.00	\$ 234.00
01-139-117 " " - K. Woodall	\$ 234.00	\$ 234.00
01-139-118 " " - K. Black	\$ 468.00	\$ 468.00
01-140-112 Superior Court I - K. Wynn	\$ 468.00	\$ 468.00
01-140-113 " " - J. Schneider	\$ 468.00	\$ 468.00
01-141-116 " " - S. Smith	\$ 468.00	\$ 468.00
01-141-117 " " - P. Evans	\$ 468.00	\$ 468.00
01-108-115 Prosecutor - M. Knotts	\$ 3,434.00	\$ 3,434.00
01-143-119 Engineer - D. Williams	\$ 2,408.00	\$ 2,408.00
01-143-118 " - B. Carroll	\$ 3,470.00	\$ 3,470.00
01-143-113 " - D. Belcher	\$ 3,398.00	\$ 3,398.00
01-137-162 Jail - R. Morphew	\$ 2,494.00	\$ 2,494.00
01-144-111 Animal Control - D. Binninger	\$ 291.00	\$ 291.00
01-144-112 " " - E. Binninger	\$ 1,151.00	\$ 1,151.00
01-138-116 County Home - M. Lester	\$ 183.00	\$ 183.00
01-103-112 Treasurer - M. Nicely	\$ 344.00	\$ 344.00
01-103-113 " - J. Shelley	\$ 236.00	\$ 236.00
01-106-115 Surveyor - P. Wynn	\$ 262.00	\$ 262.00
01-101-114 Clerk - A. Baldwin	\$ 250.00	\$ 250.00
01-101-112 " - J. Chilewski	\$ 344.00	\$ 344.00
01-135-190 Commissioners - Social Security	\$ 2,182.00	\$ 2,182.00
01-135-191 " - PERF	\$ 3,067.00	\$ 3,067.00
01-135-193 " - Unemployment	\$ 58.00	\$ 58.00
01-148-153 Personnel Mgt. - Reduction	\$ 18,000.00	\$ 18,000.00
Total Appropriation	\$ 15,829.00	\$ 15,829.00
TOTAL GENERAL FUND	\$234,178.00	\$227,852.00

		<u>HIGHWAY FUND</u>	
7)	02-201-111 R. Lawson	\$ 410.00	\$ 410.00
	02-201-127 H. Dose	\$ 282.00	\$ 282.00
	02-201-130 F. Burris	\$ 282.00	\$ 282.00
	02-201-123 H. Bennett	\$ 282.00	\$ 282.00
	02-201-190 Social Security	\$ 97.00	\$ 97.00
	02-201-191 PERP	\$ 136.00	\$ 136.00
	02-201-193 Unemployment	\$ 3.00	\$ 3.00
	<b>TOTAL HIGHWAY</b>	<b>\$ 1,492.00</b>	<b>\$ 1,492.00</b>

		<u>HEALTH FUND</u>	
8)	05-213-112 L. Hibner	\$ 1,577.00	\$ 1,577.00
	05-213-119 M. Belcher	\$ 953.00	\$ 953.00
	05-213-190 Social Security	\$ 194.00	\$ 194.00
	05-213-191 PERP	\$ 272.00	\$ 272.00
	05-213-193 Unemployment	\$ 6.00	\$ 6.00
	<b>TOTAL HEALTH</b>	<b>\$ 3,002.00</b>	<b>\$ 3,002.00</b>

		<u>PROBATION USERS FEE FUND</u>	
9)	16-317-366 Equipment Maintenance	\$ 1,500.00	\$ 1,500.00

		<u>CUMULATIVE CAPITAL DEVELOPMENT FUND</u>	
10)	20-202-407 Jail Remodeling	\$ 60,000.00	\$ 60,000.00

		<u>CUMULATIVE BRIDGE FUND</u>	
11)	25-203-578 Bridge #38, Brown Twp., 1000 N	\$ 60,000.00	\$ 60,000.00

ADOPTED THIS 5TH DAY OF MARCH, 1991, BY THE FOLLOWING VOTE:

AYE

NAY

Justin K. Smith  
W. Hunt Palmer  
John A. Hauser  
Richard A. Surpin  
J. B. Lewis  
Barbara J. Deed  
Linda H. Watson

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ATTEST: Mary Jane Russell ds  
 SECRETARY - COUNCIL

Linda H. Watson  
 PRESIDENT - COUNCIL