

## **ORDINANCE 07-32**

### **AN ORDINANCE TO AMEND THE PARK IMPACT FEE ORDINANCE OF THE TOWN OF WESTFIELD**

**WHEREAS**, the procedures for enacting an Impact Fee Ordinance are contained in IC 36-7-4-1300-1341 and were previous approved by ordinance 97-23 dated December 8, 1997, updated by ordinance 04-09 dated March 8, 2004, updated by ordinance 06-54 dated November 13, 2006; and

**WHEREAS**, the Westfield Washington Township Advisory Plan Commission, the Impact Fee Advisory Committee, and the Westfield Parks Advisory Committee have reviewed certain information prepared by the Westfield Park Department addressing a revised park impact fee; and

**WHEREAS**, the Westfield-Washington Township Advisory Plan Commission held a public hearing for the Westfield Town Council on November 26, 2007 to review a proposed modification to the park impact fee amount referenced in Westfield Town Ordinances Chapter 40, IMPACT FEES, Article III. Parks and Recreation Impact fee, Sec.40.53; and

**WHEREAS**, the Impact Fee Advisory Committee, as established under IC 36-7-4-1312, at its meetings on November 1, 2007 recommended to the Westfield Town Council the modification of the fee structure for the park impact fee that was reviewed at the public hearing; and

**WHEREAS**, such Impact Fee Ordinance will only apply to certain improvements and developments within the impact zone as specified in the Parks & Recreation Zone Improvement Plan (February 2004);

**NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD TOWN COUNCIL THAT THE FOLLOWING AMENDMENT BE MADE TO THE WESTFIELD TOWN ORDINANCES.**

**SECTION 1.** Amend Chapter 40, IMPACT FEES, Article III. Parks and Recreation Impact Fee, Sec.40.53 to read as follows:

**Chapter 40**  
**IMPACT FEES**  
**Article III Parks and Recreation Impact Fee**

**Section 40-53 Establishment of Parks and Recreation Impact Fees**

Based upon the Zone Improvement Plan previously referred to and which is made a part of the Ordinance, the Council determines that the impact costs, minus the sum of nonlocal revenues and impact deductions (as defined in IC 36-7-4-1321), equal the amount of nine hundred and thirty dollars (\$930.00) per equivalent dwelling unit, and that, therefore, the impact fee to be imposed on every development subject to this ordinance shall equal the product of: (a) nine hundred and thirty dollars(\$930.00), times (b) the number of equivalent dwelling units to be constructed pursuant to the improvement location permit obtained by the fee payer.

The Council does hereby make as a part of the record of these proceedings, all of the data collected, the calculations made, and the conclusions reached in the creation of the Zone Improvement Plan, and specifically instructs the Parks Department to make such data and other information inclusively available to anyone for review during regular business hours.

**SECTION 2.** This ordinance shall be in full force and effect in accordance with Indiana Law, upon its passage by the Town Council, its publication in accordance with law, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana.

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ADOPTED AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006, BY THE WESTFIELD TOWN COUNCIL, HAMILTON COUNTY, INDIANA.

**WESTFIELD TOWN COUNCIL**

**Voting For**

**Voting Against**

**Abstain**

\_\_\_\_\_  
Andy Cook

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Andy Cook

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Andy Cook

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John Dippel

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John Dippel

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John Dippel

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Jack Hart

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Jack Hart

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Jack Hart

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Robert Horkay

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Robert Horkay

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Robert Horkay

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Joe Plankis

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Joe Plankis

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Bob Smith

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Bob Smith

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Bob Smith

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Ron Thomas

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Ron Thomas

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Ron Thomas

ATTEST:

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Clerk-Treasurer, Cindy Gossard