2007002777 ORDI $17.00
01/16/2007 11:47:47A 4 PGS
Jennifer J Hayden
HAMILTON County Recorder IN
Recorded as Presented

Ordinance 07-04

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WESTFIELD AMENDING THE APPLICABLE FEES FOR INFRASTRUCTURE THAT IS INSPECTED BY THE TOWN OF WESTFIELD OR ITS REPRESENTATIVES THIS ORDINANCE AMENDS ORDINANCES 03-23; 05-25; 06-40.

WHEREAS, the Town of Westfield, Indiana (the "Town") is governed by the Town Council (the "Council"); and

WHEREAS, the Town's Department of Public Works (the "Department") provides certain services related to public infrastructure, including inspection services and plan review services; and

WHEREAS, the Town incurs costs for providing such inspection services and plan review services; and

WHEREAS, the Council adopted Ordinance 03-23, which established inspection fees and plan review fees related to public infrastructure improvements and the services provided by the Town in connection therewith; and

WHEREAS, Exhibit "A", and Table A1 thereto, of Ordinance 03-23 set forth the fees; and

WHEREAS, Exhibit "A", and Table A1 were amended by Ordinance 05-25 and Ordinance 06-40; and

WHEREAS, the Town has examined the fees in Ordinance 03-23 as amended by Ordinance 05-25 and Ordinance 06-40; and

WHEREAS, as a result of the Town's examination, the Town has determined that the Town's inspection fees and plan review fees should be adjusted, specifically the plan review fees should be adjusted to provide for a re-review fee; and

WHEREAS, the Department's review of plans commonly requires revisions by developers and homeowners to those plans; and

WHEREAS, the Department has analyzed the costs of plan review; and

WHEREAS, the Department's analysis revealed the plan review fee covers the costs of initial review, but does not cover costs of re-review by the Department of previously submitted plans; and

WHEREAS, the additional administrative burden associated with the re-review of plans warrants a fee for such re-review to be imposed by the Town; and

WHEREAS, the Town has consulted with its financial advisor and finds that the fees contemplated hereby are reasonable, non-discriminatory and just; and

WHEREAS, the Council desires to amend Ordinance 03-23, as amended by Ordinance 05-25 and Ordinance 06-40, consistent with the determinations of its examination.

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Westfield, meeting in regular session, that:

Section 1. Exhibit "A" of Ordinance 03-23, as amended by Ordinance 05-25 and Ordinance 6-40, is hereby amended by the addition of the language that is underlined and the deletion of the language that is stricken through, as follows:

IV. Rezone, PUD, and Development Plan Review Fees.

A full set of Rezone, PUD and/or Development Plan must be submitted to the Public Works Department for review for all projects that include public improvements. Development Plan reviews include, but are not limited to, Primary Plan (Plat), Secondary Plan (Plat), and Construction Plan Reviews. Each submittal will be assessed a separate fee.

Rezone, PUD, and/or Development Plans reviewed by the Westfield Public Works Department, shall require a fee, as follows:

Number of Sheets	Rezone	PUD	Development Plan (each)
1 to 20	$250.00	$1,325.00	$1325.00
21 to 40	$300.00	$1,590.00	$1590.00
41 to 60	$350.00	$1,855.00	$1855.00
61 to 80	$400.00	$2,120.00	$2,120.00
Each additional 20 sheets	$450.00	$265.00	$265.00

An additional fee of $300 will be imposed for each erosion and sedimentation control plan submitted with Primary, Secondary and Construction Plans.

Fire service plans submitted for review shall be assessed a $265 review fee.

Rezone, PUD and/or Development Plans submitted for re-review shall be assessed a $150 re-review fee.

Section 2. All portions of Ordinance 03-23, Ordinance 05-25 and Ordinance 06-40 not expressly amended by this Ordinance shall remain in full force and effect.

Section 3. The actions of the Town and Department staff working under the provisions of this Ordinance are to be deemed in conformity with Town policy.

Section 4. Any current Town or Department policy in effect contrary to the provisions of this Ordinance shall be deemed void. Any portion of this Ordinance that may be later deemed invalid shall not affect the remaining provisions.

Section 5. This Ordinance shall be in full force and effect in accordance with Indiana law, upon its passage and any publication and applicable waiting period, as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby ordered repealed as of the effective date of this Ordinance.

ALL OF WHICH IS ORDAINED this 8 day of Jan, 2007.

[The remainder of this page intentionally left blank]

WESTFIELD TOWN COUNCIL

Voting For	Voting Against	Abstain
Andy Cook	Andy Cook	Andy Cook
John Dippel	John Dippel	John Dippel
Jack Hart	Jack Hart	Jack Hart
Robert Horkay	Robert Horkay	Robert Horkay
Joe Plankis	Joe Plankis	Joe Plankis
Robert Smith	Robert Smith	Robert Smith
Ron Thomas	Ron Thomas	Ron Thomas

ATTEST:

Clerk-Treasurer, Cindy J. Gossard

This Ordinance prepared by:
David T. McGimpsey
Bingham McHale LLP

"I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law"

Signed